

jurisdiction to hear the same. If the court shall determine that the Commission has acted within its powers and has correctly construed the law and facts, the decision of the Commission shall be confirmed; otherwise it shall be reversed, modified, or remanded to the Commission for further proceedings. Upon the hearing of such an appeal the court shall, upon motion of either party filed with the clerk of the court according to the practice in civil cases, submit to a jury any question of fact involved in such case. Stipulations, a statement in lieu of a record, or [a record transcript of the proceedings] a certified copy of the record of its proceedings including any transcript of testimony in the case before the Commission shall be filed with the court as required by the Maryland Rules. Subject to a final allocation of costs by the circuit court at the conclusion of the appeal, the costs of the certified copy of the record of its proceedings including any transcript of testimony shall be paid as follows: (i) if the court, on its own initiative, orders that a certified copy of the record of its proceedings including any transcript of testimony be filed, the court shall specify in that order which party shall pay for the certified copy of the record of its proceedings including any transcript of testimony; and (ii) if a party requests that a certified copy of the record of its proceedings including any transcript of testimony be produced, that party shall pay the costs, unless otherwise determined by the court. The proceedings in every such an appeal shall be informal and summary, but full opportunity to be heard shall be had before judgment is pronounced. In the event a claimant needs additional medical attention pending any appeal as provided herein, the Commission shall retain jurisdiction to entertain a request for additional medical treatment and attention and may issue a supplemental order requiring the employer to furnish additional medical treatment and attention, which order is subject to review on the pending appeal. An appeal shall not be a stay of any order of the Commission directing payment of compensation or any order or supplemental order requiring the furnishing of medical treatment. If the decision of the Commission shall be confirmed, reversed, modified, or remanded to the Commission for further proceedings, the practice prevailing in civil cases as to the payment of costs and the fees of medical and other witnesses shall apply. In all such appeals upon suggestion in writing, under oath, of either of the parties to said proceedings that such party cannot have a fair and impartial trial in the court in which the same may be pending, the said court shall order and direct the record of proceedings in such appeal to be transmitted to some other of the circuit courts of the counties for trial. Appeal shall lie from the judgment of the circuit court of the county to the Court of Special Appeals as in other civil cases subject to the jurisdiction of the Court of Special Appeals. All appeals from the Commission shall have precedence over all cases except criminal cases.

DRAFTER'S NOTE: