

(III) KNOWINGLY REPRESENT A PERSON WHO RETAINED THE LAWYER AS A RESULT OF SOLICITATION PROHIBITED UNDER THIS SECTION; OR

(IV) CAUSE A CASE TO BE INSTITUTED WITHOUT THE AUTHORITY OF A CLIENT.

(B) PRESUMPTION OF COMPENSATION.

ANY SOLICITATION INVOLVING ACTS DESCRIBED IN THIS SECTION IS PRIMA FACIE EVIDENCE THAT THE PERSON SOLICITING IS ACTING FOR GAIN.

REVISOR'S NOTE: Subsection (a) of this section is new language derived without substantive change from the first sentence of former Art. 27, § 13, except for the penalty.

Subsection (b) of this section is new language derived without substantive change from the second sentence of former Art. 27, § 13.

In subsection (a)(2) of this section, the reference to the Rules of Professional Conduct is added to clarify that, in the case of a conflict between this section and those rules, the Rules of Professional Conduct govern the conduct of lawyers.

The first clause of the third sentence of former Art. 27, § 13, which stated that the term "attorney-at-law" includes "counsellor-at-law", is deleted as unnecessary in light of the use of the defined term "lawyer".

The second clause of the third sentence of former Art. 27, § 13, which provided that "nothing herein contained shall impair or affect the disciplinary powers of the courts of this State over attorneys", is deleted as unnecessary since nothing in former Art. 27, § 13 purported to affect the disciplinary powers of the courts.

Defined terms: "Lawyer" § 10-101
"Person" § 1-101

10-606. SOLICITATION OF CLIENTS BY LAW ENFORCEMENT OFFICIALS.

A SHERIFF, DEPUTY SHERIFF, CONSTABLE, POLICE OFFICER, OR OTHER LAW ENFORCEMENT OFFICIAL MAY NOT SOLICIT CLIENTS FOR A LAWYER IN A PLACE WHERE INDIVIDUALS ARE HELD WHILE AWAITING TRIAL FOR CRIMINAL OFFENSES.