

Defined terms: "Destitute adult child" § 13-101
"Destitute parent" § 13-101

13-104. PRETRIAL INQUIRY -- POWERS OF STATE'S ATTORNEY.

(A) IN GENERAL.

AFTER A COMPLAINT IS FILED UNDER § 13-103 OF THIS TITLE AND BEFORE AN INFORMATION IS PREPARED, THE STATE'S ATTORNEY MAY HOLD A PRETRIAL INQUIRY.

(B) SUMMONS; OATHS; WITNESSES; EVIDENCE.

IN CONNECTION WITH ANY PRETRIAL INQUIRY UNDER THIS SECTION, THE STATE'S ATTORNEY MAY:

(1) ISSUE A SUMMONS THAT REQUIRES A PERSON OTHER THAN THE ACCUSED INDIVIDUAL TO APPEAR, TO TESTIFY, AND TO PRODUCE DOCUMENTS CONNECTED TO THE INQUIRY;

(2) ADMINISTER OATHS;

(3) EXAMINE WITNESSES; AND

(4) RECEIVE EVIDENCE.

(C) SANCTIONS FOR FAILURE TO APPEAR OR OBEY.

(1) IF A PERSON FAILS TO OBEY A SUMMONS, OR FAILS TO TESTIFY OR COMPLY WITH THE REQUESTS OF THE STATE'S ATTORNEY, THE STATE'S ATTORNEY MAY ASK THE CIRCUIT COURT FOR THE COUNTY TO ORDER THE PERSON:

(I) TO OBEY THE SUMMONS;

(II) TO TESTIFY; OR

(III) TO PRODUCE ANY DOCUMENT THAT THE COURT CONSIDERS NECESSARY FOR THE INQUIRY.

(2) IF A PERSON FAILS OR REFUSES TO OBEY THE ORDER OF COURT AFTER THE ORDER HAS BEEN SERVED, THE PERSON IS IN CONTEMPT OF COURT AND THE COURT MAY PUNISH THE PERSON FOR THE CONTEMPT.

(3) A FINDING OF CONTEMPT UNDER THIS SUBSECTION IS SUBJECT TO APPEAL.

REVISOR'S NOTE: This section is new language that combines without substantive change former Article 27, § 99, § 106, the last clause of the first sentence of § 98(a), and the last clause of the first sentence of § 105(a).

In subsection (a) of this section, the introductory clause is new language added for clarity.