

SENATE BILL 170

D1

2lr1244
CF 2lr1962

By: **Senators Shank, Brinkley, Edwards, and Young**

Introduced and read first time: January 20, 2012

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Washington County – Sheriffs and Deputy Sheriffs – Practice of Law**

3 FOR the purpose of allowing an individual employed as a sheriff or deputy sheriff in
4 Washington County who has been admitted to the Maryland Bar to practice law
5 in a county other than Washington County; and generally relating to the
6 practice of law by sheriffs and deputy sheriffs in Washington County.

7 BY repealing and reenacting, with amendments,
8 Article – Business Occupations and Professions
9 Section 10–603
10 Annotated Code of Maryland
11 (2010 Replacement Volume and 2011 Supplement)

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

14 **Article – Business Occupations and Professions**

15 10–603.

16 (a) This section does not apply to:

17 (1) a lawyer while employed as a part–time master for juvenile cases;

18 or

19 (2) an individual while:

20 (i) performing an affirmative duty required by law; or

21 (ii) engaging in an activity related to a case in which the
22 individual is a party or has a property interest.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) Even if an individual has been admitted to the Bar, the individual may
2 not practice law while employed:

3 (1) [as] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS
4 SECTION, AS a sheriff or deputy sheriff;

5 (2) in a jail or penitentiary, as:

6 (i) a warden or deputy warden; or

7 (ii) a superintendent or deputy superintendent;

8 (3) as a bailiff;

9 (4) as a clerk or deputy clerk of any court or an employee of a clerk;

10 (5) as a register or deputy register of wills or an employee of a register
11 of wills; or

12 (6) as an officer or employee in a juvenile court.

13 (c) AN INDIVIDUAL EMPLOYED AS A SHERIFF OR DEPUTY SHERIFF IN
14 WASHINGTON COUNTY WHO HAS BEEN ADMITTED TO THE BAR MAY PRACTICE
15 LAW IN A COUNTY OTHER THAN WASHINGTON COUNTY.

16 [(c)] (D) (1) This subsection does not apply to the settlement of small
17 estates as set forth in Title 5, Subtitle 6 of the Estates and Trusts Article.

18 (2) In Prince George's County, a sheriff, deputy sheriff, warden,
19 deputy warden, clerk, or employee of any court may not prepare or help in the
20 preparation of any form or document that is filed in a court in that county or that
21 affects a case that is or may be filed in a court in that county.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 July 1, 2012.