

IN THE COURT OF APPEALS OF MARYLAND

R U L E S O R D E R

This Court's Standing Committee on Rules of Practice and Procedure having submitted Parts I, II, and III of its One Hundred Seventy-Eighth Report to the Court of Appeals on April 29, 2013, June 26, 2013, and March 11, 2016, respectively, recommending rescission of Title 16 of the Maryland Rules of Procedure and replacement of it by new Title 16 (Court Administration), Title 18 (Judges and Judicial Appointees), and Title 19 (Attorneys); proposed amendments to Rules 1-101, 1-312, 1-322, 1-322.1, 1-325, 1-326, 1-333, 1-351, 2-111, 2-112, 2-131, 2-504, 2-504.1, 2-508, 2-512, 2-516, 2-601, 2-652, 3-131, 3-508, 3-601, 4-214, 4-216, 4-217, 4-263, 4-312, 4-322, 4-327, 5-410, 5-605, 6-108, 7-113, 8-402, 8-411, 8-415, 9-203, 9-204, 9-205, 9-205.2, 9-208, 10-106, 11-106, 15-207, 15-1103, 17-205, 17-206, 17-207, 17-506, 20-101, 20-109, 20-203, 20-405, 20-502, 20-503, and 20-504; rescission of Appendix: Maryland Lawyers' Rules of Professional Conduct and the Rules Governing Admission to the Bar of Maryland; and the transfer of the Rules of the State Board of Law Examiners, with amendments; the transfer of and amendments to

Appendix: Forms RGAB-14/M and RGAB-14/O, Appendix: Ideals of Professionalism, Appendix: Guidelines of Advocacy for Attorneys Representing Children in CINA and Related TRP and Adoption Proceedings, and Appendix: Maryland Guidelines for Practice for Court-Appointed Lawyers Representing Children in Cases Involving Child Custody or Child Access, all as posted for comment on the Judiciary website; and

The Rules Committee having submitted Supplements to Parts I and II on March 11, 2016 and a Supplement to Part III on May 20, 2016; and

This Court having considered at open meetings, notices of which were posted as prescribed by law, all those proposed rules and forms changes, together with the comments received, and having on its own motion made certain additions, deletions, and amendments to certain of the proposed rules changes, it is this 1st day of June, 2016

ORDERED, by the Court of Appeals of Maryland, that current Title 16 of the Maryland Rules of Procedure be, and it is hereby, rescinded; and it is further

ORDERED that Appendix: Maryland Lawyers' Rules of Professional Conduct and the Rules Governing Admission to the Bar of Maryland be, and there are hereby, rescinded; and it is further

ORDERED that new Title 16 (Court Administration), Title 18 (Judges and Judicial Appointees), and Title 19 (Attorneys) be, and they are hereby, adopted in the form attached to this Order; and it is further

ORDERED that amendments to Rules 1-101, 1-312, 1-322, 1-322.1, 1-325, 1-326, 1-333, 1-351, 2-111, 2-112, 2-131, 2-504, 2-504.1, 2-512, 2-516, 2-601, 2-652, 3-131, 3-601, 4-214, 4-216, 4-217, 4-263, 4-312, 4-322, 4-327, 5-410, 5-605, 6-108, 7-113, 8-402, 8-411, 8-415, 9-203, 9-204, 9-205, 9-205.1, 9-205.2, 9-208, 10-106, 11-106, 15-207, 15-1103, 17-205, 17-206, 17-207, 17-506, 20-101, 20-109, 20-203, 20-405, 20-502, 20-503, and 20-504 be, and they are hereby, adopted in the form attached to this Order; and it is further

ORDERED that the Rules of the State Board of Law Examiners, with amendments, be, and they are hereby, transferred and placed immediately following the Rules in Title 19, Chapter 200; and it is further

ORDERED that Forms RGAB-14/M and RGAB-14/O in Appendix: Forms be, and they are hereby, renamed, amended, and transferred to Appendix 19-A: Forms for Special Admission of Out-of-State Attorney, immediately following the Rules of the Board, all in the form attached to this Order; and it is further

ORDERED that Appendix: Ideals of Professionalism, Appendix: Guidelines of Advocacy for Attorneys Representing Children in CINA and Related TRP and Adoption Proceedings, and Appendix: Maryland Guidelines for Practice for Court-Appointed Lawyers Representing Children in Cases Involving Child Custody or Child Access be, and they are hereby, transferred, without readoption, and renumbered Appendix 19-B, 19-C, and 19-D, respectively, immediately following the Rules in Title 19, Chapter 300, and that certain internal references in the transferred appendices be corrected and transferred Appendix 19-D be renamed, all in the form attached to this Order; and it is further

ORDERED that the aforesaid transfer, renumbering, correction of internal references in certain transferred appendices, and renaming of Appendix 19-D are intended solely to conform the transferred appendices to the new numbering system and shall not supercede or otherwise affect law that is the subject of the

transferred appendices, whether that law was enacted or decided before or after the transfer of these appendices; and it is further

ORDERED that consideration of proposed new Rule 16-804 and the proposed amendments to Rules 2-508 and 3-508 be, and it is hereby deferred, pending further study and recommendations by the Rules Committee; and it is further

ORDERED that new Title 18, Chapters 100 and 200 shall take effect on July 1, 2016 and that Chapter 100 (Maryland Code of Judicial Conduct) shall govern the conduct of judges from and after said date and Chapter 200 (Maryland Code of Conduct for Judicial Appointees) shall govern the conduct of judicial appointees from and after said date; provided, however, that the Maryland Code of Judicial Conduct set forth in current Rule 16-813 shall continue in full force and effect and shall govern the conduct of judges until July 1, 2016 and judges shall continue on and after July 1, 2016 to be subject to discipline for violations of that Code occurring prior to July 1, 2016; and further provided that the Code of Conduct for Judicial Appointees set forth in current Rule 16-814 shall continue in full force and effect and shall govern the conduct of judicial appointees until

July 1, 2016, and judicial appointees shall continue on and after July 1, 2016 to be subject to discipline for violations of that Code occurring prior to July 1, 2016; and it is further

ORDERED that new Title 19, Chapters 100 and 200 hereby adopted by this Court shall govern the State Board of Law Examiners, the Accommodations Review and Character Committees appointed by this Court, the courts of this State, all applicants for admissions to the Bar of this State, all out-of-State attorneys seeking special authorization to practice in this State, and all parties and their attorneys in all actions and proceedings, and shall take effect July 1, 2016 and be implemented to apply to all applications to take the Maryland Bar Examinations for which the application deadline is after July 1, 2016; and it is further

ORDERED that new Title 19, Chapter 300 (Maryland Attorneys' Rules of Professional Conduct) hereby adopted by this Court shall take effect on July 1, 2016, and that the Maryland Attorneys' Rules of Professional Conduct shall govern the conduct of attorneys from and after said date; provided, however, that the current Maryland Lawyers' Rules of Professional Conduct as set forth in Appendix: Maryland Lawyers' Rules of Professional

Conduct shall continue in full force and effect and shall govern the conduct of attorneys until July 1, 2016; and attorneys shall continue on any after July 1, 2016 to be subject to discipline for violations of the current Maryland Lawyers' Rules of Professional Conduct occurring prior to July 1, 2016; and it is further

ORDERED that all other rules changes hereby adopted by this Court shall govern the courts of this State, all entities described in new Rule 16-801 (a), and all parties and their attorneys in all actions and proceedings, and shall take effect and apply to all actions commenced on or after July 1, 2016 and insofar as practicable to all actions then pending; and it is further

ORDERED that a copy of this Order be posted promptly on the
Judiciary website.

/s/ Mary Ellen Barbera

Mary Ellen Barbera

/s/ Clayton Greene, Jr.

Clayton Greene, Jr.

** /s/ Sally D. Adkins

Sally D. Adkins

/s/ Robert N. McDonald

Robert N. McDonald

* /s/ Shirley M. Watts

Shirley M. Watts

* /s/ Michele D. Hotten

Michele D. Hotten

* Judges Watts and Hotten voted "no" with respect to
approval of Rules 16-502 (g) and 16-504 (h), (i), and (j).

** Judge Adkins abstained from voting on Rule 16-306.

Filed: June 6, 2016

/s/ Bessie M. Decker

Clerk
Court of Appeals of Maryland