

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

House Bill 1398
Judiciary

(Delegate Montague)

Lawyers - Prohibited Acts - Offers of Employment to Judges

This bill prohibits a lawyer from offering to or discussing with a judge employment opportunities with the lawyer or a law firm with which the lawyer is associated while the judge is assigned to or presiding over any case in which the lawyer or law firm has entered an appearance or has a financial interest.

Fiscal Summary

State Effect: The bill would not directly affect governmental operations or finances.

Local Effect: None -- see above.

Small Business Effect: None.

Analysis

Current Law: There is no specific rule or law that prohibits a lawyer from offering employment to a judge while the lawyer or lawyer's firm is appearing in or has a financial interest in a matter before the judge. Conversely, however, the Maryland Rules of Professional Conduct prohibit a judge (or adjudicative officer or arbitrator) from negotiating for employment with any person who is involved as a party or as attorney for a party in a matter before the judge.

Additional Information

Prior Introductions: None.

Cross File: SB 875 (Senator Baker) – Rules.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History: First Reader - March 11, 2002
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