

RULE 20-101. DEFINITIONS

In this Title the following definitions apply except as expressly otherwise provided or as necessary implication requires:

(a) Affected Action. “Affected action” means an action to which this Title is made applicable by Rule 20-102.

Cross reference: For the definition of an “action” see Rule 1-202.

(b) Appellate Court. “Appellate court” means the Court of Appeals or the Court of Special Appeals, whichever the context requires.

(c) Applicable County. “Applicable county” means each county in which, pursuant to an administrative order of the Chief Judge of the Court of Appeals posted on the Judiciary website, MDEC has been implemented.

Committee note: The MDEC Program was implemented in Anne Arundel County on October 14, 2014. It will be installed sequentially in other counties over a period of time by administrative order of the Chief Judge of the Court of Appeals.

(d) Applicable Date. “Applicable date” means the date, specified in an administrative order of the Chief Judge of the Court of Appeals posted on the Judiciary website, from and after which a county is an applicable county.

(e) Business Day. “Business day” means a day that the clerk’s office is open for the transaction of business. For the purpose of the Rules in this Title, a “business day” begins at 12:00.00 a.m. and ends at 11:59.59 p.m.

(f) Clerk. “Clerk” means the Clerk of the Court of Appeals, the Court of Special Appeals, or a circuit court, an administrative clerk of the District Court, and authorized assistant clerks in those offices.

(g) Concluded. An action is “concluded” when

(1) there are no pending issues, requests for relief, charges, or outstanding motions in the action or the jurisdiction of the court has ended;

(2) no future events are scheduled; and

(3) the time for appeal has expired or, if an appeal or an application for leave to appeal was filed, all appellate proceedings

have ended.

Committee note: This definition applies only to the Rules in Title 20 and is not to be confused with the term “closed” that is used for other administrative purposes.

(h) Digital Signature. “Digital signature” means a secure electronic signature inserted using a process approved by the State Court Administrator that uniquely identifies the signer and ensures authenticity of the signature and that the signed document has not been altered or repudiated.

(i) Facsimile Signature. “Facsimile signature” means a scanned image or other visual representation of the signer’s handwritten signature, other than a digital signature.

(j) Filer. “Filer” means a person who is accessing the MDEC system for the purpose of filing a submission. Committee note: The internal processing of documents filed by registered users, on the one hand, and those transmitted by judges, judicial appointees, clerks, and judicial personnel, on the other, is different. The latter are entered directly into the MDEC System, whereas the former are subject to clerk review under Rule 20-203. For purposes of these Rules, however, the term “filer” encompasses both groups.

(k) Hand-Signed or Handwritten Signature. “Hand-signed or handwritten signature” means the signer’s original genuine signature on a paper document.

(l) Hyperlink. “Hyperlink” means an electronic link embedded in an electronic document that enables a reader to view the linked document.

(m) Judge. “Judge” means a judge of the Court of Appeals, Court of Special Appeals, a circuit court, or the District Court of Maryland and includes a former judge of any of those courts recalled pursuant to Code, Courts Article, § 1-302 and designated to sit in one of those courts.

(n) Judicial Appointee. “Judicial appointee” means a judicial appointee, as defined in Rule 18-200.3.

(o) Judicial Personnel. “Judicial personnel” means an employee of the Maryland Judiciary, even if paid by a county, who is employed in a category approved for access to the MDEC system by the State Court Administrator;

(p) MDEC or MDEC System. “MDEC” or “MDEC system” means the system of electronic filing and case management established by the Maryland Court of Appeals.

Committee note: “MDEC” is an acronym for Maryland Electronic Courts.

(q) Redact. “Redact” means to exclude information from a document accessible to the public.

(r) Registered User. “Registered user” means an individual authorized to use the MDEC system by the State Court Administrator pursuant to Rule 20-104.

(s) Restricted Information. “Restricted information” means information (1) prohibited by Rule or other law from being included in a court record, (2) required by Rule or other law to be redacted from a court record, (3) placed under seal by a court order, or (4) otherwise required to be excluded from the court record by court order.

Cross reference: See Rule 1-322.1 (Exclusion of Personal Identifier Information in Court Filings) and the Rules in Title 16, Chapter 900 (Access to Court Records).

(t) Scan. “Scan” means to convert printed text or images to an electronic format compatible with MDEC.

(u) Submission. “Submission” means a pleading or other document filed in an action. “Submission” does not include an item offered or admitted into evidence in open court. Cross reference: See Rule 20-402.

(v) Tangible Item. “Tangible item” means an item that is not required to be filed electronically. A tangible item by itself is not a submission; it may either accompany a submission or be offered in open court.

Cross reference: See Rule 20-106 (c)(2) for items not required to be filed electronically.

Committee note: Examples of tangible items include an item of physical evidence, an oversize document, and a document that cannot be legibly scanned or would otherwise be incomprehensible if converted to electronic form.

(w) Trial Court. “Trial court” means the District Court of Maryland and a circuit court, even when the circuit court is acting in an appellate capacity.

Committee note: “Trial court” does not include an orphans’ court, even when, as in Harford and Montgomery Counties, a judge of the circuit court is sitting as a judge of the orphans’ court.

(x) Typographical Signature. “Typographical signature” means the symbol “/s/” affixed to the signature line of a submission above the typed name, address, e-mail address, and telephone number of the signer.

Source: This Rule is new.

MD Rules, Rule 20-102

RULE 20-102. APPLICATION OF TITLE

(a) Trial Courts.

(1) **New Actions and Submissions.** On and after the applicable date, this Title applies to (A) new actions filed in a trial court for an applicable county, (B) new submissions in actions then pending in that court, (C) new submissions in actions in that court that were concluded as of the applicable date but were reopened on or after that date, (D) new submissions in actions remanded to that court by a higher court or the United States District Court, and (E) new submissions in actions transferred or removed to that court.

(2) **Existing Documents; Pending and Reopened Cases.** With the approval of the State Court Administrator, (A) the County Administrative Judge of the circuit court for an applicable county, by order, may direct that all or some of the documents that were filed prior to the applicable date in a pending or reopened action in that court be converted to electronic form by the clerk, and (B) the Chief Judge of the District Court, by order, may direct that all or some of the documents that were filed prior to the applicable date in a pending or reopened action in the District Court be converted to electronic form by the clerk. Any such order shall include provisions to ensure that converted documents comply with the redaction provisions applicable to new submissions.

(b) Appellate Courts. This Title applies to appeals and other proceedings in the Court of Special Appeals or Court of Appeals seeking the review of a judgment or order entered in any action to which section (a) of this Rule applies. If so ordered by the Court of Appeals in a particular matter or action, the Title also applies to (1) a question certified to the Court of Appeals pursuant to the Maryland Uniform Certification of Questions of Law Act, Code, Courts Article, §§ 12-601--12-613; and (2) an original action in the Court of Appeals allowed by law.

(c) Applicability of Other Rules. Except to the extent of any inconsistency with the Rules in this Title, all of the other applicable Maryland Rules continue to apply. To the extent there is any inconsistency, the Rules in this Title prevail.

Source: This Rule is new.

RULE 20-103. ADMINISTRATION OF MDEC

(a) General Authority of State Court Administrator. Subject to supervision by the Chief Judge of the Court of Appeals, the State Court Administrator shall be responsible for the administration of the MDEC system and shall implement the procedures established by the Rules in this Title.

(b) Policies and Procedures.

(1) *Authority to Adopt.* The State Court Administrator shall adopt policies and procedures that are (A) necessary or useful for the proper and efficient implementation of the MDEC System and (B) consistent with (i) the Rules in this Title, (ii) other provisions in the Maryland Rules that are not superseded by the Rules in this Title, and (iii) other applicable law.

(2) *Publication of Policies and Procedures.* Policies and procedures adopted by the State Court Administrator that affect the use of the MDEC system by court personnel, attorneys, or members of the public shall be posted on the Judiciary website and, upon written request, shall be made available in printed form by the State Court Administrator.

Source: This Rule is new.

MD Rules, Rule 20-104

RULE 20-104. USER REGISTRATION

(a) Eligibility. Any individual may apply to become a registered user in accordance with this Rule.

(b) On-line Application. An individual seeking to become a registered user shall complete an on-line application in the form prescribed by the State Court Administrator. The form shall include an agreement by the applicant to comply with MDEC policies and procedures and the Rules in this Title and a statement as to whether the applicant is an attorney and, if so, is a member of the Maryland Bar in good standing.

(c) Identification Number, Username, and Password. Upon successful completion of the registration process in accordance with section (b) of this Rule and any verification that the State Court Administrator may require, the individual becomes a registered user. The State Court Administrator shall issue to the registered user a unique user identification number, a username, and a password, which together shall entitle the registered user to file submissions electronically in an affected action to which the registered user is a party or is otherwise entitled to file the submission and have the access provided by Rule 20-109. The registered user may not change the unique identification number issued by the State Court Administrator but may change the assigned username and password in conformance with the policies and procedures published by the State Court Administrator.

(d) Effect of Registration. By registering with the State Court Administrator as a registered user, an individual agrees to comply with the Rules in this Title and the MDEC policies and procedures established and published by the State Court Administrator.

(e) Multiple User Identification Numbers Prohibited.

(1) *Cancellation of User Registration.* A registered user may not have more than one user identification number at a time. If the State Court Administrator believes that an individual has more than one user identification number, the State Court Administrator shall notify the individual, at the individual's most recent e-mail address provided to the State Court Administrator, that all of the individual's identification numbers will be cancelled unless the individual shows good cause to the contrary within 30 days after the date of the notice. If the individual fails to make that showing, the State Court Administrator shall cancel all of the individual's identification numbers and revoke the user's registration. The individual may seek review of the State Court Administrator's action pursuant to the Rules in Title 7, Chapter 200 of the Maryland Rules.

(2) *Re-application for User Registration.* An individual whose user registration has been cancelled may reapply for user registration, but the State Court Administrator may reject the application unless reasonably satisfied that the individual will comply with the Rules in this Title and with all policies and procedures adopted by the State Court Administrator.

(f) Revocation, Suspension, Reinstatement of Attorney User Registration.

(1) *Duty of Clerk of Court of Appeals.* The Clerk of the Court of Appeals shall promptly notify the State Court Administrator of each attorney (A) who, by order of the Court, becomes disbarred, suspended, placed on inactive status, or decertified or who has resigned from the Maryland Bar or (B) who, following a disbarment, suspension, placement on inactive status, decertification, or resignation, has been reinstated to the practice of law in Maryland.

(2) *Duty of State Court Administrator.* Promptly upon receipt of such notice, the State Court Administrator shall (A) revoke the user registration of each attorney who has been disbarred or placed in inactive status or who has resigned, (B) suspend the user registration of each attorney who has been suspended or decertified, (C) reinstate the user registration of an attorney who has been reinstated, and (D) take any necessary steps to be reasonably satisfied that the MDEC system does not accept any electronic filings from an attorney whose user registration has been revoked or suspended and not reinstated.

(3) *Further Submissions.* An attorney whose registration has been suspended or revoked under this section shall file any submissions required by the Rules of Professional Conduct in paper form.

(4) *Application for User Registration as a Non-attorney.* An attorney whose user registration has been suspended or revoked under this section may apply for user registration as a non-attorney. The State Court Administrator may reject the application unless reasonably satisfied that the individual will comply with the Rules in this Title and with all policies and procedures adopted by the State Court Administrator.

Source: This Rule is new.

MD Rules, Rule 20-105

RULE 20-105. JUDGES; JUDICIAL APPOINTEES; CLERKS; JUDICIAL PERSONNEL

(a) Assignment of Username and Password. The State Court Administrator shall assign to each judge, judicial appointee, clerk, and judicial personnel a username and password that will allow the judge, judicial appointee, clerk, or judicial personnel to access the MDEC System to the extent necessary to the performance of his or her official duties.

Committee note: The access permitted under section (a) of this Rule is limited to that necessary to the performance of official duties. A judicial official or employee who desires access for personal reasons, such as to file submissions as a self-represented litigant, must become a registered user and proceed as such.

(b) Revocation. Upon notice that a judge, judicial appointee, clerk, or judicial personnel has retired, resigned, or otherwise left office and, as a result, is no longer entitled to access the MDEC System under this Rule, the State Court Administrator shall revoke the individual's username and password, terminate the right of access allowed thereby, and inform the judge, judicial appointee, clerk or judicial personnel of the right to apply for user registration under Rule 20-104.

Source: This Rule is new.

MD Rules, Rule 20-106

RULE 20-106. WHEN ELECTRONIC FILING REQUIRED; EXCEPTIONS

(a) Filers--Generally.

(1) *Attorneys.* Except as otherwise provided in section (b) of this Rule, an attorney who enters an appearance in an affected action shall file electronically the attorney's entry of appearance and all subsequent submissions in the affected action.

(2) *Judges, Judicial Appointees, Clerks, and Judicial Personnel.* Except as otherwise provided in section (b) of this Rule, judges, judicial appointees, clerks, and judicial personnel, shall file electronically all submissions in an affected action.

(3) *Self-Represented Litigants.*

(A) Except as otherwise provided in section (b) of this Rule, a self-represented litigant in an affected action who is a registered user shall file electronically all submissions in the affected action.

(B) A self-represented litigant in an affected action who is not a registered user may not file submissions electronically.

(4) *Other Persons.* Except as otherwise provided in the Rules in this Title, a registered user who is required or permitted to file a submission in an affected action shall file the submission electronically. A person who is not a registered user shall file a submission in paper form.

Committee note: Examples of persons included under subsection (a)(4) of this Rule are government agencies or other persons who are not parties to the affected action but are required or permitted by law or court order to file a record, report, or other submission with the court in the action and a person filing a motion to intervene in an affected action.

(b) Exceptions.

(1) *MDEC System Outage.* Registered users, judges, judicial appointees, clerks, and judicial personnel are excused from the requirement of filing submissions electronically during an MDEC system outage in accordance with Rule 20-501.

(2) *Other Unexpected Event.* If an unexpected event other than an MDEC system outage prevents a registered user, judge, judicial appointee, clerk, or judicial personnel from filing submissions electronically, the registered user, judge, judicial appointee, clerk, or judicial personnel may file submissions in paper form until the ability to file electronically is restored. With each submission filed in paper form, a registered user shall submit to the clerk an affidavit describing the event that

prevents the registered user from filing the submission electronically and when, to the registered user's best knowledge, information, and belief, the ability to file electronically will be restored.

Committee note: This subsection is intended to apply to events such as an unexpected loss of power, a computer failure, or other unexpected event that prevents the filer from using the equipment necessary to effect an electronic filing.

(3) *Other Good Cause.* For other good cause shown, the administrative judge having direct administrative supervision over the court in which an affected action is pending may permit a registered user, on a temporary basis, to file submissions in paper form. Satisfactory proof that, due to circumstances beyond the registered user's control, the registered user is temporarily unable to file submissions electronically shall constitute good cause.

(c) Submissions.

(1) *Generally.* Except as otherwise provided in subsection (c)(2) of this Rule, the requirement of electronic filing in section (a) applies to all submissions that are capable of being converted into electronic format and that, in electronic form, may be converted into a legible paper document.

(2) *Exceptions.* Except with court approval, the following submissions shall not be filed electronically:

(A) A single document comprising more than 300 pages;

Committee note: A single document comprising more than 300 pages may be submitted electronically by dividing the document into shorter segments.

(B) Oversized documents, such as blueprints, maps, and plats;

(C) Documents offered as evidence in open court at a trial or other judicial proceeding pursuant to section (e) of this Rule;

(D) An item that is impracticable to be filed electronically because of the item's physical characteristics; and

(E) Any other category of submissions that the State Court Administrator exempts from the requirement of electronic filing.

(3) *Required Retention of Certain Original Documents.* Original wills and codicils, property instruments that have been or are subject to being recorded, and original public records, such as birth certificates, that contain an official seal may be scanned and filed electronically so long as the original document is maintained by the filer pursuant to Rule 20-302.

Cross reference: See Rule 20-204, which requires a registered user to file a “Notice of Filing Tangible Item” under certain circumstances.

(d) Paper Submissions.

(1) *Compliance With MDEC Rules.* A paper submission shall comply with Rule 20-201(f) and (i). If applicable, a paper submission also shall comply with Rule 20-201(g).

(2) *Review by Clerk; Scanning.*

(A) Except as provided in subsection (d)(2)(B) of this Rule, upon receipt of a submission in paper form, the clerk shall review the submission for the presence of a signature and for compliance with Rule 20-107(a)(1) and Rule 20-201(e), (f)(1)(B), and (i). If the submission is in compliance, the clerk shall scan it into the MDEC system, verify that the electronic version of the submission is legible, and docket the submission. If the submission is not in compliance, the clerk shall decline to scan it and promptly notify the filer in person or by first class mail that the submission was rejected and the reason for the rejection.

Committee note: The clerk’s pre-scanning review is a ministerial function, limited to ascertaining whether any required fee has been paid (Rule 20-201(i)) and the presence of the filer’s signature; a certificate of service if one is required (Rule 20-201(e)); and a certificate as to the absence or redaction of restricted information (Rule 20-201(f)(1)(B)).

(B) Upon receipt of a submission in paper form that is required by the Rules in this Title to be filed electronically, the clerk shall (i) decline to scan the submission, (ii) notify the filer electronically that the submission was rejected because it was required to be filed electronically, and (iii) enter on the docket that the submission was received and that it was not entered into the MDEC system because of non-compliance with Rule 20-106. The filer may seek review of the clerk’s action by filing a motion with the administrative judge having direct administrative supervision over the court.

Committee note: Subsection (d)(2)(B) of this Rule is necessary to enforce the electronic filing requirement of Rule 20-106. It is intended to be used only when it is clear that the filer is a registered user who is required to file submissions electronically and that none of the exceptions in sections (b) or (c) of this Rule appear to be applicable.

(3) *Destruction of Paper Submission.* Subject to subsections (d)(4) and (e)(2) of this Rule, the clerk may destroy a paper submission after scanning it and verifying the legibility of the electronic version of it.

(4) *Optional Return of Paper Document.* The State Court Administrator may approve procedures for identifying and, where feasible, returning paper documents that must be preserved in their original form.

(5) *Public Notice.* The State Court Administrator shall provide public notice alerting the public to the procedure set forth in subsections (d)(2), (3), and (4) of this Rule.

Committee note: If submissions properly filed in paper form are to be destroyed by the clerk following their being scanned

into MDEC, the public must be given reasonable notice of that policy. Notice may be given in a variety of ways, including on the Judiciary website, on on-line and pre-printed forms prepared by the Judiciary, on summonses or other notices issued by the clerks, and by postings in the clerks' offices.

(e) Exhibits and Other Documents Offered in Open Court.

(1) *Generally.* Unless otherwise approved by the court, a document offered into evidence or otherwise for inclusion in the record in open court shall be offered in paper form. If the document is offered as an exhibit, it shall be appropriately marked. Committee note: Examples of documents other than exhibits offered for inclusion in the record are written motions made in open court, proposed voir dire questions, proposed jury instructions, communications from a jury, and special verdict sheets.

(2) *Scanning and Return of Document.* As soon as practicable, the clerk shall scan the document into the MDEC system and return the document to the party who offered it at the conclusion of the proceeding, unless the court orders otherwise. If immediate scanning is not feasible, the clerk shall scan the document as soon as practicable and notify the person who offered it when and where the document may be retrieved.

Source: This Rule is new.

MD Rules, Rule 20-107

RULE 20-107. ELECTRONIC SIGNATURES

(a) Signature by Filer; Generally.

(1) Subject to sections (b), (c), (d), and (e) of this Rule, when a filer is required to sign a submission, the filer shall electronically sign the submission by inserting a (A) facsimile signature or (B) typographical signature.

(2) The filer shall insert the electronic signature above the filer's typed name, address, e-mail address, and telephone number and, if the filer is an attorney, the attorney's Client Protection Fund ID number. An electronic signature on an electronically filed submission constitutes and has the same force and effect as a signature required under Rule 1-311.

(b) Signature by Judge or Judicial Appointee. A judge or judicial appointee shall sign a submission electronically by (1) personally affixing the judge's or judicial appointee's digital signature or (2) hand-signing a paper version of the submission and scanning or directing an assistant to scan the hand-signed submission to convert the handwritten signature to a facsimile signature in preparation for electronic filing.

Cross reference: For delegation by an attorney, judge, or judicial appointee to file a signed submission, see Rule 20-108.

(c) Signature by Clerk. When a clerk is required to sign a submission electronically, the clerk's signature shall be a digital signature or a facsimile signature.

(d) Multiple Signatures on a Single Document. When the signature of more than one person is required on a document, the filer shall (1) confirm that the content of the document is acceptable to all signers; (2) obtain the handwritten, facsimile, or digital signatures of all signers; and (3) file the document electronically, indicating the signers in the same manner as the filer's signature. Filers other than judges, judicial appointees, clerks, and judicial personnel shall retain the signed document until the action is concluded.

(e) Signature Under Oath, Affirmation, or With Verification. When a person is required to sign a document under oath, affirmation, or with verification, the signer shall hand-sign the document. The filer shall scan the hand-signed document, converting the signer's handwritten signature to a facsimile signature, and file the scanned document electronically. The filer shall retain the original hand-signed document until the action is concluded or for such longer period ordered by the court. At any time prior to the conclusion of the action, the court may order the filer to produce the original hand-signed document.

(f) Verified Submissions. When a submission is verified or attaches a document under oath, the electronic signature of the filer constitutes a certification by the filer that (1) the filer has read the entire document; (2) the filer has not altered, or authorized the alteration of, the text of the verified material; and (3) the filer has either personally filed the submission or has authorized a designated assistant to file the submission on the filer's behalf pursuant to Rule 20-108.

MD Rules, Rule 20-108

RULE 20-108. DELEGATION OF AUTHORITY TO FILE

(a) Attorneys. After a submission has been signed in accordance with Rule 20-107, an attorney may authorize a paralegal, assistant, or other staff member in the attorney's office to file the signed submission electronically on behalf of the attorney. A submission filed pursuant to this delegation constitutes a filing by the attorney and the attorney's assurance that the attorney has complied with the requirements of Rule 1-311 (b) and has authorized the paralegal, assistant, or staff member to file the submission. The attorney is responsible for assuring that there is no unauthorized use of the attorney's username or password.

Cross reference: See Rule 2-311 (b) for the effect of signing pleadings and other papers.

(b) Judges and Judicial Appointees. After a submission has been signed electronically in accordance with Rule 20-107, a judge or judicial appointee may authorize a secretary, administrative assistant, or law clerk to file the signed submission electronically on behalf of the judge or judicial appointee. The judge or judicial appointee who signs the submission is responsible for assuring that there is no unauthorized use of the signer's username and password.

Source: This Rule is new.

MD Rules, Rule 20-109

RULE 20-109. ACCESS TO ELECTRONIC COURT RECORDS

(a) Generally. Except as otherwise provided in this Rule, access to court records in an affected action is governed by the Rules in Title 16, Chapter 900.

(b) Parties and Attorneys of Record. Subject to any protective order issued by the court, parties to and attorneys of record in an affected action shall have full access, including remote access, to all case records in that affected action.

(c) Judges and Judicial Appointees. Judges and judicial appointees shall have full access, including remote access, to all court records to the extent that such access is necessary to the performance of their official duties. The Chief Judge of the Court of Appeals, by Administrative Order, may further define the scope of remote access by judges and judicial appointees.

(d) Clerks and Judicial Personnel. Clerks and judicial personnel shall have full access from their respective work stations to all court records to the extent such access is necessary to the performance of their official duties. The State Court Administrator, by written directive, may further define the scope of such access by clerks and judicial personnel.

(e) Public Access.

(1) *Names of Litigants and Docket Entries.* Members of the public shall have free access, including remote access, to unshielded information made available pursuant to Rule 16-909 (c).

(2) *Unshielded Documents.* Subject to any protective order issued by the court, members of the public shall have free access to unshielded case records and unshielded parts of case records from computer terminals that the court makes available for that purpose. Each clerk's office shall provide a reasonable number of terminals for use by the public. The terminals shall not permit the user to download, alter, or forward the information, but the user is entitled to a copy of or printout of a case record in accordance with Rules 16-902 (d)(4) and 16-903.

Source: This Rule is new.

(f) Department of Juvenile Services. Subject to any protective order issued by the court, a registered user authorized by the Department of Juvenile Services to act on its behalf shall have full access, including remote access, to all case records in an affected action to the extent the access is (1) authorized by Code, Courts Article, § 3-8A-27 and (2) necessary to the performance of the individual's official duties on behalf of the Department.

MD Rules, Rule 20-201

RULE 20-201. REQUIREMENTS FOR ELECTRONIC FILING

(a) Scope. Sections (b) and (c) of this Rule apply to all filers. Sections (d), (e), (f), (g), (h), and (i) of this Rule do not apply to judges, judicial appointees, clerks, and judicial personnel.

(b) Authorization to File. A person may not file a submission in an affected action unless authorized by law to do so.

(c) Policies of State Court Administrator. A filer shall comply with all published policies and procedures adopted by the State Court Administrator pursuant to Rule 20-103.

(d) Signature. If, under Rule 1-311, the signature of the filer is required, the submission shall be signed in accordance with Rule 20-107.

(e) Certificate of Service.

(1) *Generally.* Other than an original pleading that is served by original process, each submission that is required to be served pursuant to Rule 20-205(d) shall contain a certificate of service signed by the filer.

(2) *Non-Electronic Service.* If service is not to be made electronically on one or more persons entitled to service, service on such persons shall be made in accordance with the applicable procedures established by other Titles of the Maryland Rules, and the submission shall include a certificate of service that complies with Rule 1-323 as to those persons and states that all other persons, if any, entitled to service were served by the MDEC system.

(3) *Electronic Service.* If service is made electronically by the MDEC system on all persons entitled to service, the certificate shall so state.

(f) Restricted Information.

(1) *Generally.* Except as provided in subsection (f)(2) of this Rule, a submission filed by a filer (A) shall not contain any restricted information, and (B) shall contain a certificate by the filer that the submission does not contain any restricted information or, if it does contain restricted information, a redacted submission has been filed contemporaneously pursuant to subsection (f)(2) of this Rule.

(2) *Where Restricted Information Is Necessary.* If the filer believes that restricted information is necessary to be included, the filer shall (A) state the reason and a legal basis for including the restricted information, and (B) file both an unredacted

version of the document, noting prominently in the caption that the document is unredacted, and a redacted version of the document that excludes the restricted information, noting prominently in the caption that the document is redacted.

(g) Sealed Submissions. If the filer desires the submission to be under court seal, the submission shall (1) state prominently in the caption that the document is to be under seal, and (2) state whether there is already in effect a court order to seal the document and, if so, identify that order. If there is no such order, the submission shall include a motion and proposed order to seal the document.

(h) Proposed Orders. A proposed order to be signed by a judge or judicial appointee shall be (1) in an electronic text format specified by the State Court Administrator and (2) filed as a separate document identified as relating to the motion or other request for court action to which the order pertains.

Committee note: As originally adopted, section (h) of this Rule required that a proposed order be submitted in “an editable text form.” Because at the time of initial implementation, the MDEC system could only accept pdf documents, amendments to section (h) were made in 2015 to give the State Court Administrator the flexibility to specify the electronic format of the proposed order. The filer should consult the MDEC policies and procedures posted on the Judiciary website for any changes to the required format.

(i) Fee.

(1) *Generally.* A submission shall be accompanied, in a manner allowed by the published policies and procedures adopted by the State Court Administrator, by any fee required to be paid in connection with the filing.

(2) *Waiver--Civil Action.*

(A) A filer in a civil action who (i) desires to file electronically a submission that requires a prepaid fee, (ii) has not previously obtained and had docketed a waiver of prepayment of the fee, and (iii) seeks a waiver of such prepayment, shall file a request for a waiver pursuant to Rule 1-325 or Rule 1-325.1, as applicable.

(B) The request shall be accompanied by (i) the documents required by Rule 1-325 or Rule 1-325.1, as applicable, (ii) the submission for which a waiver of the prepaid fee is requested, and (iii) if applicable, a proposed order granting the request.

(C) No fee shall be charged for the filing of the waiver request.

(D) The clerk shall docket the request for waiver. If the clerk waives prepayment of the prepaid fee pursuant to Rule 1-325(d) or the applicable provision of Rule 1-325.1, the clerk also shall docket the attached submission. If prepayment is not waived by the clerk, the clerk and the court shall proceed in accordance with Rule 1-325(e) or Rule 1-325.1(c), as applicable.

(3) *Waiver--Criminal Action.* A fee waiver in a criminal action is governed by Rule 7-103(c)(2), 8-201(b)(2), or 8-303(a)(2), as applicable.

Source: This Rule is new.

MD Rules, Rule 20-202

RULE 20-202. EFFECTIVE DATE OF FILING

The MDEC system shall record the date and time an electronically filed submission is received by the MDEC system. Subject to Rules 20-201(i) and 20-203, the date recorded shall be the effective date of filing and shall serve as the docket date of the submission filed.

Source: This Rule is new.

MD Rules, Rule 20-203

RULE 20-203. REVIEW BY CLERK; STRIKING OF SUBMISSION; DEFICIENCY NOTICE; CORRECTION;
ENFORCEMENT

(a) Time and Scope of Review. As soon as practicable, the clerk shall review a submission, other than a submission filed by a judge or judicial appointee, for compliance with Rule 20-201(d), (e), (f)(1)(B), and (i) and the published policies and procedures for acceptance established by the State Court Administrator. Until the submission is accepted by the clerk, it remains in the clerk's queue and shall not be docketed.

(b) Docketing.

(1) *Generally.* The clerk shall promptly correct errors of non-compliance that apply to the form and language of the proposed docket entry for the submission. The docket entry as described by the filer and corrected by the clerk shall become the official docket entry for the submission.

(2) *Submission Signed by Judge or Judicial Appointee.* The clerk shall enter on the docket each judgment, order, or other submission signed by a judge or judicial appointee.

(3) *Submission Generated by Clerk.* The clerk shall enter each writ, notice, or other submission generated by the clerk into the MDEC system for docketing in the manner required by Rule 16-404.

(c) Striking of Certain Non-Compliant Submissions. If, upon review pursuant to section (a) of this Rule, the clerk determines that a submission, other than a submission filed by a judge or judicial appointee, fails to comply with the requirements of Rule 20-107(a)(1) or Rule 20-201(e) or (f)(1)(B), the clerk shall (1) strike the submission, (2) notify the filer and all other parties of the striking and the reason for it, and (3) enter on the docket that the submission was received, that it was stricken for non-compliance with the applicable section of Rule 20-107(a)(1) or Rule 20-201(e) or (f)(1)(B), and that notice pursuant to this section was sent. The filer may seek review of the clerk's action by filing a motion with the administrative judge having direct administrative supervision over the court.

(d) Deficiency Notice.

(1) *Issuance of Notice.* If, upon review, the clerk concludes that a submission is not subject to striking under section (c) of this Rule but materially violates a provision of the Rules in Title 20 or an applicable published policy or procedure established by the State Court Administrator, the clerk shall send to the filer with a copy to the other parties a deficiency notice describing the nature of the violation.

(2) *Correction; Enforcement.* Unless the court orders otherwise, the court will take no further action on the submission until

the deficiency is corrected or withdrawn.

(3) *Judicial Review*. The filer may file a request that the administrative judge, or a judge designated by the administrative judge, direct the clerk to withdraw the deficiency notice.

(e) Restricted Information.

(1) *Shielding Upon Issuance of Deficiency Notice*. If, after filing, a submission is found to contain restricted information, the clerk shall issue a deficiency notice pursuant to section (d) of this Rule and shall shield the submission from public access until the deficiency is corrected.

(2) *Shielding of Unredacted Version of Submission*. If, pursuant to Rule 20-201(f)(2), a filer has filed electronically a redacted and an unredacted submission, the clerk shall docket both submissions and shield the unredacted submission from public access. Any party and any person who is the subject of the restricted information contained in the unredacted submission may file a motion to strike the unredacted submission. Upon the filing of a motion and any timely answer, the court shall enter an appropriate order.

Source: This Rule is new.

MD Rules, Rule 20-204

RULE 20-204. NOTICE OF FILING TANGIBLE ITEM

No later than the next business day after a registered user files a tangible item in an affected action, the registered user shall file a "Notice of Filing Tangible Item" that describes the tangible item, identifies the electronically filed submission to which the tangible item is attached, and states why the tangible item could not have been filed electronically.

Cross reference: See Rule 20-106 (c)(2) for documents that shall not be filed electronically.

Source: This Rule is new.

MD Rules, Rule 20-204.1

RULE 20-204.1. ELECTRONIC ISSUANCE OF ORIGINAL PROCESS--CIVIL

(a) Applicability. This Rule applies to the issuance of process on an complaint or other submission electronically filed in a civil action requiring service by original process.

Committee note: This Rule does not apply to a paper submission, even if it is to be served by original process or is filed by a registered user pursuant to an exception listed in Rule 20-106.

(b) Inapplicability of Rules 2-111(b) and 3-111(a). The filer of a complaint or other submission requiring service by original process shall not furnish any paper copies to the clerk.

Committee note: The filer of a paper submission must comply with Rule 2-111(b) or 3-111(a) by furnishing to the clerk the appropriate number of paper copies.

(c) Issuance of Process. For each summons, the clerk shall comply with Rule 2-112 or 3-112, as applicable, by issuing the summons and providing it electronically to the filer through the MDEC system. Unless otherwise ordered by the court, the clerk is not required to deliver process to any person other than the filer.

(d) Paper Copies of Process. For each person to be served, the filer shall print a paper copy of the summons and each paper to be served with the summons and shall deliver the summons, papers, and any required fee to the sheriff or other person who will be serving process.

(e) Responsibility of Filer for Service and Return of Process. The filer shall be responsible for service and return of process in accordance with the applicable Rules in Title 2 or 3.

Cross reference: For persons authorized to serve or execute process, see Rules 2-123 and 3-123.

Source: This Rule is new.

MD Rules, Rule 20-204.2

RULE 20-204.2. ISSUANCE OF ORIGINAL PROCESS--CRIMINAL

(a) Definitions. The definitions in Rule 4-102 apply in this Rule, except that in this Rule “charging document” does not include a citation electronically filed with the District Court in accordance with Code, Transportation Article, § 26-407.

(b) Filing of Charging Document; Issuance of Paper Warrant or Summons. A charging document shall be filed in paper form and the clerk shall scan the document into the MDEC system. In accordance with the applicable Rules in Title 4, a warrant or summons pertaining to the charging document shall be issued in paper form.

(c) Subsequent Submissions. Unless exempted by the State Court Administrator, the filing of subsequent submissions in a criminal action shall be governed by the Rules in this Title.

Source: This Rule is new.

MD Rules, Rule 20-205

RULE 20-205. SERVICE

(a) Original Process. Service of original process shall be made in accordance with the applicable procedures established by the other Titles of the Maryland Rules.

(b) Subpoenas. Service of a subpoena shall be made in accordance with the applicable procedures established by the other Titles of the Maryland Rules.

(c) Court Orders and Communications. The clerk is responsible for serving writs, notices, official communications, court orders, and other dispositions, in the manner set forth in Rule 1-321, on persons entitled to receive service of the submission who (A) are not registered users, (B) are registered users but have not entered an appearance in the affected action, and (C) are persons entitled to receive service of copies of tangible items that are in paper form.

(d) Other Electronically Filed Submissions.

(1) On the effective date of filing, the MDEC system shall electronically serve on registered users entitled to service all other submissions filed electronically.

Cross reference: For the effective date of filing, see Rule 20-202.

(2) The filer is responsible for serving, in the manner set forth in Rule 1-321, persons entitled to receive service of the submission who (A) are not registered users, (B) are registered users but have not entered an appearance in the action, or (C) are persons entitled to receive service of copies of tangible items that are in paper form.

Committee note: Rule 1-203 (c), which adds three days to certain prescribed periods after service by mail, does not apply when service is made by the MDEC system.

Source: This Rule is new.

MD Rules, Rule 20-206

RULE 20-206. NOTICE OF FILING OF DISCOVERY MATERIAL

At the option of the filer, discovery material may be filed electronically as a “service only” transaction, which accompanies the filing of the notice required by Rule 2-401 (d), 3-401 (b)(2), or 4-263 (k) or is in compliance with the disclosure requirements of Rule 4-262. The MDEC system shall not accept the filing of the discovery material itself but shall facilitate electronic service of the discovery material to those registered users who are entitled to receive service electronically. The notice of service shall indicate who received the discovery material electronically and who received the discovery material by alternate means of service.

Source: This Rule is new.

MD Rules, Rule 20-301

RULE 20-301. CONTENT OF OFFICIAL RECORD

(a) Generally. The official record of an affected action consists of:

- (1) the electronic version of all submissions filed electronically or filed in paper form and scanned into the MDEC system;
- (2) all other submissions and tangible items filed in the action that exist only in non-electronic form;
- (3) the electronic version of all documents offered or admitted into evidence or for inclusion in the record at any judicial proceeding, pursuant to Rule 20-106 (e);
- (4) all tangible items offered or admitted into evidence that could not be filed electronically or scanned into the MDEC system;
- (5) a transcript of all court recordings of proceedings in the affected action; and
- (6) all other documents or items that, for good cause, the court orders be part of the record.

(b) Hyperlinks. A hyperlink embedded in a submission is not a part of the official record unless it is linked to another document that is a part of the official record.

Source: This Rule is new.

MD Rules, Rule 20-302

RULE 20-302. DUTY TO RETAIN RECORDS

(a) Generally. A person who files (1) an affidavit or other submission that is required to be filed under oath, (2) a document filed electronically pursuant to Rule 20-106 (c)(3), or (3) any other document required by the court to be preserved shall retain the original document containing the original signature of each affiant until the case is concluded or for such longer period of time that is required by court order or applicable law.

(b) Redacted Documents. A filer who submits a redacted document shall retain the unredacted version of the document until the case is concluded or for such longer period of time that is required by court order or applicable law.

Source: This Rule is new.

MD Rules, Rule 20-401

RULE 20-401. APPLICABILITY

This Chapter applies to proceedings in an appellate court. Cross reference: See Rule 20-102 (b).

Source: This Rule is new.

MD Rules, Rule 20-402

RULE 20-402. TRANSMITTAL OF RECORD

(a) Preference. If possible under MDEC, the clerk of the trial court shall transmit in an electronic format that portion of the record that is in electronic format.

(b) Alternative.

(1) This section applies only if it is not possible under MDEC for the clerk of the trial court to transmit the electronic part of the record to the clerk of the appellate court in an electronic format.

(2) Upon the filing of a notice of appeal, notice that the Court of Special Appeals has granted an application for leave to appeal, or notice that the Court of Appeals has issued a writ of certiorari directed to the trial court, the clerk of the trial court shall comply with the requirements of Title 8 of the Maryland Rules and assemble, index, and prepare a certification of the record. The clerk shall transmit that part of the record not in electronic format to the clerk of the appellate court as required under Title 8 and shall enter on the docket a notice that (A) the non-electronic part of the record was so transmitted, and (B) from and after the date of the notice, the entire record so certified is in the custody and jurisdiction of the appellate court.

(3) Upon the docketing of the notice provided for in subsection (b)(2) of this Rule, the record of all submissions filed prior to the date of the notice shall be deemed to be in the custody and jurisdiction of the appellate court. Subject to order of the appellate court, any submissions filed in the trial court after the date of the notice shall not be part of the appellate record but shall be within the custody and jurisdiction of the trial court.

(4) Subject to subsection (b)(6) of this Rule, submissions filed with or by the appellate court shall during the pendency of the appeal not be made part of the record certified by the clerk of the trial court but shall be part of the appellate court record.

(5) During the pendency of the appeal, the judges, law clerks, clerks, and staff attorneys of the appellate court shall have free remote access to the certified record.

(6) Upon completion of the appeal, the clerk of the appellate court shall add to the record certified by the clerk of the trial court any opinion, order, or mandate of the appellate court disposing of the appeal, and a notice that, subject to any further order of the appellate court, from and after the date of the notice, the record is returned to the custody and jurisdiction of the trial court.

Source: This Rule is new.

MD Rules, Rule 20-403

RULE 20-403. RECORD EXTRACT OR APPENDIX

(a) Electronic Filing Required. The registered user responsible for the preparation of a record extract or appendix shall cause all portions of the document to be filed electronically unless otherwise ordered by the court. For a record extract in excess of 300 pages, the extract shall be filed in separate volumes not exceeding 300 pages each.

(b) Paper Copies Required from Persons Who File Electronically. In addition to the electronic filing, the party responsible for the preparation and filing of the record extract or appendix shall file eight copies of the document in paper form.

(c) Service. In addition to electronic service, the party responsible for the preparation and filing of the record extract or appendix shall serve two paper copies of the document on each party pursuant to the provisions of Rule 1-321.

(d) Record Extract or Appendix Filed by a Person Other than a Registered User. A person who is not required to file electronically and files a record extract or appendix in paper form shall file and serve the number of paper copies required by the Rules in Title 8 of these Rules.

Source: This Rule is new.

MD Rules, Rule 20-404

RULE 20-404. BRIEFS

(a) Electronic Filing Required. All briefs filed by a registered user shall be filed electronically, unless otherwise ordered by the court.

(b) Paper Copies Required from Persons Who File Electronically. In addition to the electronic filing, the party filing a brief shall file eight copies of the brief in paper form.

(c) Service. In addition to electronic service, the party filing a brief shall serve two paper copies of the brief on each party pursuant to the provisions of Rule 1-321.

(d) Brief Filed by a Person Other than a Registered User. A person who is not required to file electronically and files a brief in paper form shall file and serve the number of paper copies required by Rule 8-502.

Source: This Rule is new.

MD Rules, Rule 20-405

RULE 20-405. OTHER SUBMISSIONS

(a) Applicability. This Rule applies to a document filed in an appellate court that is not a brief, record extract, or appendix.

(b) Electronic Filing. Unless otherwise ordered by the Court, a submission by an attorney, a self-represented litigant who is a registered user, the Court, a judge of the Court, or a Clerk in an affected action shall be filed electronically.

(c) Paper Copies Required From Persons Who File Electronically. An attorney or other registered user who files any of the following submissions electronically also shall file eight copies of the submission in paper form:

(1) a petition for certiorari to the Court of Appeals or a response to the petition;

(2) a petition to the Court of Appeals for a writ of mandamus, a writ of prohibition, or other extraordinary relief or a response to the petition;

(3) a motion for reconsideration filed pursuant to Rule 8-605 or a response to the motion;

(4) in an attorney grievance matter, (A) exceptions filed in the Court of Appeals pursuant to Rule 19-728 or a response to the exceptions, (B) recommendations concerning the appropriate disposition of a matter under Rule 19-729 (c) or a response to the recommendations, (C) a petition filed in the Court of Appeals under Rule 19-737, 19-738, 19-739 (b), or 19-752 or a response to the petition, (D) an application filed in the Court of Appeals pursuant to Rule 19-735 (a) or a response to the application;

(5) in a matter reaching the Court of Appeals from the Commission on Judicial Disabilities, (A) exceptions filed in the Court of Appeals to the findings, conclusions, and recommendation of the Commission pursuant to Rule 18-409 or a response to the exceptions, or (B) an agreement to discipline by consent filed in the Court of Appeals pursuant to Rule 18-408 (l); or

(6) any other petition filed in the Court of Appeals invoking the original jurisdiction of that Court or a response to the petition.

(d) Service of Submissions Filed Electronically. Service of an electronically filed submission shall be made in accordance with Rule 20-205(d).

(e) Persons Who Do Not File Electronically. A person who is not required to file electronically and files a document in paper form shall file and serve the number of paper copies required by Title 8 of these Rules.

Source: This Rule is new.

MD Rules, Rule 20-406

RULE 20-406. TIME FOR FILING SUBMISSIONS

(a) Electronic Submissions.

(1) *Generally.* An electronic submission shall be filed within the time allowed by the applicable Rule in Title 8.

(2) *Where Paper Copies Required in Addition to the Electronic Filing.* Where, under Rules 20-403(b), 20-404(b), or 20-405(c), a submission is required to be filed both electronically and in paper form, the submission shall be deemed to be filed timely if (A) the electronic submission is filed within the time allowed by the applicable Rule in Title 8, and (B) the paper copies are mailed, delivered to a third-party commercial carrier, or delivered to the clerk's office on the next business day.

Committee note: If a submission is required to be filed both electronically and in paper form, the paper copies must be timely filed under this Rule and be identical in all respects to the electronic submission. No additions, deletions, or other changes are permitted. A failure to timely file the electronic submission or the required number of paper copies identical to the submission may result in the submission being stricken.

(b) Submissions Solely in Paper Form. A submission properly filed solely in paper form shall be filed within the time allowed by the applicable Rule in Title 8.

Source: This Rule is new.

MD Rules, Rule 20-501

RULE 20-501. MDEC SYSTEM OUTAGE

(a) Posting of Notices.

(1) *System Failure Notice.* If a court in an applicable county is unable to accept electronic filings because of an MDEC system failure, the State Court Administrator shall immediately notify each registered user by posting a system failure notice on the Judiciary website or by other electronic means. The system failure notice shall state the date and time of the system failure and list the courts affected by the system failure.

(2) *System Resumption Notice.* When a court's capability of accepting electronically filed submissions resumes, the State Court Administrator shall immediately notify each registered user by posting a system resumption notice on the Judiciary website or by other electronic means. The system resumption notice shall state the date and time that the capability of accepting electronically filed submissions resumed in each court.

(b) Effect of Notice.

(1) *Electronic Submissions--Expiring Time Extended.* While a court is listed in a system failure notice as unable to accept electronic filings, the affected court is deemed inaccessible to electronic filers. If a court is inaccessible under this Rule for any portion of the same day that the time for filing a submission expires, the time to file the submission electronically is automatically extended until the first full day, other than a Saturday, Sunday, or legal holiday, that the system is able to accept electronic filings.

Cross reference: See Rule 1-203 (a).

(2) *Paper Submissions--Accepted.* If a court is listed as unable to accept electronic filings in a system failure notice but the courthouse is otherwise open for business, a registered user may elect to timely file the submission in paper form.

Cross reference: See Rule 20-106 (b) for exceptions to required electronic filing.

Source: This Rule is new.

MD Rules, Rule 20-502

RULE 20-502. REMOVAL TO AND REMAND FROM THE UNITED STATES DISTRICT COURT

(a) Development of Plan. The State Court Administrator shall enter into discussions with the United States District Court for the District of Maryland (“U.S. District Court”) in an attempt to develop a plan for the transmission of electronic case records between the U.S. District Court and MDEC for cases on removal or remand between a Maryland State court and the U. S. District Court. Any plan recommended by the U.S. District Court and the State Court Administrator shall be presented to the Court of Appeals for approval. The plan shall not take effect until approved by (1) the U.S. District Court and (2) after a public hearing, the Court of Appeals.

(b) Contents of Plan. The plan shall provide for:

(1) the manner and method of transmitting electronic records;

(2) the format of the electronic records being transmitted;

(3) the preservation of all applicable limitations on public access to the transmitted electronic records provided for by the Rules in Title 16, Chapter 900 and Title 20 of these Rules until such time or times provided for in the plan or applicable federal rules;

(4) the procedures for the expungement of records when ordered by a court in accordance with applicable expungement laws; and

(5) any other matters relevant to the transmission of electronic court records between the Maryland State Court and the U.S. District Court.

Committee note: An example of a matter that may be included in the plan is the manner of transmission of a question certified to the Court of Appeals pursuant to the Maryland Certification of Questions of Law Act and the Court’s response to the certified question.

Source: This Rule is new.

MD Rules, Rule 20-503

RULE 20-503. ARCHIVAL OF RECORDS

(a) Development of Plan. The State Court Administrator shall work with the State Archivist to develop a plan for the transmission of electronic case records to the Maryland State Archives for the purpose of archiving of those records. Any plan recommended by the State Archivist and the State Court Administrator shall be presented to the Court of Appeals for approval. The plan shall not take effect until approved by the Court of Appeals after a public hearing.

(b) Contents of Plan. The plan shall provide for:

(1) the entire lifecycle of the electronic record, including creation, use, destruction, and transfer to the Maryland State Archives;

(2) the Courts' records retention and disposition schedules to define the retention period of non-permanent records and the transfer of permanent electronic records to the Maryland State Archives;

(3) when electronic records may be transmitted to the Maryland State Archives;

(4) the categories or types of records to be transmitted or not to be transmitted;

(5) the format and manner of transmission and the format in which the records will be retained by the Maryland State Archives;

(6) the preservation of all limitations on public access to the transmitted electronic records provided for by the Rules in Title 16, Chapter 900 and Title 20 of these Rules until such time or times provided for in the plan;

(7) a method by which MDEC can retrieve and modify records transmitted to the Maryland State Archives;

(8) procedures for the expungement of records transmitted to the Maryland State Archives when ordered by a court in accordance with applicable expungement laws;

(9) procedures to ensure that the electronic records are exported for transfer to the Maryland State Archives in non-proprietary (open-source) formats that constitute a complete and accurate representation of the record as defined by the Court; and

(10) any other matters relevant to the transmission and archiving of court records, including the tracking, verification, and authentication of transfers.

(c) Optional--Archives as Duplicate Repository. The plan may provide for immediate transmission of electronically filed case records in order that the Maryland State Archives constitute a duplicate repository of electronic court records.

Source: This Rule is new.

MD Rules, Rule 20-504

RULE 20-504. AGREEMENTS WITH VENDORS

(a) Definition. In this Rule, “vendor” means a person who provides or offers to provide to registered users or others services that include the filing or service of submissions pursuant to the Rules in this Title or remote access to electronic case records maintained by Maryland courts.

(b) Agreement With Administrative Office of the Courts. As a condition of having the access to MDEC necessary for a person to become a vendor, the person must enter into a written agreement with the Administrative Office of the Courts that, in addition to any other provisions, (1) requires the vendor to abide by all Maryland Rules and other applicable law that limit or preclude access to information contained in case records, whether or not that information is also stored in the vendor’s database, (2) permits the vendor to share information contained in a case record only with a party or attorney of record in that case who is a customer of the vendor, (3) provides that any material violation of that agreement may result in the immediate cessation of remote electronic access to case records by the vendor, and (4) requires the vendor to include notice of the agreement with the Administrative Office of the Courts in all agreements between the vendor and its customers.

Cross reference: See Maryland Rules 20-109 and 16-901 through 16-912.

Source: This Rule is new.