

HOUSE BILL 596

D3

3lr2387
CF SB 419

By: **Delegate Clippinger**

Introduced and read first time: January 31, 2013

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 16, 2013

CHAPTER _____

1 AN ACT concerning

2 **Civil Actions – Interrogatories or Examination in Aid of Enforcement –**
3 **Procedure After Arrest for Failure to Appear to Show Cause**

4 FOR the purpose of requiring that an individual arrested for failure to appear in court
5 to show cause why the individual should not be found in contempt for failure to
6 answer interrogatories or to appear for an examination in aid of enforcement of
7 a money judgment be taken immediately before a certain court or before a
8 certain judicial officer for a certain determination; providing for the application
9 of this Act; and generally relating to arrest for failure to appear in court in
10 response to certain show cause orders.

11 BY adding to

12 Article – Courts and Judicial Proceedings

13 Section 6–411

14 Annotated Code of Maryland

15 (2006 Replacement Volume and 2012 Supplement)

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

18 **Article – Courts and Judicial Proceedings**

19 **~~6–411.~~**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 AN INDIVIDUAL ARRESTED FOR FAILURE TO APPEAR IN COURT TO SHOW
 2 CAUSE WHY THE INDIVIDUAL SHOULD NOT BE FOUND IN CONTEMPT FOR
 3 FAILURE TO ANSWER INTERROGATORIES OR TO APPEAR FOR AN EXAMINATION
 4 IN AID OF ENFORCEMENT OF A MONEY JUDGMENT SHALL BE TAKEN
 5 IMMEDIATELY:

6 (1) IF THE COURT IS IN SESSION, BEFORE THE COURT THAT
 7 ISSUED THE ORDER THAT RESULTED IN THE ARREST; OR

8 (2) IF THE COURT IS NOT IN SESSION, BEFORE A JUDICIAL
 9 OFFICER OF THE DISTRICT COURT FOR A DETERMINATION OF APPROPRIATE
 10 CONDITIONS OF RELEASE TO ENSURE THE INDIVIDUAL'S APPEARANCE AT THE
 11 NEXT SESSION OF THE COURT THAT ISSUED THE ORDER THAT RESULTED IN THE
 12 ARREST.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to
 14 any individual arrested for failure to respond to a show cause order for contempt for
 15 failure to answer interrogatories or to appear for an examination in aid of enforcement
 16 of a money judgment on or after the effective date of this Act.

17 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
 18 October 1, 2013.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.