

shall vacate the award, and trial of the case shall proceed as if there had been no award.

(d) Unless vacated by the court pursuant to subsection (c), the arbitration award is admissible as evidence in the judicial proceeding. The award shall be presumed to be correct, and the burden is on the party rejecting it to prove that it is not correct.

(E) (1) DEPOSITIONS TAKEN IN THE ARBITRATION PROCEEDINGS SHALL BE AS FULLY ADMISSIBLE AS IF NOTICED IN COURT PROCEEDINGS. INTERROGATORIES AND REQUESTS FOR ADMISSIONS AND PRODUCTION OF DOCUMENTS IN THE ARBITRATION PROCEEDINGS REMAIN BINDING IN THE COURT PROCEEDINGS, SUBJECT TO A DUTY OF SUPPLEMENTATION.

(2) THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION DO NOT AFFECT ANY RIGHTS TO DISCOVERY ON APPEAL.

[(e)] (F) If the verdict of the trier of fact is not more favorable to the party that rejected the arbitration panel's award, than was the award, the costs of the judicial proceedings shall be assessed against the rejecting party. Otherwise, the court may determine the assessment of such costs.

[(f)] (G) Venue shall be determined in accordance with the provisions of § 6-201 of this article.

[(g)] (H) The clerk of the court shall file a copy of the verdict OR ANY OTHER FINAL DISPOSITION with the Director.

3-2A-07.

(A) IF THE ARBITRATION PANEL FINDS THAT THE CONDUCT OF ANY PARTY IN MAINTAINING OR DEFENDING ANY ACTION IS IN BAD FAITH OR WITHOUT SUBSTANTIAL JUSTIFICATION, THE PANEL MAY REQUIRE THE OFFENDING PARTY, THE ATTORNEY ADVISING THE CONDUCT, OR BOTH, TO PAY TO THE ADVERSE PARTY THE COSTS OF THE PROCEEDING AND REASONABLE EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, INCURRED BY THE ADVERSE PARTY IN OPPOSING IT. A DETERMINATION MADE UNDER THE SUBSECTION SHALL BECOME PART OF THE PANEL AWARD AND SUBJECT TO JUDICIAL REVIEW.

(B) If a legal fee is in dispute, an attorney may not charge or collect compensation for services rendered in connection with an arbitration claim unless it is approved by the arbitration panel, or by the court in the event [a rejection of] AN ACTION TO NULLIFY a panel determination has been filed therein.

SECTION 2. AND BE IT FURTHER ENACTED, Except as otherwise provided, the provisions in this Act shall apply to all cases open in the Health Claims Arbitration Office as of the effective date of this Act.