
By: Delegate T. Murphy

Introduced and read first time: January 19, 1996

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Lawyers - Written Solicitation of Clients - Limited Prohibition**

3 FOR the purpose of prohibiting a lawyer from sending a written communication, directly
4 or through an agent, to a certain prospective client during a certain period of time;
5 and generally relating to written solicitations by lawyers.

6 BY adding to

7 Article - Business Occupations and Professions
8 Section 10-605.1
9 Annotated Code of Maryland
10 (1995 Replacement Volume and 1995 Supplement)

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

13 **Article - Business Occupations and Professions**

14 10-605.1.

15 A LAWYER MAY NOT SEND A WRITTEN COMMUNICATION, DIRECTLY OR
16 THROUGH AN AGENT, TO A PROSPECTIVE CLIENT FOR THE PURPOSE OF OBTAINING
17 PROFESSIONAL EMPLOYMENT IF THE COMMUNICATION CONCERNS:

18 (1) AN ACTION FOR PERSONAL INJURY OR WRONGFUL DEATH, OR
19 RELATES TO AN ACCIDENT OR DISASTER INVOLVING THE PERSON TO WHOM THE
20 COMMUNICATION IS ADDRESSED OR THE PERSON'S RELATIVE, UNLESS THE
21 ACCIDENT OR DISASTER OCCURRED MORE THAN 30 DAYS BEFORE THE DATE THE
22 COMMUNICATION IS MAILED; OR

23 (2) A CRIMINAL PROSECUTION, OR A PROSECUTION OF A TRAFFIC
24 OFFENSE THAT CARRIES A PERIOD OF INCARCERATION, INVOLVING THE PERSON
25 TO WHOM THE COMMUNICATION IS ADDRESSED OR THE PERSON'S RELATIVE,
26 UNLESS THE CHARGING DOCUMENT WAS FILED MORE THAN 30 DAYS BEFORE THE
27 DATE THE COMMUNICATION IS MAILED.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 1996.