

SUBTITLE 2. JUDICIAL REVIEW OF ELECTIONS.

12-201. SCOPE OF SUBTITLE.

THIS SUBTITLE APPLIES TO AN ISSUE ARISING IN AN ELECTION CONDUCTED UNDER THIS ARTICLE.

12-202. JUDICIAL CHALLENGES.

(A) GENERALLY.

IF NO OTHER TIMELY AND ADEQUATE REMEDY IS PROVIDED BY THIS ARTICLE, A REGISTERED VOTER MAY SEEK JUDICIAL RELIEF FROM ANY ACT OR OMISSION RELATING TO AN ELECTION, WHETHER OR NOT THE ELECTION HAS BEEN HELD, ON THE GROUNDS THAT THE ACT OR OMISSION:

(1) IS INCONSISTENT WITH THIS ARTICLE OR OTHER LAW APPLICABLE TO THE ELECTIONS PROCESS; AND

(2) MAY CHANGE OR HAS CHANGED THE OUTCOME OF THE ELECTION.

(B) PLACE AND TIME OF FILING.

A REGISTERED VOTER MAY SEEK JUDICIAL RELIEF UNDER THIS SECTION IN THE APPROPRIATE CIRCUIT COURT WITHIN THE EARLIER OF:

(1) 10 DAYS AFTER THE ACT OR OMISSION OR THE DATE THE ACT OR OMISSION BECAME KNOWN TO THE PETITIONER; OR

(2) 7 DAYS AFTER THE ELECTION RESULTS ARE CERTIFIED, UNLESS THE ELECTION WAS A GUBERNATORIAL PRIMARY OR SPECIAL PRIMARY ELECTION, IN WHICH CASE 3 DAYS AFTER THE ELECTION RESULTS ARE CERTIFIED.

12-203. PROCEDURE.

(A) GENERALLY.

A PROCEEDING UNDER THIS SUBTITLE SHALL BE CONDUCTED IN ACCORDANCE WITH THE MARYLAND RULES, EXCEPT THAT:

(1) THE PROCEEDING SHALL BE HEARD AND DECIDED WITHOUT A JURY AND AS EXPEDITIOUSLY AS THE CIRCUMSTANCES REQUIRE;

(2) ON THE REQUEST OF A PARTY OR SUA SPONTE, THE CHIEF ADMINISTRATIVE JUDGE OF THE CIRCUIT COURT MAY ASSIGN THE CASE TO A THREE-JUDGE PANEL OF CIRCUIT COURT JUDGES; AND

(3) AN APPEAL SHALL BE TAKEN DIRECTLY TO THE COURT OF APPEALS WITHIN 5 DAYS OF THE DATE OF THE DECISION OF THE CIRCUIT COURT.

(B) EXPEDITED APPEAL.

THE COURT OF APPEALS SHALL GIVE PRIORITY TO HEAR AND DECIDE AN APPEAL BROUGHT UNDER SUBSECTION (A)(3) OF THIS SECTION AS EXPEDITIOUSLY AS THE CIRCUMSTANCES REQUIRE.