

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

Senate Bill 170

(Senator Shank, *et al.*)

Judicial Proceedings

Judiciary

Washington County - Sheriffs and Deputy Sheriffs - Practice of Law

This bill authorizes an individual employed as a sheriff or deputy sheriff in Washington County who has been admitted to the Maryland Bar to practice law in a county other than Washington County.

The bill takes effect July 1, 2012.

Fiscal Summary

State Effect: None.

Local Effect: None. The bill is not expected to materially affect Washington County finances.

Small Business Effect: None.

Analysis

Current Law: Generally, even if an individual has been admitted to the Maryland Bar, the individual may not practice law while employed (1) as a sheriff or deputy sheriff; (2) in a jail or penitentiary, as a warden or deputy warden, or a superintendent or deputy superintendent; (3) as a bailiff; (4) as a clerk or deputy clerk of any court or an employee of a clerk; (5) as a register or deputy register of wills or an employee of a register of wills; or (6) as an officer or employee in a juvenile court.

This prohibition does not apply to (1) a lawyer while employed as a part-time master for juvenile cases; (2) an individual while performing an affirmative duty required by law; or

(3) engaging in an activity related to a case in which the individual is a party or has a property interest. In addition, the prohibition does not apply to the settlement of specified small estates.

In Prince George's County, a sheriff, deputy sheriff, warden, deputy warden, clerk, or employee of any court is prohibited from preparing or helping in the preparation of any form or document that is filed in a court in that county or that affects a case that is or may be filed in a court in that county.

Additional Information

Prior Introductions: None.

Cross File: HB 524 (Delegate Parrott, *et al.*) - Judiciary.

Information Source(s): Washington County, Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History: First Reader - February 3, 2012
ncs/hlb

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