
By: **Delegates Baldwin and Pielke**

Introduced and read first time: February 7, 2002

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Lawyers - Bar Admission - Exemptions**

3 FOR the purpose of exempting from the Bar admission requirement certain members
4 or employees of limited liability companies under certain circumstances; and
5 generally relating to admission to the Bar.

6 BY repealing and reenacting, without amendments,
7 Article - Business Occupations and Professions
8 Section 10-206(a)
9 Annotated Code of Maryland
10 (2000 Replacement Volume and 2001 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article - Business Occupations and Professions
13 Section 10-206(b)
14 Annotated Code of Maryland
15 (2000 Replacement Volume and 2001 Supplement)

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

18 **Article - Business Occupations and Professions**

19 10-206.

20 (a) Except as otherwise provided by law, before an individual may practice law
21 in the State, the individual shall:

22 (1) be admitted to the Bar; and

23 (2) meet any requirement that the Court of Appeals may set by rule.

24 (b) This section does not apply to:

1 (1) a person while representing a landlord in a summary ejection
2 proceeding in the District Court of Maryland;

3 (2) a person while representing a tenant in a summary ejection
4 proceeding in the District Court of Maryland if the person is:

5 (i) a law student practicing in a clinical law program at a law
6 school accredited by the American Bar Association with the in-court supervision of a
7 faculty member; or

8 (ii) employed by a nonprofit organization receiving grants from the
9 Maryland Legal Services Corporation and:

- 10 1. the person has training and experience;
- 11 2. the person is supervised by a lawyer; and
- 12 3. the supervising lawyer's appearance is entered in the
13 proceeding;

14 (3) an insurance company while defending an insured through staff
15 counsel;

16 (4) (i) an officer of a corporation, an employee designated by an officer
17 of a corporation, a partner in a business operated as a partnership or an employee
18 designated by a partner, A MEMBER OF A LIMITED LIABILITY COMPANY OR AN
19 EMPLOYEE DESIGNATED BY A MEMBER OF A LIMITED LIABILITY COMPANY, or an
20 employee designated by the owner of a business operated as a sole proprietorship
21 while the officer, partner, MEMBER, or employee is appearing on behalf of the
22 corporation, partnership, LIMITED LIABILITY COMPANY, or business in a civil action
23 in the District Court of Maryland if the action:

24 1. is based on a claim that does not exceed the amount set
25 under § 4-405 of the Courts Article for a small claim action; and

26 2. is not based on an assignment, to the corporation,
27 partnership, or business, of the claim of another;

28 (ii) an employee designated under subparagraph (i) of this
29 paragraph:

30 1. may not be assigned on a full-time basis to appear in the
31 District Court on behalf of the corporation, partnership, or business;

32 2. shall provide the court a power of attorney sworn to by the
33 employer that certifies that the designated employee is an authorized agent of the
34 corporation, partnership, or sole proprietorship and may bind the corporation,
35 partnership, or sole proprietorship on matters pending before the court; and

