

(1) IS RECOGNIZED BY THE COURT OF APPEALS;

(2) IS A STANDING COMMITTEE OF THE MARYLAND STATE BAR ASSOCIATION;

(3) CONSISTS OF LAWYERS AND OTHER INDIVIDUALS NECESSARY TO CARRY OUT THE FUNCTIONS OF THE COMMITTEE; AND

(4) EVALUATES AND HELPS A LAWYER IN NEED OF TREATMENT AND REHABILITATION FOR:

(I) SUBSTANCE ABUSE; OR

(II) ANY OTHER PHYSICAL, EMOTIONAL, OR MENTAL CONDITION THAT ADVERSELY AFFECTS THE ABILITY OF THE LAWYER TO PRACTICE LAW IN ACCORDANCE WITH THE RULES ADOPTED BY THE COURT OF APPEALS.

(B) MATTERS NOT DISCOVERABLE OR ADMISSIBLE.

(1) THIS SUBSECTION DOES NOT APPLY TO A PROCEEDING BEFORE THE ATTORNEY GRIEVANCE COMMISSION OR A DISCIPLINARY PROCEEDING AGAINST A LAWYER BEFORE A CIRCUIT COURT OR THE COURT OF APPEALS.

(2) THE PROCEEDINGS, RECORDS, AND FILES OF A LAWYER COUNSELING COMMITTEE ARE NOT ADMISSIBLE INTO EVIDENCE OR DISCOVERABLE IN A CIVIL ACTION THAT ARISES OUT OF A MATTER THAT THE LAWYER COUNSELING COMMITTEE IS OR HAS BEEN REVIEWING.

(C) IMMUNITY OF COMMITTEE MEMBERS.

NOTWITHSTANDING ANY OTHER LAW, A MEMBER OF A LAWYER COUNSELING COMMITTEE WHO ACTS IN GOOD FAITH AND WITHIN THE SCOPE OF THE JURISDICTION OF THE COMMITTEE IS NOT CIVILLY LIABLE OR SUBJECT TO A DISCIPLINARY PROCEEDING FOR:

(1) AN ACTION AS A MEMBER OF THE COMMITTEE; OR

(2) GIVING INFORMATION TO, PARTICIPATING IN, OR CONTRIBUTING TO THE FUNCTIONING OF THE COMMITTEE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 10, § 13.

In subsection (a)(4)(ii) of this section, the former reference to "procedures" adopted by the Court of Appeals is deleted as included in the reference to "rules" adopted by that Court.

The Business Occupations Article Review Committee notes, for consideration by the General Assembly, that subsection (b) of this section ensures the