

Defined terms: "Court" § 14-201

"Person" § 1-101

"Person in emergency management service" § 14-201

"Person suffering injury or damage" § 14-201

14-210. STAY OF EXECUTION OF JUDGMENT OR ORDER; VACATION OR STAY OF ATTACHMENT OR GARNISHMENT.

(A) IN GENERAL.

IN A PROCEEDING IN A COURT AGAINST A PERSON IN EMERGENCY MANAGEMENT SERVICE OR PERSON SUFFERING INJURY OR DAMAGE:

(1) ON ITS OWN INITIATIVE THE COURT MAY:

(I) STAY THE EXECUTION OF A JUDGMENT OR ORDER ENTERED AGAINST THE PERSON IN EMERGENCY MANAGEMENT SERVICE OR PERSON SUFFERING INJURY OR DAMAGE; AND

(II) VACATE OR STAY AN ATTACHMENT OR GARNISHMENT OF PROPERTY, MONEY, OR DEBTS HELD BY ANOTHER PERSON, WHETHER BEFORE OR AFTER JUDGMENT; AND

(2) SUBJECT TO SUBSECTION (C) OF THIS SECTION, ON MOTION OF THE PERSON IN EMERGENCY MANAGEMENT SERVICE, PERSON SUFFERING INJURY OR DAMAGE, OR ANOTHER PERSON ACTING ON BEHALF OF THAT PERSON, THE COURT SHALL:

(I) STAY THE EXECUTION OF A JUDGMENT OR ORDER ENTERED AGAINST THE PERSON IN EMERGENCY MANAGEMENT SERVICE OR PERSON SUFFERING INJURY OR DAMAGE; AND

(II) VACATE OR STAY AN ATTACHMENT OR GARNISHMENT OF PROPERTY, MONEY, OR DEBTS HELD BY ANOTHER PERSON, WHETHER BEFORE OR AFTER JUDGMENT.

(B) APPLICABILITY OF SECTION.

THIS SECTION APPLIES TO A PROCEEDING IN A COURT BEFORE OR DURING THE PERIOD THAT THE PERSON IS, OR WITHIN 60 DAYS AFTER THE PERSON CEASED TO BE, A PERSON IN EMERGENCY MANAGEMENT SERVICE OR PERSON SUFFERING INJURY OR DAMAGE.

(C) EXCEPTION.

THE COURT NEED NOT VACATE OR STAY A JUDGMENT OR ORDER ENTERED OR SOUGHT UNDER THIS SECTION IF THE COURT FINDS THAT THE ABILITY OF THE DEFENDANT TO COMPLY WITH THE JUDGMENT OR ORDER ENTERED OR SOUGHT WAS NOT MATERIALLY AFFECTED BECAUSE THE DEFENDANT WAS A PERSON IN EMERGENCY MANAGEMENT SERVICE OR PERSON SUFFERING INJURY OR DAMAGE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 16A, § 19.