

[5-338.

There is no liability on the part of and no cause of action against a member insurer, the Commercial Casualty Underwriting Association, the Board of Governors, their agents or employees, or the State Insurance Commissioner or the Commissioner's authorized representatives for statements made in any inspections, examinations, hearings, reports, and communications concerning eligibility or underwriting standards regarding persons or organizations in connection with the operations of the Program and the Maryland Commercial Casualty Pool created under Article 48A, Subtitle 43 of the Code.]

**DRAFTER'S NOTE:**

Error: Obsolete section in the Courts and Judicial Proceedings Article.

Occurred: As a result of the abrogation of Subtitle 43 of Article 48A of the Code pursuant to Section 2, Ch. 663, Acts of 1986, as amended by Section 1, Ch. 365, Acts of 1989.

12-401.

(d) A defendant who has been found guilty of a municipal infraction, as defined in Article 23A, § 3(b)(1) of the Code or a Code violation under Article 27, § 403 of the Code, may appeal from the final judgment entered in the District Court. The costs and procedures for taking the appeal shall be as provided for appeals from criminal cases in the District Court. Except, however, as provided in subsection [(d)] (F) of this section, the appellate court shall docket and hear the appeal as a civil appeal from the District Court.

(f) In a civil case in which the amount in controversy exceeds \$2,500 exclusive of interest, costs, and attorney's fees if attorney's fees are recoverable by law or contract, in any matter arising under [§ 4-401(7)(iii)] § 4-401(7)(II) of this article, and in any case in which the parties so agree, an appeal shall be heard on the record made in the District Court. In every other case, including a criminal case in which sentence has been imposed or suspended following a plea of nolo contendere or guilty, and an appeal in a municipal infraction or Code violation case, an appeal shall be tried de novo.

**DRAFTER'S NOTE:**

Error: Obsolete cross-references in § 12-401(d) and (f) of the Courts and Judicial Proceedings Article.

Occurred: As a result of Ch. 579, Acts of 1994 and Ch. 362, Acts of 1993.

**Article - Education**

2-105.

(a) Unless otherwise provided by law, the State Superintendent shall appoint and remove all clerical assistants and other nonprofessional personnel of the Department in accordance with the provisions of the State Personnel AND PENSIONS Article that govern the classified service.