

In this section and throughout this subtitle, when referring to the written document submitted to the Inmate Grievance Office, the reference to a "complaint" is substituted for the former reference to a "grievance or complaint" for brevity and consistency with terminology used elsewhere in this subtitle. See, e.g., §§ 10-205, 10-208(d), and 10-209(a) and (b) of this subtitle. Correspondingly, in subsections (a) and (b) of this section, the references to a "complaint" are deleted when referring to a grievance that is not in the form of a written document.

In subsection (a) of this section, the introductory clause, "[s]ubject to subsection (b) of this section", is added for clarity.

In subsection (b) of this section, the former phrase "to the extent that" is deleted as unnecessary in light of the word "[i]f".

Also in subsection (b) of this section, the reference to the grievance "of an individual described in subsection (a) of this section" is substituted for the former reference to "an inmate's" grievance to avoid confusion with the definition of the term "inmate" in § 1-101 of this article.

Defined terms: "Commissioner of Correction" § 1-101

"Correctional facility" § 1-101

"Division of Correction" § 1-101

"Office" § 10-201

#### 10-207. PRELIMINARY REVIEW.

##### (A) REQUIRED.

THE EXECUTIVE DIRECTOR OR THE DIRECTOR'S DESIGNEE SHALL CONDUCT A PRELIMINARY REVIEW OF EACH COMPLAINT SUBMITTED TO THE OFFICE.

##### (B) DISMISSAL.

(1) AFTER PRELIMINARY REVIEW, IF THE COMPLAINT IS DETERMINED TO BE WHOLLY LACKING IN MERIT ON ITS FACE, THE EXECUTIVE DIRECTOR OR THE DIRECTOR'S DESIGNEE MAY DISMISS THE COMPLAINT WITHOUT A HEARING OR SPECIFIC FINDINGS OF FACT.

(2) (I) THE ORDER OF DISMISSAL SHALL BE FORWARDED TO THE COMPLAINANT WITHIN 60 DAYS AFTER THE COMPLAINT WAS SUBMITTED TO THE OFFICE.

(II) THE ORDER OF DISMISSAL CONSTITUTES THE FINAL DECISION OF THE SECRETARY FOR PURPOSES OF JUDICIAL REVIEW.

##### (C) REFERRAL TO OFFICE OF ADMINISTRATIVE HEARINGS.

(1) AFTER PRELIMINARY REVIEW, IF THE COMPLAINT IS NOT FOUND TO BE WHOLLY LACKING IN MERIT ON ITS FACE, THE OFFICE SHALL REFER THE COMPLAINT TO THE OFFICE OF ADMINISTRATIVE HEARINGS.