

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 100, § 66.

The former word "association" is deleted as included in the word "organization".

Defined term: "Person participating or interested in a labor dispute" § 4-301

#### 4-322. CONSTRUCTIVE CRIMINAL CONTEMPT.

##### (A) GENERAL RIGHTS OF ACCUSED.

A PERSON WHO IS CHARGED WITH CONSTRUCTIVE CRIMINAL CONTEMPT FOR A VIOLATION OF INJUNCTIVE RELIEF IN A CASE THAT INVOLVES OR GROWS OUT OF A LABOR DISPUTE IS ENTITLED:

(1) TO PRETRIAL RELEASE AS PROVIDED FOR DEFENDANTS IN CRIMINAL CASES;

(2) TO NOTICE OF THE ACCUSATION;

(3) TO A REASONABLE TIME TO MAKE A DEFENSE; AND

(4) EXCEPT FOR AN OFFICER OF THE COURT WHO IS CHARGED WITH DISOBEDIENCE, MISBEHAVIOR, OR OTHER MISCONDUCT IN RESPECT TO PROCESS OF THE COURT, ON DEMAND, TO A SPEEDY AND PUBLIC TRIAL BY AN IMPARTIAL JURY FROM THE JUDICIAL DISTRICT WHERE THE CONTEMPT IS ALLEGED TO HAVE BEEN COMMITTED.

##### (B) RECUSAL.

(1) WHENEVER THE CHARGE OF CONSTRUCTIVE CRIMINAL CONTEMPT ARISES FROM AN ATTACK ON THE CHARACTER OR CONDUCT OF A JUDGE, THE DEFENDANT IS ENTITLED TO RECUSAL OF THE JUDGE IF THE DEFENDANT FILES A DEMAND FOR RECUSAL BEFORE THE HEARING ON THE CHARGE.

(2) WHENEVER A DEFENDANT FILES A TIMELY DEMAND FOR RECUSAL:

(I) THE JUDGE MAY NOT PROCEED FURTHER; AND

(II) THE PRESIDING JUDGE OF THE COURT SHALL DESIGNATE ANOTHER JUDGE AS A REPLACEMENT.

##### (C) PENALTIES.

(1) A PERSON WHO IS GUILTY OF CONSTRUCTIVE CRIMINAL CONTEMPT IN A LABOR CASE IS SUBJECT TO A FINE NOT EXCEEDING \$100 OR IMPRISONMENT NOT EXCEEDING 15 DAYS OR BOTH.