

OR FINAL ORDER THAT DENIES OR FAILS TO CONSIDER A RIGHT SECURED TO THE VICTIM BY § 11-302(C), § 11-402, § 11-403, OR § 11-404 OF THIS TITLE OR § 6-112 OF THE CORRECTIONAL SERVICES ARTICLE.

(C) STAY OF OTHER PROCEEDINGS.

THE FILING OF AN APPLICATION FOR LEAVE TO APPEAL UNDER THIS SECTION DOES NOT STAY OTHER PROCEEDINGS IN A CRIMINAL CASE UNLESS ALL PARTIES CONSENT.

(D) VICTIM'S REPRESENTATIVE.

(1) FOR PURPOSES OF THIS SECTION, A VICTIM'S REPRESENTATIVE, INCLUDING THE VICTIM'S SPOUSE OR SURVIVING SPOUSE, PARENT OR LEGAL GUARDIAN, CHILD, OR SIBLING, MAY REPRESENT A VICTIM OF A VIOLENT CRIME WHO DIES OR IS DISABLED.

(2) IF THERE IS A DISPUTE OVER WHO SHALL BE THE VICTIM'S REPRESENTATIVE, THE COURT SHALL DESIGNATE THE VICTIM'S REPRESENTATIVE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 776.

In subsection (a) of this section, the defined term "violent crime" is substituted for the former defined term "victim of a violent crime" for clarity.

In subsection (a)(1)(i) of this section, the former reference to a crime of violence "as defined under § 643B of this article" is deleted as unnecessary in light of the revision of the definition in § 1-101 of this article.

In subsection (d) of this section, the reference to a "victim's representative" is substituted for the former reference to "the term 'victim of a violent crime'" for clarity.

Defined term: "Crime of violence" § 1-101

11-104. VICTIM NOTIFICATION.

(A) DEFINITIONS.

(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "VICTIM" MEANS A PERSON WHO SUFFERS ACTUAL OR THREATENED PHYSICAL, EMOTIONAL, OR FINANCIAL HARM AS A DIRECT RESULT OF A CRIME OR DELINQUENT ACT.

(3) "VICTIM'S REPRESENTATIVE" INCLUDES A FAMILY MEMBER OR GUARDIAN OF A VICTIM WHO IS:

(I) A MINOR;

(II) DECEASED; OR