

Approved May 24, 1991.

CHAPTER 558

(House Bill 395)

AN ACT concerning

Courts – Continuance Due to Attorney's Legislative Duties

FOR the purpose of authorizing an attorney to exercise the right to a continuance because of legislative duties by filing a motion or letter with a certain court or agency without the attorney personally appearing; and generally relating to continuances of court proceedings because of legislative duties.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 6-402

Annotated Code of Maryland

(1989 Replacement Volume and 1990 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

6-402.

(a) If a member or desk officer of the General Assembly is an attorney of record in a proceeding, the proceeding shall be continued from five days before the legislative session convenes until ten days after it is adjourned.

(b) If a member of the Legislative Policy Committee or of any committee or subcommittee thereof or a committee or subcommittee of the State legislature functioning during the legislative interim is an attorney of record in a proceeding, the proceeding shall be continued while the committee or subcommittee is holding a meeting.

(c) If a brief or memorandum of law is required to be filed in a proceeding continued under this section, the proceeding shall be continued for a time sufficient to allow it to be prepared and filed.

(d) The attorney may waive the benefit of this section.

(E) THE ATTORNEY MAY EXERCISE ANY RIGHT UNDER THIS SECTION AFTER FILING A MOTION OR LETTER WITH THE APPROPRIATE COURT OR ADMINISTRATIVE AGENCY WITHOUT THE ATTORNEY PERSONALLY APPEARING.