

2002 Maryland Legislation – General Interest

Attorney's Liens

[House Bill 1381](#) (*passed*) provides that an attorney's lien attaches to any settlement that a client receives as a result of legal services that the client's attorney performs if the client owes the attorney a fee or other compensation for those services. Under current law, an attorney has a lien on a judgment or award received as a result of the attorney's services.

Clients' Security Trust Fund - Renaming

The Clients' Security Trust Fund was established in 1965 to reimburse clients for losses (not recoverable from other sources) caused by an attorney's or fiduciary's misuse of the client's money. The fund is administered by nine trustees, eight of whom must be attorneys, and one of whom may not be an attorney. With limited exceptions, all attorneys admitted to the Bar of Maryland must pay an annual fee to the fund. The fund may raise and collect additional money through voluntary contributions or other means.

[Senate Bill 200](#) (*passed*)/[House Bill 115](#) (*Ch. 33*) rename the Clients' Security Trust Fund of the Bar of Maryland as the Client Protection Fund of the Bar of Maryland, in an effort to better reflect the fund's purpose.

Court of Special Appeals

Current law requires the Court of Special Appeals to hold its sessions in Annapolis. In order to afford more convenient access to law students and the public, [House Bill 1165](#) (*Ch. 92*) authorizes the Court of Special Appeals to hold sessions at the University of Maryland at Baltimore and the University of Baltimore, as designated by the Chief Judge of the Court of Special Appeals in conjunction with the deans of the schools of law at the University of Maryland and University of Baltimore.

District Court Jurisdiction

Small Claim Actions

[House Bill 70](#) (*passed*) increases the maximum amount of a small claim, over which the District Court of Maryland has exclusive jurisdiction, from \$2,500 to \$5,000. The bill also increases, from \$2,500 to \$5,000, the amount in controversy: (1) above which the District Court and circuit courts have concurrent jurisdiction in civil cases; and (2) for which a civil appeal from the District Court must be based on the record.

Dishonored Checks

[House Bill 48](#) (*passed*) provides that the District Court of Maryland has civil jurisdiction in an action for damages for a dishonored check or other negotiable instrument even if the amount in controversy exceeds \$25,000, the usual monetary limit of the District Court's jurisdiction. Under the bill, if the amount in controversy in such an action exceeds \$25,000, the defendant may transfer the case to a circuit court.

Other Legislation of Interest:

[SB 404](#) Family Law -- Marriage Ceremonies -- Judges

Authorizing a judge to perform a marriage ceremony; and defining a specified term.

EFFECTIVE JUNE 1, 2002

[HB 6](#) District Court Commissioners -- Powers and Duties

Proposing an amendment to the Maryland Constitution to expand the powers and duties of District Court commissioners to include the issuance of civil interim peace orders and civil interim protective orders within the jurisdiction of the District Court when the office of the clerk of the District Court is not open; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

CONSTITUTIONAL AMENDMENT

[HB 993](#) Family Law -- Child Support -- Age of Majority

Altering specified provisions of law defining the age of majority to provide that a person who has attained the age of 18 years and who is enrolled in secondary school has a right to support and maintenance until the first of specified events occurs; and establishing that the Act is considered a material change in circumstances for purposes of modifying a child support order issued before the effective date of the Act.