

HOUSE BILL 15

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2000 Regular Session  
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(PRE-FILED)

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By: **Delegates Taylor, Dewberry, Hurson, Busch, Guns, Harrison, Hixson,  
Howard, Kopp, Menes, Montague, Owings, Rawlings, Rosenberg,  
Vallario, and Wood**

Requested: November 15, 1999

Introduced and read first time: January 12, 2000

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Circuit Courts - Business and Technology Division**

3 FOR the purpose of stating the intent of the General Assembly that business and  
4 technology matters be treated in a particular manner in the judicial system,  
5 that a certain number of business and technology divisions be established in  
6 circuit courts throughout the State, and that the judges of the business and  
7 technology division have certain experience and training; authorizing the Chief  
8 Judge of the Court of Appeals to establish business and technology divisions in  
9 certain circuit courts; requiring the Chief Judge to consult with the  
10 administrative judge of the county before establishing a business and technology  
11 division in a circuit court; requiring a judge assigned to the business and  
12 technology division to devote full time and attention to matters under the  
13 jurisdiction of the division, unless the administration of justice requires  
14 otherwise; requiring the Chief Judge of the Court of Appeals to develop a certain  
15 plan and issue a certain report by a certain date; and generally relating to the  
16 establishment of business and technology divisions in the circuit courts.

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
18 MARYLAND, That:

19 (a) It is the intent of the General Assembly that:

20 (1) Business and technology matters be treated efficiently and effectively  
21 in the judicial system;

22 (2) In order to enable the circuit courts to handle business and  
23 technology matters in the most coordinated, efficient, and responsive manner, the  
24 Chief Judge of the Court of Appeals utilize judiciary resources to establish a sufficient  
25 number of business and technology divisions in circuit courts throughout the State to  
26 afford convenient access to lawyers and litigants involved in matters under the  
27 jurisdiction of the division; and

1 (3) The judges of the business and technology division have special  
2 experience or training in business and technology matters and an understanding of  
3 the issues likely to come before such a division.

4 (b) (1) The Chief Judge of the Court of Appeals may establish a business and  
5 technology division in each circuit court where the creation of a business and  
6 technology division is feasible.

7 (2) The Chief Judge shall consult with the administrative judge of the  
8 county before establishing a business and technology division in a circuit court.

9 (c) Unless the administration of justice requires otherwise, a judge assigned  
10 to the business and technology division of a circuit court shall devote full time and  
11 attention to matters under the jurisdiction of the division.

12 SECTION 2. AND BE IT FURTHER ENACTED, That the Chief Judge of the  
13 Court of Appeals, with the assistance of the Court's Standing Committee on Rules of  
14 Practice and Procedure, the Conference of Circuit Judges, appropriate members of the  
15 Maryland State Bar Association, including members of the Business Law Section and  
16 Litigation Section, and members of the Senate of Maryland and the House of  
17 Delegates, shall study how an implementation plan for the establishment of a  
18 business and technology division in appropriate circuit courts may be established and  
19 shall report his findings to the Governor and the General Assembly on or before  
20 December 1, 2001, in accordance with § 2-1246 of the State Government Article. The  
21 findings shall include consideration of all operational aspects of a business and  
22 technology division, including:

23 (a) the costs associated with and essential to the efficient operation of a  
24 business and technology division;

25 (b) the criteria for determining the type and monetary threshold of matters to  
26 be assigned and procedures for assignment of matters to a business and technology  
27 division;

28 (c) a case management plan for the prompt and efficient scheduling and  
29 disposition of matters assigned to a business and technology division, which shall  
30 identify those matters that are appropriate for assignment to a specific judge who  
31 shall be responsible for the entire case;

32 (d) the use of alternative dispute resolution;

33 (e) the feasibility of establishing an electronic filing system for pleadings and  
34 papers;

35 (f) the feasibility of establishing an expedited appeals process for matters  
36 assigned to a business and technology division; and

37 (g) the feasibility of either assigning technology-related criminal matters to a  
38 business and technology division or of establishing some alternative means of

1 providing particular courts or judges with appropriate, specific training to deal with  
2 technology-related criminal matters.

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2000.