

## Chapter 622

(House Bill 596)

AN ACT concerning

### **Civil Actions – Interrogatories or Examination in Aid of Enforcement – Procedure After Arrest for Failure to Appear to Show Cause**

FOR the purpose of requiring that an individual arrested for failure to appear in court to show cause why the individual should not be found in contempt for failure to answer interrogatories or to appear for an examination in aid of enforcement of a money judgment be taken immediately before a certain court or before a certain judicial officer for a ~~certain~~ determination *of certain conditions of release; specifying the conditions of release that may be imposed under certain circumstances*; providing for the application of this Act; and generally relating to arrest for failure to appear in court in response to certain show cause orders.

BY adding to

Article – Courts and Judicial Proceedings

Section 6–411

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

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

#### **Article – Courts and Judicial Proceedings**

**6–411.**

**(A) AN INDIVIDUAL ARRESTED FOR FAILURE TO APPEAR IN COURT TO SHOW CAUSE WHY THE INDIVIDUAL SHOULD NOT BE FOUND IN CONTEMPT FOR FAILURE TO ANSWER INTERROGATORIES OR TO APPEAR FOR AN EXAMINATION IN AID OF ENFORCEMENT OF A MONEY JUDGMENT SHALL BE TAKEN IMMEDIATELY:**

**(1) IF THE COURT IS IN SESSION, BEFORE THE COURT THAT ISSUED THE ORDER THAT RESULTED IN THE ARREST; OR**

**(2) IF THE COURT IS NOT IN SESSION, BEFORE A JUDICIAL OFFICER OF THE DISTRICT COURT FOR A DETERMINATION OF APPROPRIATE CONDITIONS OF RELEASE TO ENSURE THE INDIVIDUAL'S APPEARANCE AT THE**

NEXT SESSION OF THE COURT THAT ISSUED THE ORDER THAT RESULTED IN THE ARREST.

**(B) IF A JUDICIAL OFFICER DETERMINES THAT THE INDIVIDUAL SHOULD BE RELEASED ON OTHER THAN PERSONAL RECOGNIZANCE WITHOUT ANY ADDITIONAL CONDITIONS, THE JUDICIAL OFFICER SHALL IMPOSE ON THE INDIVIDUAL THE LEAST ONEROUS CONDITION OR COMBINATION OF CONDITIONS THAT WILL REASONABLY ENSURE THE APPEARANCE OF THE INDIVIDUAL AS REQUIRED.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to any individual arrested for failure to respond to a show cause order for contempt for failure to answer interrogatories or to appear for an examination in aid of enforcement of a money judgment on or after the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

**Approved by the Governor, May 16, 2013.**