
By: **Delegates Quinter, Petzold, Rosenberg, Simmons, and Vallario**

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Assigned to: Rules and Executive Nominations

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Read second time: March 25, 2005

CHAPTER _____

1 AN ACT concerning

2 **Legal Proceedings - Legislative Continuances and Time Extensions**

3 FOR the purpose of providing for certain legislative continuances and time extensions
4 for filing a document relating to a legal proceeding under certain circumstances;
5 altering a certain definition; providing for the application of this Act; making
6 certain stylistic changes; and generally relating to legislative continuances and
7 time extensions under certain circumstances.

8 BY repealing and reenacting, with amendments,
9 Article - Courts and Judicial Proceedings
10 Section 6-402
11 Annotated Code of Maryland
12 (2002 Replacement Volume and 2004 Supplement)

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

15 **Article - Courts and Judicial Proceedings**

16 6-402.

17 (a) (1) In this section the following words have the meanings indicated.

18 (2) "Proceeding" includes:

19 (i) An arbitration proceeding; [and]

1 (ii) Any part of an action; AND

2 (III) ANY PART OF AN APPELLATE PROCEEDING.

3 (3) "Session" includes an extraordinary session.

4 (b) [If] SUBJECT TO SUBSECTION (D) OF THIS SECTION, IF a member or desk
5 officer of the General Assembly is an attorney of record in a proceeding, the
6 proceeding shall be continued from [five] 5 days before the legislative session
7 convenes until [ten] AT LEAST 10 days after it is adjourned.

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

13 (d) If a brief [or], A memorandum of law, OR ANOTHER DOCUMENT is required
14 to be filed in a proceeding continued under this section[, the]:

15 (1) THE proceeding shall be continued for a time sufficient to allow it to
16 be prepared and filed; AND

17 (2) ANY TIME PRESCRIBED BY THE MARYLAND RULES, BY RULE OR
18 ORDER OF COURT, OR BY ANY STATUTE APPLICABLE TO THE FILING OF THE
19 DOCUMENT SHALL BEGIN TO RUN 10 DAYS AFTER THE GENERAL ASSEMBLY
20 ADJOURNS.

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

22 (f) The attorney may exercise any right under this section after filing a
23 motion or letter with the appropriate court or administrative agency without the
24 attorney personally appearing.

25 (g) This section applies to a proceeding in a federal, State, or local court or
26 administrative agency.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
28 construed to apply retroactively and shall be applied to and interpreted to affect any
29 proceeding pending on or after the effective date of this Act.

30 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2005.

