

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Mary Ellen Barbera
Chief Judge

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: House Judiciary Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: House Bill 704
Attorney Grievance Commission – Disciplinary Fund – Annual
Fee
DATE: February 5, 2020
(2/19)
POSITION: Oppose

The Maryland Judiciary opposes House Bill 704. This bill requires that the annual fee collected for the Disciplinary Fund pursuant to Maryland Rule 19-702 not exceed \$50 dollars if an attorney is a full-time employee of a federal or state agency or political subdivision of a state.

This bill raises separation of powers concerns under Article 8 of the Maryland Declaration of Rights and intrudes on the inherent power of the Judiciary to regulate the practice of law under the decision of *Attorney General v. Waldron*, 289 Md. 683 (1991). The Judiciary possesses constitutional primacy in matters involving regulation of the practice of law and it is the responsibility of the Court of Appeals to delineate policy and procedure regarding the administration of the judicial branch and all court-related agencies, including the Client Protection Fund and Attorney Grievance Commission.

cc. Hon. Regina Boyce
Judicial Council
Legislative Committee
Kelley O'Connor