

Article - Family Law

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§10–115.

- (a) In this section, “legal proceeding” means:
 - (1) a civil action for child support;
 - (2) a paternity proceeding under Title 5, Subtitle 10 of this article; and
 - (3) a proceeding under Subtitle 3 of this title.
- (b) In any support action in which the Administration is providing child support services under federal law, the Administration may initiate a legal proceeding to establish, modify, or enforce a duty of support.
- (c) In a legal proceeding, the Administration shall be represented by:
 - (1) the Attorney General;
 - (2) the State’s Attorney, if the State’s Attorney has agreed to provide representation under subsection (g) of this section; or
 - (3) a qualified lawyer who is appointed by and subject to supervision and removal by the Attorney General.
- (d) An attorney who initiates or participates in a legal proceeding under this section shall represent the Administration.
- (e) Representation of the Administration by an attorney under this section:
 - (1) creates an attorney-client relationship between that attorney and the Administration; and
 - (2) does not create an attorney-client relationship between that attorney and any other person.
- (f) The attorney representing the Administration in a legal proceeding under this section shall advise the person whom the Administration has approved for child support services that the attorney’s representation of the Administration does not create an attorney-client relationship between the attorney and that person.
- (g) (1) A State’s Attorney may make a written agreement with the Secretary of Human Resources and the county to provide legal representation for a fiscal year. An agreement shall be made by September 1 of the year preceding the fiscal year for which representation will be provided.

(2) An agreement shall establish reasonable administrative and fiscal requirements for:

- (i) providing and continuing representation; and
- (ii) reimbursement.

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