
By: **Senators Stone, Brochin, Haines, Harris, Hollinger, Kasemeyer, Kelley,
and Klausmeier**

Introduced and read first time: January 21, 2005

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 23, 2005

CHAPTER _____

1 AN ACT concerning

2 **Baltimore County - Orphans' Court Judges - ~~Practice of Law~~**
 3 **Attorneys-at-Law**

4 FOR the purpose of providing that a judge of the Orphans' Court in Baltimore County
 5 who is also an attorney-at-law shall have full power to do any act that the court
 6 is authorized by law to perform, including the power to hold court under certain
 7 circumstances; authorizing a judge of the Orphans' Court in Baltimore County
 8 to practice law under certain circumstances; and generally relating to Baltimore
 9 County Orphans' Court judges ~~and the practice of law.~~

10 BY repealing and reenacting, with amendments,
 11 Article - Estates and Trusts
 12 Section ~~2-106(f)~~ and 2-109
 13 Annotated Code of Maryland
 14 (2001 Replacement Volume and 2004 Supplement)

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

17 **Article - Estates and Trusts**

18 2-106.

19 (f) (1) The sessions of the Court in Baltimore County shall continue from 10
 20 a.m. to 4 p.m., if necessary for the transaction of the business of the Court.

1 (2) A JUDGE OF THE ORPHANS' COURT IN BALTIMORE COUNTY WHO IS
2 ALSO AN ATTORNEY-AT-LAW HAS FULL POWER TO DO ANY ACT THAT THE COURT IS
3 AUTHORIZED BY LAW TO PERFORM, INCLUDING THE POWER TO HOLD COURT ON A
4 DAY NOT NAMED IN AN ADJOURNMENT.

5 2-109.

6 (a) Except as provided in subsection (b) of this section, a judge of the court
7 may not act as an attorney at law in a civil or criminal matter during a term of office.

8 (b) This section does not apply:

9 (1) In Harford County;

10 (2) In Montgomery County;

11 (3) In Baltimore City, to a judge of the Court while practicing law before
12 any court of the State except an orphans' court; or

13 (4) In Prince George's County, BALTIMORE COUNTY, Calvert County, and
14 Howard County, to a judge of the Court while practicing law in connection with a case
15 that is:

16 (i) Outside the jurisdiction of orphans' court; and

17 (ii) Unrelated to the administration of an estate or guardianship.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2005.