

HOUSE BILL 398

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HB 272/00 - JUD

2001 Regular Session
11r1543
CF SB 22

By: **Delegates Gladden, Vallario, Brown, Cole, C. Davis, Grosfeld, K. Kelly, Montague, and Paige**

Introduced and read first time: February 1, 2001
Assigned to: Judiciary

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 6, 2001

CHAPTER _____

1 AN ACT concerning

2 **Criminal Procedure - Circuit Courts - Time for Trial**

3 FOR the purpose of establishing in a criminal case in a circuit court that if a certain
4 trial date is changed that any subsequent change of the trial date may only be
5 made by certain judges for good cause shown under certain circumstances; and
6 generally relating to the time for trials of criminal cases in the circuit courts.

7 ~~BY repealing and reenacting, with amendments,~~
8 ~~Article 27 - Crimes and Punishments~~
9 ~~Section 591~~
10 ~~Annotated Code of Maryland~~
11 ~~(1996 Replacement Volume and 2000 Supplement)~~

12 BY repealing and reenacting, with amendments,
13 Article - Criminal Procedure
14 Section 6-103
15 Annotated Code of Maryland
16 (As enacted by Chapter _____ (S.B. 1) of the Acts of the General Assembly of
17 2001)

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

Article 27— Crimes and Punishments

1

2 ~~591.~~3 (a) ~~The date for trial of a criminal matter in a circuit court:~~4 (1) ~~Shall be set within 30 days after the earlier of:~~5 (i) ~~The appearance of counsel; or~~6 (ii) ~~The first appearance of the defendant before the circuit court,~~
7 ~~as provided in the Maryland Rules; and~~8 (2) ~~May not be later than 180 days after the earlier of those events.~~9 (b) (1) ~~On motion of a party or on the court's initiative and for good cause~~
10 ~~shown, a county administrative judge or a designee of that judge may grant a change~~
11 ~~of the circuit court trial date.~~12 (2) ~~IF A CIRCUIT COURT TRIAL DATE IS CHANGED UNDER PARAGRAPH (1)~~
13 ~~OF THIS SUBSECTION, ANY SUBSEQUENT CHANGES OF THE TRIAL DATE MAY ONLY~~
14 ~~BE MADE BY THE COUNTY ADMINISTRATIVE JUDGE OR THAT JUDGE'S DESIGNEE FOR~~
15 ~~GOOD CAUSE SHOWN.~~16 (c) ~~The Court of Appeals may adopt additional rules of practice and procedure~~
17 ~~for the implementation of this section in circuit courts.~~

18

Article - Criminal Procedure19 6-103.20 (a) (1) The date for trial of a criminal matter in the circuit court shall be set
21 within 30 days after the earlier of:22 (i) the appearance of counsel; or23 (ii) the first appearance of the defendant before the circuit court, as
24 provided in the Maryland Rules.25 (2) The trial date may not be later than 180 days after the earlier of
26 those events.27 (b) (1) For good cause shown, the administrative judge of a county or a
28 designee of the judge may grant a change of the trial date in a circuit court:29 [(1)] (I) on motion of a party; or30 [(2)] (II) on the initiative of the circuit court.31 (2) IF A CIRCUIT COURT TRIAL DATE IS CHANGED UNDER PARAGRAPH (1)
32 OF THIS SUBSECTION, ANY SUBSEQUENT CHANGES OF THE TRIAL DATE MAY ONLY

1 BE MADE BY THE COUNTY ADMINISTRATIVE JUDGE OR THAT JUDGE'S DESIGNEE FOR
2 GOOD CAUSE SHOWN.

3 (c) The Court of Appeals may adopt additional rules to carry out this section.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2001.