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By: **Delegates Lee, Dumais, Gutierrez, Montgomery, and Petzold**

Introduced and read first time: March 7, 2005

Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **Bar Admission Requirements - Exemption - Representation Before Boards**  
3 **or Commissions on Common Ownership Communities**

4 FOR the purpose of exempting a person representing a person in a dispute, hearing,  
5 or other matter before a board or commission established to oversee common  
6 ownership communities from the requirement of admission to the Bar of  
7 Maryland and other requirements of the Court of Appeals; and generally  
8 relating to the exemption of a person representing a person before a board or  
9 commission established to oversee common ownership communities from bar  
10 admission and Court of Appeals requirements.

11 BY repealing and reenacting, without amendments,  
12 Article - Business Occupations and Professions  
13 Section 10-206(a)  
14 Annotated Code of Maryland  
15 (2004 Replacement Volume and 2004 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article - Business Occupations and Professions  
18 Section 10-206(b)  
19 Annotated Code of Maryland  
20 (2004 Replacement Volume and 2004 Supplement)

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

23 **Article - Business Occupations and Professions**

24 10-206.

25 (a) Except as otherwise provided by law, before an individual may practice law  
26 in the State, the individual shall:

27 (1) be admitted to the Bar; and

1 (2) meet any requirement that the Court of Appeals may set by rule.

2 (b) This section does not apply to:

3 (1) a person while representing a landlord in a summary ejectment  
4 proceeding in the District Court of Maryland;

5 (2) a person while representing a tenant in a summary ejectment  
6 proceeding in the District Court of Maryland if the person is:

7 (i) a law student practicing in a clinical law program at a law  
8 school accredited by the American Bar Association with the in-court supervision of a  
9 faculty member; or

10 (ii) employed by a nonprofit organization receiving grants from the  
11 Maryland Legal Services Corporation and:

- 12 1. the person has training and experience;
- 13 2. the person is supervised by a lawyer; and
- 14 3. the supervising lawyer's appearance is entered in the  
15 proceeding;

16 (3) an insurance company while defending an insured through staff  
17 counsel;

18 (4) (i) an officer of a corporation, an employee designated by an officer  
19 of a corporation, a partner in a business operated as a partnership or an employee  
20 designated by a partner, a member of a limited liability company or an employee  
21 designated by a member of a limited liability company, or an employee designated by  
22 the owner of a business operated as a sole proprietorship while the officer, partner,  
23 member, or employee is appearing on behalf of the corporation, partnership, limited  
24 liability company, or business in a civil action in the District Court of Maryland if the  
25 action:

26 1. is based on a claim that does not exceed the amount set  
27 under § 4-405 of the Courts Article for a small claim action; and

28 2. is not based on an assignment, to the corporation,  
29 partnership, or business, of the claim of another;

30 (ii) an employee designated under subparagraph (i) of this  
31 paragraph:

32 1. may not be assigned on a full-time basis to appear in the  
33 District Court on behalf of the corporation, partnership, or business;

34 2. shall provide the court a power of attorney sworn to by the  
35 employer that certifies that the designated employee is an authorized agent of the  
36 corporation, partnership, limited liability company, or sole proprietorship and may

