
By: **Delegates Lee, Barkley, Bronrott, Dumais, Gutierrez, and Stern**

Introduced and read first time: February 10, 2006

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Bar Admission Requirements - Exemption - Representation Before Boards**
3 **or Commissions on Common Ownership Communities**

4 FOR the purpose of exempting a person representing a person in a dispute, hearing,
5 or other matter before a board or commission established to oversee common
6 ownership communities from the requirement of admission to the Bar of
7 Maryland and other requirements of the Court of Appeals; and generally
8 relating to the exemption of a person representing a person before a board or
9 commission established to oversee common ownership communities from bar
10 admission and Court of Appeals requirements.

11 BY repealing and reenacting, without amendments,
12 Article - Business Occupations and Professions
13 Section 10-206(a)
14 Annotated Code of Maryland
15 (2004 Replacement Volume and 2005 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article - Business Occupations and Professions
18 Section 10-206(b)
19 Annotated Code of Maryland
20 (2004 Replacement Volume and 2005 Supplement)
21 (As enacted by Chapter 25 of the Acts of the General Assembly of 2005)

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

24 **Article - Business Occupations and Professions**

25 10-206.

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

- 1 (1) be admitted to the Bar; and
- 2 (2) meet any requirement that the Court of Appeals may set by rule.

3 (b) This section does not apply to:

4 (1) a person while representing a landlord in a summary ejectment
5 proceeding in the District Court of Maryland;

6 (2) a person while representing a tenant in a summary ejectment
7 proceeding in the District Court of Maryland if the person is:

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

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

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

17 (3) an insurance company while defending an insured through staff
18 counsel;

19 (4) an officer of a corporation, an employee designated by an officer of a
20 corporation, a partner in a business operated as a partnership or an employee
21 designated by a partner, a member of a limited liability company or an employee
22 designated by a member of a limited liability company, or an employee designated by
23 the owner of a business operated as a sole proprietorship while the officer, partner,
24 member, or employee is appearing on behalf of the corporation, partnership, limited
25 liability company, or business in a civil action in the District Court of Maryland if:

26 (i) the action:

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

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

31 (ii) in the case of a designated employee, the employee:

32 1. is not assigned on a full-time basis to appear in the
33 District Court on behalf of the corporation, partnership, or business;

