

HOUSE BILL 541

D3

71r0313

By: **Delegate Simmons**

Introduced and read first time: February 7, 2007

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Courts – Lawyers – Retainer Agreements**

3 FOR the purpose of providing that a provision in a retainer agreement that requires a
4 person seeking representation to reimburse a lawyer for attorney’s fees in the
5 event of a future dispute between the person and the lawyer is unenforceable;
6 providing that the provisions of this Act may not be waived; defining a certain
7 term; and generally relating to the unenforceability of a certain provision in a
8 lawyer retainer agreement.

9 BY adding to

10 Article – Courts and Judicial Proceedings
11 Section 5–808
12 Annotated Code of Maryland
13 (2006 Replacement Volume)

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

16 **Article – Courts and Judicial Proceedings**

17 **5–808.**

18 **(A) IN THIS SECTION, “RETAINER AGREEMENT” MEANS A WRITTEN**
19 **AGREEMENT IN WHICH A LAWYER AGREES TO REPRESENT ANOTHER PERSON.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) A PROVISION IN A RETAINER AGREEMENT THAT REQUIRES A**
2 **PERSON SEEKING REPRESENTATION TO REIMBURSE A LAWYER FOR**
3 **ATTORNEY'S FEES IN THE EVENT OF A FUTURE DISPUTE BETWEEN THE PERSON**
4 **AND THE LAWYER IS UNENFORCEABLE.**

5 **(C) THE PROVISIONS OF THIS SECTION MAY NOT BE WAIVED.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2007.