
By: **Delegate Simmons**
 Introduced and read first time: February 9, 2006
 Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Business Occupations and Professions - Lawyers - Retainer Agreements**

3 FOR the purpose of prohibiting a lawyer from requiring a person to sign a retainer
4 agreement that requires the person to reimburse the lawyer for attorney's fees
5 in the event of a future dispute between the person and the lawyer unless the
6 person provides to the lawyer a certain statement; defining a certain term; and
7 generally relating to lawyer retainer agreements.

8 BY adding to
9 Article - Business Occupations and Professions
10 Section 10-503
11 Annotated Code of Maryland
12 (2004 Replacement Volume and 2005 Supplement)

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

15 **Article - Business Occupations and Professions**

16 10-503.

17 (A) IN THIS SECTION, "RETAINER AGREEMENT" MEANS A WRITTEN
18 AGREEMENT IN WHICH A LAWYER AGREES TO REPRESENT ANOTHER PERSON.

19 (B) A LAWYER MAY NOT REQUIRE A PERSON TO SIGN A RETAINER
20 AGREEMENT THAT PROVIDES THAT THE PERSON SEEKING REPRESENTATION MUST
21 REIMBURSE THE LAWYER FOR ATTORNEY'S FEES IN THE EVENT OF A FUTURE
22 DISPUTE BETWEEN THE PERSON AND THE LAWYER UNLESS THE PERSON PROVIDES
23 THE LAWYER WITH A WRITTEN STATEMENT FROM AN INDEPENDENT LAWYER
24 ATTESTING TO THE FACT THAT THE PERSON WAS ADVISED BY THE INDEPENDENT
25 LAWYER OF THE MEANING AND RAMIFICATIONS OF THE REIMBURSEMENT
26 PROVISION OF THE RETAINER AGREEMENT.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2006.

