

HOUSE BILL 1381

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2002 Regular Session
(2r2883)

ENROLLED BILL
-- Judiciary/Judicial Proceedings --

Introduced by **Delegates Vallario and Valderrama**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Attorney's Lien - Settlements**

3 FOR the purpose of providing that an attorney has a lien on certain settlements that
4 extends to certain attorney's fees and compensation under certain
5 circumstances; providing for the priority, with certain exceptions, of an
6 attorney's lien; providing for the application of this Act; and generally relating to
7 an attorney's lien for attorney's fees and compensation under certain
8 circumstances.

9 BY repealing and reenacting, with amendments,
10 Article - Business Occupations and Professions
11 Section 10-501
12 Annotated Code of Maryland
13 (2000 Replacement Volume and 2001 Supplement)

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

1 **Article - Business Occupations and Professions**

2 10-501.

3 (a) Subject to subsection (b) of this section, an attorney at law has a lien on:

4 (1) [an] A CAUSE OF action or proceeding of a client of the attorney at
5 law from the time the CAUSE OF action ARISES or THE proceeding begins; and6 (2) a [judgment] SETTLEMENT, JUDGMENT, or award that a client
7 receives as a result of legal services that the attorney at law performs.8 (b) A lien under this section attaches only if, and to the extent that, under a
9 specific agreement between an attorney at law and a client, the client owes the
10 attorney at law a fee or other compensation for legal services that produced the
11 [judgment] SETTLEMENT, JUDGMENT, or award.

12 (c) A lien under this section is subordinate only to:

13 (1) a prior lien for wages due to an employee of the client for work
14 related to the [judgment] SETTLEMENT, JUDGMENT, or award; or

15 (2) a lien for taxes that the client owes the State.

16 (d) An attorney at law may retain property subject to a lien under this section
17 and bring an action for execution under the lien only in accordance with rules that the
18 Court of Appeals adopts.19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
20 construed to apply only to any agreement between an attorney at law and a client of
21 the attorney at law ~~that exists~~ entered into on or after the effective date of this Act.22 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2002.