

- (i) Spouse or surviving spouse;
- (ii) Parent or legal guardian;
- (iii) Child; or
- (iv) Sibling.

(2) If there is a dispute over who shall be the victim's representative, the court shall select a representative for the victim.

(c) Although not a party to a criminal proceeding, the victim of the violent crime for which the defendant is charged has the right to file an application for leave to appeal to the Court of Special Appeals from an interlocutory or final order that denies or fails to consider a right secured to that victim by [Article 27, § 620(b) or § 643D] § 773(B) OR § 780 OF THIS SUBTITLE or Article 41, § 4-609 of the Code.

(d) The filing of an application for leave to appeal under this section may not result in the stay of other proceedings in a criminal case without the consent of all of the parties.

DRAFTER'S NOTE: This section is transferred from CJ § 12-303.1.

The only changes are in style.

As to the definition of "court", see CJ § 1-101.

777. WITNESS COMPENSATION.

A WITNESS ATTENDING COURT HAS THE RIGHT TO COMPENSATION AS PROVIDED IN § 9-202 OF THE COURTS ARTICLE.

DRAFTER'S NOTE: This section merely provides a cross-reference to CJ § 9-202.

No change in the law is intended.

778. RESERVED.

779. RESERVED.

SENTENCING PROCEDURES

[643D.] 780. RIGHT OF VICTIM OR REPRESENTATIVE TO ADDRESS SENTENCING JUDGE.

(a) In every case resulting in serious physical injury or death, the victim or a member of the victim's immediate family, or if the victim is deceased, under a mental, physical, or legal disability, or otherwise unable to provide the required information, the personal representative, guardian, or committee, or other family member may, at the request of the State's Attorney and in the discretion of the sentencing judge, address the sentencing judge or jury under oath or affirmation before the imposition of sentence.

(b) (1) If the victim or the victim's representative is permitted to address the judge or jury, the defendant may cross-examine the victim or the victim's representative.