

# SENATE BILL 500

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01r0559  
CF 01r2439

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By: **Senator Raskin**

Introduced and read first time: February 3, 2010

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Unemployment Insurance – Compensation for Lawyer or Agent**  
3 **Representation in Claim Proceedings**

4 FOR the purpose of repealing certain provisions of law that specify a limit on the  
5 amount of compensation that a lawyer may charge a claimant for  
6 representation in a proceeding relating to the determination of an  
7 unemployment insurance claim before a hearing examiner, special examiner, or  
8 the Board of Appeals in the Department of Labor, Licensing, and Regulation;  
9 repealing a certain provision that prohibits an agent from charging a claimant  
10 for representation in a proceeding relating to the determination of an  
11 unemployment insurance claim before a special examiner or the Board of  
12 Appeals; and generally relating to unemployment insurance and compensation  
13 for lawyer representation in claim proceedings.

14 BY repealing and reenacting, with amendments,  
15 Article – Labor and Employment  
16 Section 8–507 and 8–5A–08  
17 Annotated Code of Maryland  
18 (2008 Replacement Volume and 2009 Supplement)

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

21 **Article – Labor and Employment**

22 8–507.

23 (a) In a proceeding before a hearing examiner, a claimant may be  
24 represented by a lawyer or another agent authorized by the claimant.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (b)    [A lawyer may charge and accept compensation in an amount not greater  
2 than that approved by the chief hearing examiner.

3           (c)    Except as provided in subsection (b) of this section, an agent may not  
4 charge or accept compensation for representing a claimant in a proceeding before a  
5 hearing examiner.

6           (d)]   In a proceeding before a hearing examiner, an employer may appear pro  
7 se or be represented by a lawyer or another agent authorized by the employer.

8           [(e)] (C)   A person may not solicit, for that person or another person, the  
9 business of appearing on behalf of a claimant in a proceeding before a hearing  
10 examiner.

11    8-5A-08.

12           (a)    In a proceeding before a special examiner or the Board of Appeals, a  
13 claimant may be represented by a lawyer or another agent authorized by the claimant.

14           (b)    [An agent may not charge or accept compensation for representing a  
15 claimant in a proceeding before a special examiner or the Board of Appeals except that  
16 a lawyer may charge and accept compensation in an amount not greater than that  
17 approved by the Board of Appeals.

18           (c)]    In a proceeding before a special examiner or the Board of Appeals, an  
19 employer may appear for itself or be represented by a lawyer or another agent  
20 authorized by the employer.

21           [(d)] (C)   A person may not solicit, for that person or another person, the  
22 business of appearing on behalf of a claimant in a proceeding before a special  
23 examiner or the Board of Appeals.

24           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2010.