SUPREME COURT STANDING COMMITTEE

ON RULES OF PRACTICE AND PROCEDURE

Minutes of a meeting of the Rules Committee held in Rooms 237-238 of the Maryland Judicial Center, 187 Harry S. Truman Parkway, Annapolis, Maryland on Thursday, September 4, 2025.

Members present:

Hon. Yvette M. Bryant, Chair
Hon. Douglas R.M. Nazarian, Vice Chair

Hon. Tiffany H. Anderson
Hon. John A. Bielec
James M. Brault, Esq.
Hon. Catherine Chen
Hon. Yolanda L. Curtin
Julia Doyle, Esq.
Arthur J. Horne, Jr., Esq.
Brian A. Kane, Esq.
Hon. Karen R. Ketterman
Victor H. Laws, III, Esq.
Dawne D. Lindsey, Clerk
Bruce L. Marcus, Esq.
Stephen S. McCloskey, Esq.
Kathleen H. Meredith, Esq.
Judy Rupp, State Court Administrator
Gregory K. Wells, Esq.
Hon. Dorothy J. Wilson
Brian L. Zavin, Esq.

In attendance:

Sandra F. Haines, Esq., Reporter
Colby L. Schmidt, Esq., Deputy Reporter
Heather Cobun, Esq., Assistant Reporter
Meredith A. Drummond, Esq., Assistant Reporter

Michael Adams, Esq.
Amy Askew, Esq.
Clark Binkley, Esq.
Matthew M. Davey, Esq.
Tara Eberly, Esq.
Andrew D. Freeman, Esq.

Sean Gugerty, Esq.
Matt Kiely, Esq.
Connie Kratovil-Lavelle, Esq., MSBA
Tyler B. Maizels, Esq.
Todd Mathews, Esq.
Hon. John P. Morrissey, Chief Judge, District Court of Maryland
Frank Natale, Esq.
Helen D. Neighbors, Esq.
Samir Nsouli, Esq.
William O'Connell, Esq.
Edmund O'Meally, Esq.
Hon. Michel Pierson
Mark Rollison, Esq.
Shaoli Sarkar, Esq., MSBA
Robert Scott, Esq., Chief of Litigation, OAG
Stacy L. Smith, Esq., Civil and Criminal Case Administrator, Circuit Court for Anne Arundel County
Nisa Subasinghe, Esq., Juvenile and Family Services
Sarah Tenner, Esq.
Michael Thomas, Esq.
Gillian Tonkin, Esq., Staff Attorney to Chief Judge, District Court
William Vormelker, Government Relations Specialist, GRPA
Magistrate Sara D. Walsh, Circuit Court for Baltimore City
William White, Esq.
Hon. Patrick Woodward
Thomas F. Yost, Jr., Esq.

The Chair convened the meeting. She welcomed the new Committee members: Judge John Bielec of the Prince George's County District Court; Judge Yolanda L. Curtin, Harford County Circuit Court Administrative Judge; and Baltimore City Circuit Court Judge Catherine Chen, who previously filled a District Court seat on the Committee and has been reappointed to the Committee to fill a vacant circuit court seat.

The Reporter advised that the meeting would be recorded for the purpose of assisting with the preparation of meeting minutes and that speaking will be treated as consent to being recorded.

The Chair called for a motion to approve the June 2025 Rules Committee meeting minutes. A motion was made, seconded, and approved by consensus.

Agenda Item 1. Consideration of proposed amendments to Rule 2-327 (Transfer of Action) and Rule 16-302 (Assignment of Actions for Trials; Case Management Plan)

Ms. Meredith presented Rules 2-327, Transfer of Action, and 16-302, Assignment of Actions for Trials; Case Management Plan, for consideration.

MARYLAND RULES OF PROCEDURE

TITLE 2 – CIVIL PROCEDURE--CIRCUIT COURT

CHAPTER 300 – PLEADINGS AND MOTIONS

AMEND Rule 2-327, by adding new subsection (d)(1) pertaining to the applicability of section (d) of this Rule by adding "for consolidated" to subsection (d)(2), by replacing the word "proceedings" with the phrase "pretrial proceedings or consolidated trial" in subsection (d)(3), and by making stylistic changes to section (d), as follows:

Rule 2-327. TRANSFER OF ACTION

(a) Transfer to District Court

(1) If Circuit Court Lacks Jurisdiction

If an action within the exclusive jurisdiction of the District Court is filed in the circuit court but the court determines that in the interest of justice the action should not be dismissed, the court may transfer the action to the District Court sitting in the same county.

Cross reference: See Rule 3-101 (c) concerning complaints that are timely filed in the circuit court and dismissed for lack of subject matter jurisdiction.

(2) If Circuit Court Has Jurisdiction—Generally

Except as otherwise provided in subsection (a)(3) of this Rule, the court may transfer an action within its jurisdiction to the District Court sitting in the same county if all parties to the action (A) consent to the transfer, (B) waive any right to a jury trial they currently may have and any right they may have to a jury trial following transfer to the District Court, including on appeal from any judgment entered, and (C) make any amendments to the pleadings necessary to bring the action within the jurisdiction of the District Court.

(3) If Circuit Court Has Jurisdiction--Domestic Violence Actions

(A) In an action under Code, Family Law Article, Title 4, Subtitle 5, after entering a temporary protective order, a circuit court, on motion or on its own initiative, may transfer the action to the District Court for the final protective order hearing if, after inquiry, the court finds that (i) there is no other action between the parties pending in the circuit court, (ii) the respondent has sought relief under Code, Family Law Article, Title 4, Subtitle 5, in the District Court, and (iii) in the interests of justice, the action should be heard in the District Court.

(B) In determining whether a hearing in the District Court is in the interests of justice, the court shall consider (i) the safety of each person eligible for relief, (ii) the convenience of the parties, (iii) the pendency of other actions involving the parties or children of the parties in one of the courts, (iv) whether a transfer will result in undue delay, (v) the services

that may be available in or through each court, and (vi) the efficient operation of the courts.

(C) The consent of the parties is not required for a transfer under this subsection.

(D) After the action is transferred, the District Court has jurisdiction for the purposes of enforcing and extending the temporary protective order as allowed by law.

Cross reference: See Code, Family Law Article, § 4-505 (c) concerning the duration and extension of a temporary protective order.

(b) Improper Venue

If a court sustains a defense of improper venue but determines that in the interest of justice the action should not be dismissed, it may transfer the action to any county in which it could have been brought.

(c) Convenience of the Parties and Witnesses

On motion of any party, the court may transfer any action to any other circuit court where the action might have been brought if the transfer is for the convenience of the parties and witnesses and serves the interests of justice.

(d) Actions Involving Common Questions of Law or Fact

(1) Applicability

Section (d) of this Rule does not apply to an action governed by a consolidated case management plan established pursuant to Rule 16-302 (d), except as otherwise provided by an order of the case management special magistrate appointed by the Chief Justice of the Supreme Court to develop and implement the plan.

(2) Generally

If civil actions involving one or more common questions of law or fact are pending in more than one ~~judicial~~ circuit court, ~~the actions~~ an action or any ~~claims~~ claim or ~~issues~~ issue in the ~~actions~~ action may be transferred in accordance with this section for consolidated pretrial proceedings or for consolidated

trial to a circuit court in which (A) the ~~actions~~ action to be transferred might have been brought, and (B) a similar ~~actions are~~ action is pending.

~~(2)~~(3) On Motion or on Initiative of Transferor Court

A transfer of an action, claim, or issue under this section may be made on motion of a party or on the transferor court's own initiative. ~~When~~ If a transfer is being considered on the court's own initiative, the circuit administrative judge having administrative authority over the transferor court shall enter an order directing the parties to show cause on or before a date specified in the order why the action, claim, or issue should not be transferred for consolidated ~~proceedings~~ pretrial proceedings or consolidated trial. ~~Whether the issue arises from a motion or a show cause order, on the written request of any party the circuit administrative judge shall conduct a hearing~~.

(4) Hearing

Upon written request of a party within the time for filing a response to the motion or show cause order, as applicable, the circuit administrative judge having administrative authority over the transferor court shall hold a hearing.

~~(3)~~(5) Findings

A transfer under this section ~~shall~~ may not be made except upon (A) a finding in writing or on the record by the circuit administrative judge having administrative authority over the transferor court that the requirements of subsection ~~(d)(1)~~ (d)(2) of this Rule are satisfied and that the transfer will promote the just and efficient conduct of the actions, claims, or issues to be consolidated and not prejudice or unduly inconvenience the parties and witnesses in the actions subject to the proposed transfer; and (B) acceptance of the transfer by the circuit administrative judge having administrative authority over the court to which the ~~actions~~ action, ~~claims~~ claim, or ~~issues~~ issue will be transferred.

~~(4)~~(6) Order

~~The~~ An order granting or denying the transfer shall be ~~pursuant to an order~~ entered by the circuit administrative judge having administrative authority over the transferor court. ~~The~~ An order of transfer shall specify (A) the basis for the judge's ~~finding~~ findings under subsection ~~(d)(3)~~ (d)(5) of this Rule, (B) ~~the actions~~ each action subject to the order, (C) whether the entire action is transferred, and, if not, ~~which claims~~ each claim or ~~issues are being~~ issue that is transferred, (D) the effective date of the transfer, (E) ~~the nature of the proceedings to be conducted by the transferee court~~ whether the transfer is for consolidated pretrial proceedings or for consolidated trial, or both, (F) the ~~papers, or copies thereof,~~ documents to be transferred, and (G) any other provisions deemed necessary or desirable to implement the transfer. The transferor court may amend the order from time to time as justice requires.

(7) Procedure upon Conclusion of Proceedings in the Transferee Court

(A) If, at the conclusion of proceedings in the transferee court pursuant to the order of transfer, the transferred action has been terminated by entry of judgment, ~~it shall not be remanded but~~ the action shall remain in the transferee court, and the clerk of the transferee court shall notify the clerk of the transferor court of the entry of the judgment.

(B) If, at the conclusion of proceedings in the transferee court pursuant to the order of transfer, the transferred action has not been terminated by entry of judgment and further proceedings are necessary~~,~~:

(i) within 30 days after the entry of an order concluding the proceeding, ~~any~~ a party may file in the transferee court a motion to reconsider or revise any order or ruling entered by the transferee court~~,~~;

(ii) if such a motion is filed, the transferee court shall consider and decide the motion~~,~~; and

(iii) following the expiration of the 30-day period or, if a timely motion for reconsideration is filed, upon disposition of the motion, the circuit administrative judge having administrative authority over the

transferee court shall enter an order remanding the action to the transferor court.

(8) Effect of Transferee Court's Rulings and Orders

~~Notwithstanding any other Rule or law, the rulings, decisions,~~ Rulings and orders made or entered by the transferee court ~~shall be~~ are binding upon the transferor and the transferee courts.

Source: This Rule is derived as follows:

Section (a) is derived in part from the last phrase of former Rule 515 a and is in part new.

Section (b) is derived from former Rule 317.

Section (c) is derived from U.S.C. Title 28, § 1404 (a).

Section (d) is new.

Rule 2-327 was accompanied by the following Reporter's note:

The Child Victims Act of 2023 (Chapter 5, 2023 Laws of Maryland, SB 686), among other things, removed the statute of limitations and statute of repose and waived sovereign immunity in certain civil actions relating to child sexual abuse. This led to a large volume of actions being filed that had been barred by the statute of limitations or sovereign immunity, including many claims that were decades old.

Due to the influx of cases under the Child Victims Act of 2023 (the "CVA"), the General Assembly in its 2025 session passed HB 1378, Civil Actions – Child Sexual Abuse (Chapter 104, 2025 Laws of Maryland), which, among other things, "prospectively reduces … the liability limits for claims arising from child sexual abuse under the Maryland Tort Claims Act (MTCA) and the Local Government Tort Claims Act (LGTCA) and the limit on noneconomic damages in applicable private actions" and "authorizes the Supreme Court of Maryland to adopt Rules to implement the bill's provisions." Preamble, Fiscal and Policy Note, HB 1378, Third Reader – Revised. This

legislation resulted in even more actions being filed under the CVA before the lower liability limits went into effect on June 1, 2025.

The Chief Justice of the Supreme Court of Maryland has asked the Rules Committee to review Chapter 104 and to consider whether the Maryland Rules should be modified to assist Maryland courts with case management functions in light of the influx of CVA actions.

The Chair of the Rules Committee formed a special CVA Subcommittee to comply with this request. After several meetings over the summer, including a listening session meeting in May, the CVA Subcommittee proposes revisions to Rule 2-327 to establish that consolidated trials in addition to consolidated pretrial proceedings are permitted and to Rule 16-302 to provide for the appointment of a case management special magistrate. These revisions will facilitate the efficient and consistent management of CVA actions in Maryland courts and will provide the similar benefits in connection with any future large influx of actions with common issues of law or fact.

In Rule 2-327, new subsection (d)(1) provides that section (d) does not apply in actions subject to a consolidated case management plan established pursuant to section (d) of Rule 16-302.

Changes contained in subsection (d)(2) of this Rule add the phrase "for consolidated" to modify the word "trial." This is intended to make this provision parallel with the language immediately preceding it concerning pretrial proceedings, which is also modified by the word "consolidated." This clarifies that the provisions of section (d) are intended to permit consolidated pretrial proceedings as well as consolidated trials. In addition, the word "judicial" has been deleted and the word "court" has been added so that the provisions of the subsection apply in multiple circuit courts and not judicial circuits. This is to clarify that actions are transferred between circuit courts, which are trial courts, and not judicial circuits, which are organizational units of the judiciary consisting of multiple circuit courts in most cases.

Similar changes are contained in subsection (d)(3), made for the same reasons that changes are made in subsection (d)(2). Specifically, the word "proceedings" is replaced with "pretrial proceedings or consolidated trial."

Changes contained in subsection (d)(4) expand upon and makes explicit the requirements for a hearing upon written request of a party, including the timing of the request and that the circuit administrative judge having authority over the transferor court holds the hearing.

Changes contained in subsection (d)(5) add the phrase "in writing or on the record" to specify how a court must document its finding in actions subject to section (d). In addition to "undue inconvenience" as a prohibition against transfer, the prohibition has been expanded to include "prejudice." Subsection (d)(5) formerly only included "actions" but now has been expanded to include "claims and issues" to conform to the revisions proposed in subsection (d)(2) of this Rule. The change from "shall not" to "may not" in this subsection is purely stylistic, for consistency with the style of the Maryland Rules.

Changes contained in subsection (d)(6) are to require entry of an order either granting or denying the transfer. Also, the contents of an order granting transfer are specified.

Changes contained in subsection (d)(7) clarify the procedures that govern the conclusion of proceedings in the transferee court.

Changes contained in subsection (d)(8) restate and clarify existing provisions.

Additionally, numerous stylistic changes are proposed to make the provisions of section (d) consistent with the rest of the Rule.

MARYLAND RULES OF PROCEDURE

TITLE 16 – COURT ADMINISTRATION

CHAPTER 300 – CIRCUIT COURTS – ADMINISTRATION AND CASE MANAGEMENT

AMEND Rule 16-302 by adding new section (d) pertaining to the appointment of a case management special magistrate under certain circumstances, as follows:

Rule 16-302. ASSIGNMENT OF ACTIONS FOR TRIALS; CASE MANAGEMENT PLAN; CASE MANAGEMENT SPECIAL MAGISTRATE

(a) Generally

Subject to section (d) of this Rule, ~~The~~ the County Administrative Judge in each county shall supervise the assignment of actions for trial in a manner that maximizes the efficient use of available judicial personnel, brings pending actions to trial, and disposes of them as expeditiously as feasible.

(b) Case Management Plan; Information Report

(1) Development and Implementation

(A) The County Administrative Judge shall develop and, upon approval by the Chief Justice of the Supreme Court, implement a case management plan for the prompt and efficient scheduling and disposition of actions in the circuit court. The plan shall include a system of differentiated case management in which actions are classified according to complexity and priority and are assigned to a scheduling category based on that classification and, to the extent practicable, follow any template established by the Chief Justice of the Supreme Court.

(B) The County Administrative Judge shall send a copy of the plan and all amendments to it to the State Court Administrator. The State Court Administrator shall review the plan or amendments and transmit the plan or amendments, together with any recommended changes, to the Chief Justice of the Supreme Court.

(C) The County Administrative Judge shall monitor the operation of the plan, develop any necessary amendments to it, and, upon approval by the Chief Justice of the Supreme Court, implement the amended plan.

(2) Family Law Actions

(A) The plan shall include appropriate procedures for the granting of emergency relief and expedited case processing in family law actions when there is a credible risk of imminent abduction of a child or a credible prospect of imminent and substantial physical or emotional harm to a child or susceptible or older adult.

Committee note: The intent of this subsection is that the case management plan contain procedures for assuring that the court can and will deal immediately with a credible risk of imminent abduction of a child or a credible prospect of imminent and substantial physical or emotional harm to a child or susceptible or older adult, at least to stabilize the situation pending further expedited proceedings. Circumstances requiring expedited processing include threats to imminently terminate services necessary to the physical or mental health or sustenance of the child or susceptible or older adult or the imminent removal of the child or susceptible or older adult from the jurisdiction of the court.

Cross reference: See Code, Estates and Trust Article, § 13-601 for definitions of the terms "older adult" and "susceptible adult."

(B) In courts that have a family division, the plan shall provide for the implementation of Rule 16-307.

Cross reference: See Rule 9-204 for provisions that may be included in the case management plan concerning an educational seminar for parties in actions in which child support, custody, or visitation are involved.

(3) Guardianship Actions

The plan shall include appropriate procedures for expedited case processing pursuant to Code,

Estates and Trusts Article, § 13-705(f) and Rule 10-201 (b) and (f).

Committee note: The intent of subsection (b)(3) of this Rule is that the case management plan contain procedures for non- emergency expedited case processing for guardianships of the person of disabled adults in connection with medical treatment.

(4) Special Immigrant Juvenile Status Matters

The plan shall include appropriate procedures for expedited case processing for petitions and motions for findings or determinations of fact necessary to a grant of Special Immigrant Juvenile Status for the purposes of 8 U.S. Code § 1101(a)(27)(J).

(5) Virtual Jury Trials

In any jurisdiction where the County Administrative Judge deems it appropriate, the plan shall include procedures for the operation of virtual jury trials. The plan shall consider each phase of a trial and the roles of the judge, courtroom clerk, bailiff, jury office, clerk's office, and Information Technology department. The plan for conducting a virtual jury trial shall include:

(A) categories of civil actions eligible for virtual jury trials;

Committee note: Examples of categories that courts may consider eligible for virtual jury trials include motor torts, slip and fall cases, and contract disputes.

(B) criteria to evaluate and determine which cases are appropriate for virtual trials;

Committee note: Examples of criteria to determine a case's suitability for a virtual trial include the number of plaintiffs and defendants, the number of parties that require translation services, and the complexity of legal issues raised.

(C) procedures for summoning jurors;

(D) methods to determine whether prospective jurors have access to technology with which to participate and the ability to participate in a private space;

(E) alternative means, if available, to offer prospective jurors that lack the ability to participate virtually;

Committee note: Alternative means may include providing each juror a technological device to use throughout the virtual proceedings or providing a secluded location, such as a conference room inside the courthouse or other remote location pursuant to Rule 21-102 (g), within which jurors may participate.

(F) exhibits and evidence management;

(G) technical training for bailiffs or other designated court personnel to assist prospective jurors with technical issues during check-in, trial, and deliberations; and

(H) measures to provide public access to virtual trials pursuant to Rule 21-104 (g).

Committee note: The intent of subsection (b)(5) of this Rule is to allow for the possibility of remote electronic participation where appropriate, pursuant to the Seventh Administrative Order Restricting Statewide Judiciary Operations Due to the COVID-19 Emergency issued by the Chief Judge of the Court of Appeals on December 22, 2020, and any subsequent orders issued by the Court.

Cross reference: See Title 21 of these Rules and Rule 16-309 for provisions that may be included in the case management plan concerning the operation of virtual jury trials.

(6) Consultation

In developing, monitoring, and implementing the case management plan, the County Administrative Judge shall (A) consult with the Administrative Office of the Courts and with other County Administrative Judges who have developed such plans, in an effort to achieve as much consistency and uniformity among the plans as is reasonably practicable, and (B) seek the assistance of the county bar association and such other interested groups and persons as the judge deems advisable.

(7) Information Report

As part of the plan, the clerk shall make available to the parties, without charge, a form approved by the County Administrative Judge that will provide the information necessary to implement the case management plan. The information contained in the information report shall not be used for any purpose other than case management. The clerk of each circuit court shall make available for public inspection a copy of any current administrative order of the Chief Justice of the Supreme Court exempting categories of actions from the information report requirement of Rule 2-111 (a).

(c) Additional Features of Case Management Plan

As part of the case management plan, the County Administrative Judge shall adopt procedures consistent with the Maryland Rules designed to:

(1) eliminate docket calls in open court;

(2) ensure the prompt disposition of motions and other preliminary matters;

(3) provide for the use of scheduling and pretrial conferences, and the establishment of a calendar for that purpose, when appropriate;

(4) provide for the prompt disposition of uncontested and ex parte matters, including referrals to an examiner or magistrate, when appropriate;

(5) provide for the disposition of actions under Rule 2-507;

(6) to the extent permitted by law and when feasible and approved by the presiding judge, provide for non-evidentiary hearings to be conducted by telephonic, video, or other electronic means.

(7) establish trial and motion calendars and other appropriate systems under which actions ready for trial will be assigned for trial and tried, after proper notice to parties, without necessity of a request for assignment from any party; and

Cross reference: See Rule 16-303 (Motion Day).

(8) establish systems of regular reports that will show the status of all pending actions with respect to

their readiness for trial, the disposition of actions, and the availability of judges for trial work.

(d) Case Management Special Magistrate

(1) Generally

The Chief Justice of the Supreme Court may appoint one or more senior judges as case management special magistrates to develop and implement a consolidated case management plan for the prompt and efficient scheduling and resolution of actions in multiple circuit courts that would benefit from consolidated case management.

Cross reference: See Md. Const. Article IV, Section 18 (Powers and Duties of Chief Justice of Supreme Court of Maryland); Rule 16-102 (Chief Justice of the Supreme Court); and Rule 16-108 (Assignment of Judges).

(2) Development and Approval of Consolidated Case Management Plan

The case management special magistrate shall develop for review and approval by the Chief Justice of the Supreme Court of Maryland one or more consolidated case management plans that identify the actions subject to a plan. In developing, implementing, and monitoring a consolidated case management plan, the case management special magistrate shall consult with the administrative judges in the jurisdictions subject to the consolidated case management plan.

(3) Contents of a Consolidated Case Management Plan

A consolidated case management plan may include some or all of the following:

(A) Appointment of Liaison Counsel or a Steering Committee;

(B) Scheduling;

(C) Pleadings Practice;

(D) Discovery;

Committee note: A case management special magistrate's role in discovery may include, for example, coordination of discovery among actions pending in multiple jurisdictions, standardization of discovery requests, methods for the conduct of physical and mental examinations and inspection of locations, phasing of discovery, and joint noticing and conduct of single depositions of common witnesses for related cases.

(E) Motions Practice;

(F) Alternative Dispute Resolution and Settlements;

(G) Procedures to minimize duplication of proceedings and inconsistency in legal ruling among multiple jurisdictions; and

(H) Other provisions as necessary or desirable for the efficient resolution of pending actions.

(4) Implementation of Consolidated Case Management Plan

Upon approval by the Chief Justice of the Supreme Court of Maryland, the case management special magistrate shall implement the plan. Actions subject to an approved consolidated case management plan are governed by the plan and are not governed by the circuit court case management plan otherwise applicable.

(5) Modification and Termination

Upon recommendation by the case management special magistrate or on the Chief Justice's own initiative, the Chief Justice may modify or terminate the appointment of the case management special magistrate or a proposed or implemented consolidated case management plan.

Source: This Rule is derived in part from former Rule 16-202 (2016) and is in part new.

Rule 16-302 was accompanied by the following Reporter's note:

The Child Victims Act of 2023 (Chapter 5, 2023 Laws of Maryland, SB 686), among other things, removed the statute of limitations and statute of repose and waived sovereign immunity in certain civil actions relating to child sexual abuse. This led to a large volume of actions being filed that had been barred by the statute of limitations or sovereign immunity, including many claims that were decades old.

Due to the influx of cases under the Child Victims Act of 2023 (the "CVA"), the General Assembly in its 2025 session passed HB 1378, Civil Actions – Child Sexual Abuse (Chapter 104, 2025 Laws of Maryland), which, among other things, "prospectively reduces … the liability limits for claims arising from child sexual abuse under the Maryland Tort Claims Act (MTCA) and the Local Government Tort Claims Act (LGTCA) and the limit on noneconomic damages in applicable private actions" and "authorizes the Supreme Court of Maryland to adopt Rules to implement the bill's provisions." Preamble, Fiscal and Policy Note, HB 1378, Third Reader – Revised. This legislation resulted in even more actions being filed under the CVA before the lower liability limits went into effect on June 1, 2025.

The Chief Justice of the Supreme Court of Maryland has asked the Rules Committee to review Chapter 104 and to consider whether the Maryland Rules should be modified to assist Maryland courts with case management functions in light of the influx of CVA actions.

The Chair of the Rules Committee formed a special CVA Subcommittee to comply with this request. After several meetings over the summer, including a listening session meeting in May, the CVA Subcommittee proposes revisions to Rule 2-327 to establish that consolidated trials in addition to consolidated pretrial proceedings are permitted and to Rule 16-302 to provide for the appointment of a case management special magistrate. These revisions will facilitate the efficient and consistent management of CVA actions in Maryland courts and will provide the similar benefits in connection with any future large influx of actions with common issues of law or fact.

New section (d) of Rule 16-302 is proposed to establish procedures pursuant to which the Chief Justice of the Supreme Court of Maryland may appoint one or more senior judges to serve as case management special magistrates.

Subsection (d)(1) establishes that a case management special magistrate may be appointed by the Chief Justice pursuant to the authority in Article IV, Section 18 of the Maryland Constitution - Powers and Duties of Chief Justice of Supreme Court of Maryland; Rule 16-102 - Chief Justice of the Supreme Court; and Rule 16-108 - Assignment of Judges.

Subsection (d)(2) requires a case management special magistrate to develop a consolidated case management plan or plans for the review and approval of the Chief Justice and to identify actions subject to the plans. While developing the plan subsection (d)(2) requires the case management special magistrate to consult with the administrative judges in the jurisdictions subject to a consolidated case management plan.

Subsection (d)(3) contains a non-exclusive list of items that may be appropriate for inclusion in a consolidated case management plan.

Subsection (d)(4) authorizes a consolidated case management special magistrate to implement a consolidated case management plan once the plan is approved by the Chief Justice.

Subsection (d)(5) provides that a consolidated case management plan will remain in effect until it is modified or terminated by the Chief Justice, either by request of the special magistrate or on the Chief Justice's own initiative.

Ms. Meredith informed the Committee that the Child Victims Act of 2023 (Chapter 5, 2023 Laws of Maryland, SB 686) (the "CVA") removed certain impediments, such as the statute of limitations, in certain civil actions relating to child sexual

abuse. She said that, following the enactment of the law, there was a large influx of previously barred cases. In 2025, Chapter 104, 2025 Laws of Maryland (HB 1378), prospectively reduced the liability for claims under the CVA under the Maryland Tort Claims Act and the Local Government Tort Claims Act. This legislation lead to an additional influx of cases against government defendants prior to the June 1, 2025 effective date.

Ms. Meredith informed the Committee that Clerks' offices are in the process of "tagging" CVA cases for tracking purposes, but it is estimated that there are approximately 1,680 cases statewide with more than 5,000 unique plaintiffs. She said that Chief Justice Fader contacted the Committee to request that it review the CVA legislation and consider whether to recommend any Rules changes to assist Maryland courts with case management.

Ms. Meredith explained that the Rules Committee formed a Special Subcommittee, which held a listening session in May with interested persons to discuss whether Rules changes were necessary and, if so, what they should be. The Subcommittee received additional feedback from parties, consulted with judges, and was assisted by Senior Judge W. Michel Pierson, who has significant experience with mass tort case management through the asbestos docket in Baltimore City.

Ms. Meredith advised the Committee that many stakeholders challenged the idea that any Rules changes should be

recommended; she said that the Subcommittee gave due consideration to that position. After multiple meetings, the Subcommittee recommended the proposed amendments to Rules 2-327 and 16-302 before the Committee today. The changes to Rule 2-327 clarify the procedure for consolidating cases for pretrial matters. Amendments to Rule 16-302 establish the concept of a special magistrate who may be appointed by the Chief Justice of the Supreme Court to identify cases that may be appropriate for consolidated case management and develop one or more consolidated case management plans for the litigation. The plans would be subject to the approval of the Chief Justice.

Ms. Meredith said that the Subcommittee was aware of the necessity for the special magistrate to confer with the courts that would be subject to a case management plan. Subsection (d)(2) requires the special magistrate to consult with the Administrative Judge of each impacted circuit court. The Rule also contemplates multiple case management plans due to the differing needs of certain categories of cases.

Ms. Meredith explained that Rule 16-302 (d)(3) provides examples of what may be addressed in a consolidated case management plan, such as appointment of a steering committee, scheduling, discovery, motions practice, and any other provisions that are desirable to efficiently resolve the litigation. Subsection (d)(4) states that once cases are

identified and a plan is approved, those cases are governed by the consolidated case management plan, not the case management plan of an individual circuit court.

The Chair said that multiple people signed up to speak on Agenda Item 1 and they would be invited to address the Committee in the order they signed up.

Andrew Freeman, of Brown, Goldstein & Levy, LLP in Baltimore, addressed the Committee. He said that his firm is handling approximately 200 CVA cases and does not believe that any Rules changes are necessary to efficiently litigate the cases. He pointed out the comment submitted by Baltimore County Administrative Judge Dennis M. Robinson, Jr. (see Appendix 1), which contends that the cases pending in Baltimore County are moving forward with coordination among counsel. Mr. Freeman said that, in his experience, attorneys are collaborating to handle CVA litigation across jurisdictions, and a Rule change that might result in cases being moved to another jurisdiction would be inefficient. He said that, in his opinion, the cases pending in counties outside of Baltimore City are progressing appropriately and should not be subject to consolidation. He added that he is not sure what would happen to a case that has a scheduling order in place if it were to be then subject to a consolidated case management plan.

Mr. Freeman added that, to the extent that a Rule change is being driven by the Maryland Office of the Attorney General (the "OAG") due to the volume of cases filed against the State for alleged abuse occurring at the juvenile detention center in Baltimore City, it is inappropriate to make case management decisions based on one defendant. However, he added that those cases are moving forward efficiently in Baltimore; all have been assigned to one judge for discovery and scheduling purposes, and there were discussions of some cases going to trial next year.

The Chair commented that she was not aware of where the perception originated that the proposed Rules changes were driven by the State. She reiterated that the charge to the Committee from the Chief Justice was to evaluate whether there was a process that could be implemented to address generally any mass tort with a large volume of filings and complex litigation needs. She stated that the Supreme Court did not give any particular instruction to the Committee.

Mr. Freeman said that, in his experience with mass tort cases, courts can enter consolidation orders under the existing Rules, and attorneys can coordinate for efficiency. He said that it is in no one's interest to conduct duplicative depositions of the same witnesses. He added that if the proposed amendments are approved, he would ask that the

attorneys are to be consulted by the special magistrate while developing the case management plan.

Frank Natale, of Slater Slater Schulman, LLP in Baltimore, addressed the Committee. He said that he could see how the proposed amendments could shape other mass tort litigation; however, he said that it is likely that the majority of all CVA cases were filed before June 1, 2025. He said that most of the cases against the State – approximately 8,000 – were filed in Baltimore City, with another 2,000 filed in other jurisdictions. He informed the Committee that there are scheduling orders and trial dates in many cases outside of the city. Mr. Natale said that any Rule change that delays litigation already in progress impacts the victims, especially older victims, and many plaintiffs have waited years for justice; some have died waiting to litigate their complaints.

Thomas F. Yost, Jr., of the Yost Legal Group in Baltimore, addressed the Committee. He said that he appreciates the proposed Rules changes for other types of litigation, but does not believe that they will work for CVA cases. He said that based on his experience with multidistrict litigation involving issues such as products liability, CVA cases are not amenable to the same case management procedures. He pointed out that there are different types of defendants and facts in each CVA case, and he added that it is not fair to delay or restart cases that

are moving forward efficiently. He acknowledged that it might be appropriate to consolidate the most recent juvenile detention center cases in Baltimore City, but those cases should not be combined with cases against schools or religious institutions. He informed the Committee that the parties should be involved with a decision to consolidate cases.

William H. White Jr., of Kiernan Trebach in Washington, D.C., addressed the Committee. He said that his firm is assistant counsel for the Maryland Office of the Attorney General, which is handling more than 1,000 cases with more than 12,000 plaintiffs; most of those cases (1,003) are pending in Baltimore City. He said that the issue with CVA cases is not about the inability of individual courts to manage their caseloads, but rather the ability of parties to manage litigation in multiple jurisdictions that may have overlapping needs. Mr. White informed the Committee that the State has identified 16 million pages of paper records and 25 years' worth of electronically stored information to be reviewed for discovery. He emphasized that the discovery process requires coordination, and the courts and parties need mechanisms to coordinate responses and depositions.

Mr. White said that the special magistrate proposal in Rule 16-302 is a thoughtful approach for coordination between circuits. He added that he agrees with the plaintiffs'

attorneys who have asked that the Rule also require consultation with counsel by the special magistrate. He noted that some attorneys have been litigating CVA cases since they were first filed in 2023 and have valuable experience. Mr. White also pointed out the importance of consistent rulings on pretrial issues. He said that several motions to dismiss have been heard and ruled on, with trial judges reaching opposite conclusions on the same issue in different cases.

Mr. White said that Rule 2-327 is unclear how consolidation for pretrial motions would work in practice. Would the hearing be conducted by the special magistrate or assigned to a trial judge? He added that Rule 2-327 (d)(5) permits the court to articulate its findings, either in writing or on the record, but subsection (d)(6) requires the order to include the court's findings. He suggested that these provisions might be in conflict. Mr. White also pointed out that the first paragraph of the Reporter's note states that the CVA waived sovereign immunity, but the State is currently litigating this point under the Maryland Tort Claims Act.

Sean Gugerty, of Goodell, DeVries, Leech & Dann, LLP in Baltimore, addressed the Committee. Mr. Gugerty said that he is defense counsel for several institutional defendants, including private schools, churches, and others. He informed the Committee that there are cases in many jurisdictions moving

forward that would be harmed by consolidation at this stage. He pointed out that, although the Rules changes do not refer to CVA cases, they were driven by the influx in CVA cases. He reiterated that new schedules and orders in existing cases would set those cases back.

Mr. Gugerty urged the Committee to recommend that all cases be stayed statewide, rather than the current three stays on cases pending in Baltimore City and Prince George's and Allegany counties. He said that a stay would allow the proposed Rules changes to be considered, and it would give parties time to propose uniform procedures and discuss settlement options. He noted that much of this already is happening.

Mr. Gugerty agreed with the other attorneys who asked that the special magistrate be required to consult with counsel when developing a case management plan pursuant to Rule 16-302. He also said that a case management plan would supplant the individual court's case management plan and the Maryland Rules, making a significant change. He suggested that parties should be able to opt out of participation in a consolidated case management plan.

Tara Eberly, of Janet, Janet & Suggs, LLC in Baltimore, addressed the Committee. She informed the Committee that she submitted a proposed universal scheduling order for CVA cases (see Appendix 2). She said that CVA cases are not comparable to

asbestos cases in terms of consolidation, but they do have similar scheduling needs. She said that a uniform scheduling order would provide streamlining and predictability. She informed the Committee that her proposed draft was derived from similar documents and rules from around the country.

Amy Askew, of Kramon & Graham P.A. in Baltimore, addressed the Committee. Ms. Askew informed the Committee that she represents private defendants in CVA cases such as schools, churches, and religious orders. She said that her firm is involved in approximately 150 lawsuits and she is involved in a workgroup of 30 other attorneys who are collaborating to handle the cases. She asked that the Committee remand the proposed amendments for further consideration and said that she agrees with the plaintiffs' attorneys that there is no need to consolidate cases; there is only a need for coordination, which is already occurring. She also agreed that stakeholders like attorneys should be consulted by a special magistrate under Rule 16-302.

Ms. Askew informed the Committee that a universal case management plan and even plans for different categories of cases would not work well in CVA cases. She suggested that administrative judges need the ability to accommodate the needs of the different cases, but consolidation under a special magistrate was not appropriate. She also agreed with prior

commenters who said that there should be an ability to opt out of consolidated case management. Ms. Askew said that the proposed Rules are not realistic or practical for CVA cases.

D. Todd Mathews, of Bailey & Glasser, LLP in St. Louis, addressed the Committee. Mr. Mathews informed the Committee that he has experience with asbestos and other mass tort litigation and agreed with the prior commenters that the Rules changes are not needed to address CVA cases. He said that there is no benefit to a stay, as suggested by some others; the cases are moving forward, and many are on the verge of having a case management order in place.

The Chair asked Mr. Mathews if the case management order he referred to would be used across jurisdictions. Mr. Mathews replied that it could be adopted by multiple courts.

The Chair asked if there were any others in attendance who wished to address the Committee. Hearing none, she asked for Committee discussion of the proposal.

Mr. Laws commented that consultation with county bar associations and other interested groups and persons is required for developing a case management plan pursuant to current Rule 16-302 (b)(6). He asked why it would be different for a consolidated case management plan developed by a special magistrate.

Ms. Meredith replied that the Subcommittee considered this issue and concluded that the special magistrate will engage with stakeholders without a requirement. Judge Nazarian added that developing a general case management plan for a court differs from a consolidated case management plan contemplated by the amendments. The Chair added that mandating liaison counsel or a steering committee was discussed, but agreed with Ms. Meredith that the special magistrate will consult with the parties as a matter of course. She said that judges will not think that they know more about the cases than the litigants.

Judge Nazarian told the Committee that it is clear from the comments that there are different perspectives on how these cases should proceed. He said that the Subcommittee sought to propose a high-level structure to allow courts, when deemed appropriate by the Chief Justice, to coordinate.

Ms. Meredith commented that she disagrees with the notion that consolidation or coordination by a special magistrate will delay cases. She said that cases moving forward will not be halted or made to start over under a new case management plan, and the Rules do not contemplate consolidating all CVA cases together.

Mr. Wells said that he heard many important issues raised by the commenters and commended the attorneys for coordinating on their own to manage CVA cases. He said that it is not the

Committee's task to come up with plans for CVA litigation; the Committee's intent is to give courts flexibility to deal with mass tort litigation. He pointed out that the proposed amendments to Rule 16-302 do not impact CVA cases unless the Chief Justice acts to appoint a special magistrate. He added that he cannot imagine that the Chief Justice would do something that would delay or interfere with cases that are progressing appropriately.

Judge Curtin said that, as a County and Circuit Administrative Judge, she is always paying attention to trends and developments. She asked why Rule 16-302 contemplates a senior judge and not a sitting circuit judge being appointed as the special magistrate and how that magistrate would approach hearings and motions practice. Would issues be referred to trial judges for consolidated proceedings? Ms. Meredith responded that the Subcommittee wanted to respect that trial judges already have full-time jobs. She added that how cases would proceed under a consolidated case management plan depends on the special magistrate; the Rule was intended to be flexible.

The Chair called for a motion on Rules 2-327 and 16-302. Judge Nazarian moved to approve both Rules as presented. Mr. Marcus seconded the motion. By a vote of 14-3, with Ms. Doyle abstaining, the Committee approved Rules 2-327 and 16-302 as presented.

The Chair thanked the commenters for their participation and reminded them that there will be another chance for public comment after the Rules are transmitted to the Supreme Court in a Report.

Agenda Item 2. Consideration of proposed new Rule 10-304.2 (Specific Transaction).

Mr. Laws presented new Rule 10-304.2, Specific Transaction, for consideration.

MARYLAND RULES OF PROCEDURE

TITLE 10 – GUARDIANS AND OTHER FIDUCIARIES

CHAPTER 300 – GUARDIAN OF PROPERTY

ADD new Rule 10-304.2, as follows:

Rule 10-304.2. SPECIFIC TRANSACTION

(a) Definition

In this Rule, "specific transaction" means an action or series of actions authorized or directed by a court order to meet a demonstrated need of a minor or disabled person as a less restrictive alternative to guardianship of the property.

(b) Authorization

In conjunction with a proceeding initiated pursuant to Rule 10-301, a circuit court may, on motion or on its own initiative, order a specific transaction with respect to the property, service, or care arrangement of a minor or disabled person

pursuant to Code, Estates & Trusts Article, § 13-204 and this Rule, including, for example:

(1) granting access to financial or other records related to a minor or disabled person;

(2) establishing a minor or disabled person's eligibility for benefits, such as Medical Assistance;

Committee note: Examples of an action or series of actions that the court may authorize as a specific transaction to establish an individual's eligibility for Medical Assistance include marshalling the individual's assets, accessing financial or other records that must be submitted with a Medical Assistance application, and effectuating a spend down of known income and resources to permit the individual to meet eligibility thresholds by creating a Medicaid eligible trust, making burial arrangements, establishing an ABLE account pursuant to 26 U.S.C. § 529A, or other appropriate action.

(3) setting up direct deposit or automatic pay services; and

(4) ordering any transaction described in Code, Estates and Trusts Article, § 13-204(a)(2).

(c) Contents of Motion

A motion for specific transaction shall state:

(1) the specific transaction sought;

(2) how the specific transaction meets a demonstrated need of the minor or alleged disabled person;

(3) the inability of the minor or alleged disabled person or currently authorized individual to effectuate the requested specific transaction;

(4) facts supporting whether the petitioner alleges that the requested specific transaction is sufficient to meet the demonstrated needs of the minor or alleged disabled persons without appointing a guardian of the property;

(5) information about any individual the petitioner believes is qualified to perform the requested transaction including that individual's:

(A) name, age, organization, if any, address, telephone, and email address, if available;

(B) relationship to the minor or alleged disabled person;

(C) relationship to the petitioner;

(D) whether that individual (i) has been convicted of a crime listed in Code, Estates and Trusts Article, § 11-114 or any such charge is currently pending against the individual and (ii) if the individual has been convicted of such a crime, the charge for which the individual was convicted, the year of the conviction, the court in which the conviction occurred, and any good cause for the appointment, if applicable under § 11-114(b); and

(E) any relevant qualifications of the individual; and

(6) the level of intrusion the requested specific transaction would have on the rights or interests of the minor or alleged disabled person.

(d) Show Cause; Hearing

(1) Show Cause Order

The show cause order issued pursuant to Rule 10-104 shall state that a motion for specific transaction has been filed and specify the date, time, and place of the hearing. A copy of the motion for specific transaction shall be served with a copy of the show cause order.

(2) Hearing

The court shall hold a hearing prior to ordering a specific transaction.

(e) Request to Expedite Hearing

(1) Contents

A request for an expedited hearing on a motion for specific transaction may be filed with the petition for guardianship of the property or at any time after the filing of the petition. The request shall by verified and contain the following information:

(A) the reason for seeking an expedited hearing;

(B) a statement of how the minor or alleged disabled person would be harmed if the proceeding is not expedited; and

(C) a description of all efforts made to notify interested persons, all individuals named in subsection (c)(5) of this Rule as qualified to perform the specific transaction, and any individual nominated as guardian about the request for an expedited hearing.

(2) Factors for Courts to Consider

In determining whether to expedite a hearing in connection with a motion for a specific transaction, the court shall consider:

(A) the nature, urgency, necessity, and gravity of the requested specific transaction;

(B) risks to the minor or alleged disabled person if the hearing is not expedited; and

(C) any other factor the court considers relevant.

(3) Scheduling of an Expedited Hearing

If the court orders an expedited hearing pursuant to this section, the hearing shall be scheduled as soon as practicable, taking into account:

(A) the ability of the petitioner to serve or notify interested persons, individuals named in subsection (c)(5) of this Rule, and any individual nominated as the guardian on an expedited basis;

(B) the ability of the attorney for the minor or alleged disabled person, government agencies, and court-appointed investigators to perform any necessary investigations on an expedited basis; and

(C) any other circumstances that the court considers relevant.

Committee note: The procedure set forth in section (e) of this Rule is not intended to affect the court's discretion to schedule expedited hearings in general nor the court's power to preserve and apply the property of the minor or alleged disabled person pursuant to Code, Estates and Trusts Article, § 13-203.

(f) Findings

Following the hearing, the court shall make findings in writing or on the record as to:

(1) whether a basis exists under Code, Estates and Trusts Article, § 13-201 to assume jurisdiction over the property of the minor or alleged disabled person;

(2) whether the property of the minor or alleged disabled person needs the continuing protection of a guardian;

Committee note: If the court determines that it is appropriate to appoint a guardian of the property of the minor or alleged disabled person, the court may make the appointment in accordance with Rule 10-304.1. If the court determines that further proceedings are necessary prior to the appointment of a guardian, the court may proceed with the specific transaction and schedule additional proceedings on the petition for guardianship of the property.

(3) the extent to which the interests of creditors and dependents of the minor or alleged disabled person would be adversely affected by the grant or denial of the specific transaction requested; and,

(4) whether the specific transaction requested meets the demonstrated need of a minor or alleged disabled person as a less restrictive alternative to guardianship of the property.

(g) Order

An order authorizing or directing a specific transaction shall include:

(1) the specific transaction that is authorized or directed to be performed;

(2) the name, organization, if any, address, telephone number, and email address, if available, of the individual authorized to perform the specific transaction;

(3) any limits on the individual's authority;

(4) a date or event that terminates the individual's authority;

(5) direction to the individual to notify the court in writing when the specific transaction has been completed and to provide all available documentation as proof of the completion;

(6) state the extent to which the Rules in Title 10, Chapter 700 are to apply with respect to the performance of the specific transaction; and

(7) direction to the individual to make decisions and take actions that are in the best interest of the minor or disabled person.

Committee note: To the extent practicable, the order should identify property the individual authorized to perform the specific transaction has authority over and how that authority is to be exercised. For example, if the individual is authorized to sell a house, the order should identify the location of the house and specify how the proceeds of the sale are to be disbursed.

(h) Modification

After notice and an opportunity for a hearing, the court on motion or on its own initiative may modify or terminate an order authorizing a specific transaction or order the appointment of a guardian of the property if the minor or alleged disabled person needs the continuing protection provided by a guardian.

Committee note: Nothing in section (h) of this Rule precludes the court from clarifying an order issued pursuant to section (g) of this Rule at the request of the individual authorized to perform the specific transaction.

(i) Termination of Authority

The court shall issue an order terminating the authority of the person authorized to perform a specific transaction upon finding that the ordered transaction has been completed or no longer is needed.

(j) Fee

A person authorized to perform a specific transaction may be paid a reasonable and necessary

fee from the estate of the minor or alleged disabled person unless the court otherwise directs.

Source: This Rule is new.

Rule 10-304.2 was accompanied by the following Reporter's note:

Proposed new Rule 10-304.2 clarifies the procedure for requests and orders for specific transactions, authorized by Code, Estates and Trusts Article, § 13-204. The new Rule was recommended by the Guardianship & Vulnerable Adult Workgroup of the Judicial Council's Domestic Law Committee ("the workgroup") to provide guidance to courts and to encourage more standardized treatment of specific transactions.

A specific transaction, as defined in new section (a), is one or more actions that the court authorizes or directs "to meet a demonstrated need of a minor or disabled person as a less restrictive alternative to guardianship of the property."

The specific transaction statute authorizes the court to "authorize or direct a transaction with respect to the property, service, or care of (a) minor or disabled person" without appointing a guardian. A basis for assuming jurisdiction over the property must exist as set forth in Code, Estates and Trusts Article, § 13-201.

Section (b) of Rule 10-304.2 permits the court to order a specific transaction in conjunction with a proceeding for guardianship of the property of a minor or alleged disabled person. The court may enter an order on motion or its own initiative. The Probate/Fiduciary Subcommittee expressed concern about requiring a party seeking a specific transaction order to file a full-blown guardianship petition. The Subcommittee asked whether the motion for specific transaction could be a standalone proceeding.

In response, the workgroup conducted additional research and spoke with various stakeholders before concluding that a specific transaction must be requested in conjunction with a guardianship of the property proceeding because the specific transaction statute requires that the grounds for appointing a guardian exist and it ensures that all due process mechanisms associated with a guardianship proceeding are afforded to the minor or alleged disabled person for whom a specific transaction is sought (see the May 22, 2025 memorandum from Judge Patrick L. Woodward and Magistrate Sara Walsh).

Section (b) also lists common types of specific transactions, such as granting access to financial records and establishing eligibility for benefits. A Committee note further explains actions that may be required to establish an individual's eligibility for benefits. Subsection (b)(4) incorporates the transactions listed in the statute.

Section (c) sets forth the required contents of a motion for specific transaction. The motion must state the transaction sought, how it meets a demonstrated need of the individual, and relevant information about the individual the petitioner proposes to perform the transaction.

Section (d) requires that the show cause order issued pursuant to Rule 10-104 state that a motion to specific transaction has been filed and include a copy of the motion. This puts all interested parties on notice of both the guardianship petition and the motion for specific transaction. A hearing must be held on the motion.

Section (e) permits the petitioner to request that a hearing on the motion for specific transaction be expedited. The request must explain why the hearing should be expedited and show efforts to notify interested persons of the proceedings. There are factors for the court to consider in granting the request and setting the date for the expedited hearing.

Section (f) sets forth the findings the court must make in writing or on the record. Subsection (f)(2) requires a finding regarding whether the property of the minor or alleged disabled person requires the continuing protection of a guardian. The Subcommittee was concerned that interested persons notified of the proceedings may choose not to participate if they do not object to the specific transaction but would want to be heard as to the appointment of a guardian. If the court opts to appoint a guardian, a Committee note explains that the court may do so. However, the court may also choose to go forward with an order for the discrete specific transaction, as necessary, and schedule additional proceedings on the guardianship petition.

Section (g) governs the contents of the court's order authorizing or directing a specific transaction. The order should be a detailed as practicable to clearly state the extent of the authority granted to the individual performing the transaction.

Section (h) permits the court to modify an order after notice and an opportunity to be heard. A Committee note differentiates clarifications to the order, as requested by the authorized individual, from a substantive modification.

Section (i) requires the court to issue an order terminating the authority of the authorized individual upon finding that the transaction has been completed.

Section (j) governs fees for the individual who performs a specific transaction.

Mr. Laws said that there has been a statute on the books in Maryland for years allowing the court to authorize a specific transaction on behalf of a minor or disabled person. The Guardianship and Vulnerable Adult Workgroup of the Judicial Council's Domestic Law Committee approached the

Probate/Fiduciary Subcommittee to propose the adoption of a new Rule outlining the procedure for requesting, ordering, and administering a specific transaction, which is a less-restrictive alternative to a guardianship of the property.

Mr. Laws informed the Committee that there was significant discussion regarding the provisions in section (b) of the new Rule, which require a motion for specific transaction to be made as part of a guardianship petition, rather than as a stand-alone action. He said that the Subcommittee determined that it was appropriate to require an underlying guardianship petition to be filed or pending before a court may order a specific transaction. Code, Estates and Trusts Article, § 13-204 states that the court may "authorize or direct" a specific transaction without appointing a guardian if a basis exists to assume jurisdiction over the property of the minor or alleged disabled person pursuant to Code, Estates and Trusts Article, § 13-201.

Mr. Laws said that Rule 10-304.2 (a) defines "specific transaction." Section (b) sets forth the authorization for a court to order a specific transaction in conjunction with a guardianship of the property proceeding and lists examples of transactions that may be ordered. Section (c) lists the required contents of the motion, section (d) requires the show cause order issued pursuant to Rule 10-104 to address any motion for specific transaction, and section (e) sets forth the

procedure for expediting a hearing on a specific transaction. Section (f) requires certain findings, section (g) governs the court's order authorizing or directing a specific transaction, and section (h) addresses modification of the order. The authority of the person performing the transaction terminates pursuant to section (i) and section (j) authorizes that person to collect a reasonable and necessary fee.

Mr. Laws asked whether the Committee had any questions before he invited comments from those who signed up to speak.

William A. O'Connell addressed the Committee. He said that he is the legislative chair of the Maryland State Bar Association Real Property Section and an underwriter for Fidelity National Financial. He informed the Committee that the Rule is necessary. He explained that the need for a specific transaction arises frequently in his line of work where clients want to take limited actions to avoid a guardianship for a loved one. He said that a family may need to sell an individual's home to transition the individual to an assisted living facility. In that scenario, a copy of a power of attorney will not be sufficient to authorize the sale because the original document must be recorded.

Mr. O'Connell suggested that requiring a guardianship petition to ask the court to authorize the specific transaction of the home sale in his example defeats the purpose of what

should be a limited scope proceeding. He pointed out that a guardianship petition requires the appointment of an attorney, physicians' certificates, and other steps which slow the process down. He added that Code, Estates and Trusts Article, § 13-204 permits the court to order a specific transaction "without the necessity of appointing a guardian."

Judge Patrick L. Woodward, a senior judge and former Chief Judge of the Appellate Court of Maryland, addressed the Committee. Judge Woodward said that he is speaking as a representative of the Judicial Council's Domestic Law Committee Guardianship & Vulnerable Adults Workgroup. He thanked the Probate/Fiduciary Subcommittee for its efforts to draft a Rule that will provide guidance to courts and attorneys regarding when, why, and how to seek a specific transaction. He said that he disagrees with Mr. O'Connell's contention that the statutory scheme does not contemplate a guardianship petition as a predicate to a motion for a specific transaction. He said that the reason to require a guardianship petition is to provide due process protections for the minor or disabled adult. By appointing an attorney and requiring a series of findings, the rights of the individual are better safeguarded. He added that the proposed Rule contemplates an expedited proceeding, if needed.

Ms. Doyle asked Judge Woodward whether the petitioner would submit all the paperwork for a guardianship petition but ask the court to order only the specific transaction requested. She said that she was concerned about the potential for fraud if an individual could petition for the specific transaction to sell an elderly parent's home without a hearing or proof of the parent's disability. Judge Woodward replied that the scenario Ms. Doyle described is precisely why the workgroup and ultimately the Probate/Fiduciary Subcommittee recommended that the Rule clarify that a guardianship petition, and its attendant protections, be required even where the petitioner seeks authorization for a "one-off" transaction.

Judge Ketterman asked whether a specific transaction could be used to authorize a spend-down for benefits eligibility. Judge Woodward responded in the affirmative.

Mr. Wells asked Mr. Laws about the phrasing of subsection (c)(4), which requires a motion for a specific transaction to state, "facts supporting whether the petitioner alleges that the requested specific transaction is sufficient to meet the demonstrated needs of the minor or alleged disabled person without appointing a guardian of the property." He said that the wording is awkward and asked if a stylistic change can be made. Mr. Laws suggested that subsection (c)(4) could instead read, "facts supporting that the requested specific

transaction...” and strike “whether the petitioner alleged.” Mr. Wells agreed and by consensus the Committee referred the wording of subsection (c)(4) to the Style Subcommittee to finalize.

Judge Anderson pointed out that, throughout the Rule, there are inconsistent uses of “specific transaction” and “a specific transaction.” The Reporter said that the Style Subcommittee will review the Rule for consistency.

Mr. Laws called for any further discussion on Rule 10-304.2. There being no motion to amend or reject the proposed Rule, it was approved as presented, subject to stylistic changes.

Agenda Item 3. Consideration of proposed amendments to Rule 2-305 (Claims for Relief), Rule 3-305 (Claims for Relief), Rule 2-601 (Entry of Judgment), Rule 3-601 (Entry of Judgment), and Rule 3-621 (Lien of Money Judgment).

Mr. Laws presented Rule 2-305, Claims for Relief, and 3-305, Claims for Relief, for consideration.

MARYLAND RULES OF PROCEDURE

TITLE 2 – CIVIL PROCEDURE – CIRCUIT COURT

CHAPTER 300 – PLEADINGS AND MOTIONS

AMEND Rule 2-305 by creating new subsection (a) consisting of the first and last sentences of the

current Rule, by creating new subsection (b)(1) consisting of the second sentence of the current Rule, by creating new subsection (b)(2) pertaining to money judgments for medical debt, and by adding to the cross reference at the end of the Rule, as follows:

RULE 2-305. CLAIMS FOR RELIEF

(a) Generally

A pleading that sets forth a claim for relief, whether an original claim, counterclaim, cross-claim, or third-party claim, shall contain a clear statement of the facts necessary to constitute a cause of action and a demand for judgment for the relief sought. Relief in the alternative or of several different types may be demanded.

(b) Demand for Money Judgment

(1) Amount Sought

Unless otherwise required by law, (a) a demand for a money judgment that does not exceed $75,000 shall include the amount of damages sought, and (b) a demand for a money judgment that exceeds $75,000 shall not specify the amount sought, but shall include a general statement that the amount sought exceeds $75,000. ~~Relief in the alternative or of several different types may be demanded.~~

Committee note: If the amount sought exceeds $75,000, a general statement to that effect is necessary in order to determine if the case may be removed to a federal court based on diversity of citizenship. See 28 U.S. C.S. § 1332. A specific dollar amount must be given when the damages sought are less than or equal to $75,000 because the dollar amount is relevant to determining whether the amount is sufficient for circuit court jurisdiction or a jury trial.

(2) Medical Debt

If a demand for money judgment seeks payment of medical debt as defined by Code, Real Property Article, § 14-203.1, the complaint shall (A) indicate that the judgment sought is for medical debt and (B)

state the address of the primary residence of the defendant.

Cross reference: See Code, Courts Article, § 11-402 (b) for pleading requirements for a complaint seeking judgment for medical debt. For pleading requirements and other procedures when attorneys' fees are claimed, see the Rules in Title 2, Chapter 700.

Source: This Rule is derived in part from former Rules 301 c, 340 a, and 370 a 3 and the 1966 version of Fed. R. Civ. P. 8(a) and is in part new.

Rule 2-305 was accompanied by the following Reporter's note:

Proposed amendments to Rule 2-305 implement Chapters 497/498, 2025 Laws of Maryland (SB 349/HB 428). The legislation adds a requirement to Code, Courts Article, § 11-402 that a complaint seeking judgment for medical debt – defined elsewhere in the Code – must so indicate and must include the address of the defendant's primary residence. The legislation goes on to create an exception to the general principal that a money judgment properly indexed and recorded acts as a lien on the debtor's property in the county where the judgment is recorded. The legislation is prospective for actions filed on or after October 1, 2025.

Rule 2-305 is proposed to be divided into two sections. New section (a) contains the first and last sentences of the current Rule pertaining to general requirements for a pleading setting forth a claim for relief. New section (b) pertains to pleading requirements when there is a demand for money judgment. Subsection (b)(1) contains the current provisions of the Rule governing money judgments and the existing Committee note. New subsection (b)(2) sets forth the new pleading requirement for money judgments for medical debt. The cross reference at the end of the Rule is expanded to cite to the new pleading requirement in the Courts Article.

MARYLAND RULES OF PROCEDURE

TITLE 3 – CIVIL PROCEDURE – DISTRICT COURT

CHAPTER 300 – PLEADINGS AND MOTIONS

AMEND Rule 3-305 by creating new subsection (a) consisting of the current Rule, by creating new section (b) pertaining to money judgments for medical debt, and by adding to the cross reference at the end of the Rule, as follows:

RULE 3-305. CLAIMS FOR RELIEF

(a) In General

A pleading that sets forth a claim for relief, whether an original claim, counterclaim, cross-claim, or third-party claim, shall contain a clear statement of the facts necessary to constitute a cause of action and a demand for judgment for the relief sought. Relief in the alternative or of several different types may be demanded.

(b) Medical Debt

If a demand for money judgment seeks payment of medical debt as defined by Code, Real Property Article, § 14-203.1, the complaint shall (A) indicate that the judgment sought is for medical debt and (B) state the address of the primary residence of the defendant.

Cross reference: See Code, Courts Article, § 11-402 (b) for pleading requirements for a complaint seeking judgment for medical debt. For pleading requirements and other procedures when attorneys' fees are claimed, see Rule 3-741.

Source: This Rule is derived from former M.D.R. 301 a (ii) and the 1966 version of Fed. R. Civ. P. 8 (a).

Rule 3-305 was accompanied by the following Reporter's note:

Proposed amendments to Rule 3-305 implement Chapters 497/498, 2025 Laws of Maryland (SB 349/HB 428). The legislation adds a requirement to Code, Courts Article, § 11-402 that a complaint seeking judgment for medical debt – defined elsewhere in the Code – must so indicate and must include the address of the defendant's primary residence. The legislation goes on to create an exception to the general principal that a money judgment properly indexed and recorded acts as a lien on the debtor's property in the county where the judgment is recorded. The legislation is prospective for actions filed on or after October 1, 2025.

Mr. Laws informed the Committee that the Rules in Agenda Item 3 implement a statute that prohibits a lien from attaching to the primary residence of a debtor if the underlying judgment was the result of medical debt. The law applies prospectively to actions filed on or after October 1, 2025. Several of the proposed amendments are made in parallel Rules in Title 2 and Title 3.

Mr. Laws said that stylistic changes are proposed in Rule 2-305, along with a new subsection requiring a demand for money judgment for medical debt to comply with the new law by indicating that it seeks to collect a medical debt and stating the residential address of the defendant. A similar pleading requirement is added to Rule 3-305 for complaints filed in the District Court.

There being no motion to amend or reject the proposed amendments to Rules 2-305 and 3-305, the Rules were approved as presented.

Mr. Laws presented Rule 2-601, Entry of Judgment, and Rule 3-601, Entry of Judgment, for consideration.

MARYLAND RULES OF PROCEDURE

TITLE 2 – CIVIL PROCEDURE – CIRCUIT COURT

CHAPTER 600 – JUDGMENT

AMEND Rule 2-601 by adding new subsection (a)(6) and by adding a cross reference following the new subsection, as follows:

RULE 2-601. ENTRY OF JUDGMENT

(a) Separate Document—Prompt Entry

(1) Each judgment shall be set forth on a separate document and should include a statement of an allowance of costs as determined in conformance with Rule 2-603.

Committee note: The failure of the separate document to include an allowance or assessment of costs does not preclude the document from constituting a final and appealable judgment. See *Mattison v. Gelber*, 202 Md. App. 44 (2011).

(2) Upon a verdict of a jury or a decision by the court allowing recovery only of costs or a specified amount of money or denying all relief, the clerk shall forthwith prepare, sign, and enter the judgment, unless the court orders otherwise.

(3) Upon a verdict of a jury or a decision by the court granting other relief, the court shall promptly review the form of the judgment presented and, if

approved, sign it, and the clerk shall forthwith enter the judgment as approved and signed.

(4) A judgment is effective only when so set forth and when entered as provided in section (b) of this Rule.

(5) Unless the court orders otherwise, entry of the judgment shall not be delayed pending determination of the amount of costs.

Committee note: The judgment document need not include the amount of costs but only which party or parties are to be charged with them. If the prevailing party is to be allowed costs, it will suffice to state in the document that the judgment is in favor of that party "with costs."

(6) When a money judgment is entered in an action commenced on or after October 1, 2025, the court shall state whether the complaint indicated that it sought a money judgment for medical debt.

Cross reference: See Code, Courts Article, § 11-402 (b) for the requirement to indicate whether a money judgment is sought for medical debt. See Code, Real Property Article, § 14-203.1 for the definition of "medical debt."

. . .

Rule 2-601 was accompanied by the following Reporter's note:

Proposed amendments to Rule 2-601 implement Chapters 497/498, 2025 Laws of Maryland (SB 349/HB 428). The legislation adds a requirement to Code, Courts Article, § 11-402 that a complaint seeking judgment for medical debt – defined elsewhere in the Code – must so indicate and must include the address of the defendant's primary residence. See the Reporter's note to Rule 2-305.

The legislation creates an exception to the general principal that a money judgment properly

indexed and recorded acts as a lien on the debtor's property in the county where the judgment is recorded. The legislation is prospective for actions filed on or after October 1, 2025. The Judgments Subcommittee consulted attorneys from the creditors' bar and a title searcher to determine how to implement the legislation in a way that minimizes burdens on those groups and maintains the integrity of Maryland land records.

Proposed amendments to Rule 2-601 add new subsection (a)(6), which requires the court to state on a judgment entered in an action commenced on or after the effective date of the law whether the plaintiff indicated on the complaint that it sought a judgment for medical debt. A cross reference to the pleading requirement and the Real Property Article statute defining medical debt follows the section.

Rule 2-601 (a)(6) requires the court to carry forward the plaintiff's statement indicating that the complaint sought a judgment for medical debt. This provision ensures that a judgment recorded and indexed in the county of origin or another jurisdiction clearly alerts anyone reviewing judgment records of the fact that the judgment may not constitute a lien on certain property. The Subcommittee was informed that putting title searchers and others on notice inquiry that a judgment resulted from medical debt will assist with determining what impact the judgment may have on property.

The Subcommittee discussed requiring the court to determine that the judgment is for medical debt regardless of whether the complaint so stated. In situations where a complaint was obviously one for medical debt but the plaintiff failed to so state, the court could make the finding when entering the judgment. Where the complaint did indicate that it sought a judgment for medical debt, the court could verify this statement when entering the judgment. The Subcommittee concluded that it would be inappropriate for the court to raise issues not generated by the parties and, if there are not facts in evidence on the issue of whether the debt meets the definition of "medical debt," the court is not in a position to make the determination.

MARYLAND RULES OF PROCEDURE

TITLE 3 – CIVIL PROCEDURE – DISTRICT COURT

CHAPTER 600 – JUDGMENT

AMEND Rule 3-601 by adding a requirement to section (a) that the court take certain steps when entering a money judgment where the complaint indicated that the judgment is for medical debt and by adding a cross reference after section (a), as follows:

RULE 3-601. ENTRY OF JUDGMENT

(a) When Entered

Upon a decision by the court denying or granting relief, the court shall enter the judgment promptly. When a money judgment is entered in an action commenced on or after October 1, 2025, the court shall state whether the complaint indicated that it sought a money judgment for medical debt.

Cross reference: See Code, Courts Article, § 11-402 (b) for the requirement to indicate whether a money judgment is sought for medical debt. See Code, Real Property Article, § 14-203.1 for the definition of "medical debt."

. . .

Rule 3-601 was accompanied by the following Reporter's note:

Proposed amendments to Rule 2-601 implement Chapters 497/498, 2025 Laws of Maryland (SB 349/HB 428). The legislation adds a requirement to Code, Courts Article, § 11-402 that a complaint seeking judgment for medical debt – defined elsewhere in the Code – must so indicate and must include the address of the defendant's primary residence. See the Reporter's note to Rule 2-601.

The amendments to Rule 3-601 create new section (a) containing the current provisions of the Rule and new section (b) setting forth the new statutory pleading requirement for a complaint seeking judgment for medical debt. A cross reference to the relevant statutes follows section (b).

Mr. Laws explained that the proposed amendments to Rules 2-601 and 3-601 are intended to require the judge to indicate on a judgment that the complaint indicated that it was for medical debt. The intent is not to have the judge make a finding as to whether the judgment meets the statutory definition of "medical debt," because the necessary facts may not be in evidence and may not have been litigated.

Mr. Laws said that Ms. Lindsey had raised the question of whether the word "entered" makes it clear that the judge and not the clerk is the individual who should indicate whether the complaint stated that the action was one for medical debt. Ms. Lindsey explained that the clerks are the ones "entering" the judgment after it is awarded.

Ms. Lindsey suggested that Rule 2-601 (a)(6) read, "When a money judgment is awarded." The Reporter agreed that "awarded" makes it clear that the judge must flag the judgment as medical debt, not the clerk. Judge Ketterman commented that the same word should be substituted in Rule 3-601.

Ms. Lindsey moved to change "entered" to "awarded" in Rule 2-601 (a)(6) and Rule 3-601 (a). The motion was seconded and approved by consensus.

Chief Judge Morrissey commented that determining the primary residence of a debtor will be challenging. He said that the Judiciary worked with the bill sponsor, and he believes that the proposed Rules changes are a good way to implement the legislation.

The Reporter noted that the intent of the Rules is to place the burden on the plaintiff seeking a judgment to indicate where the statute applies, and then the court merely carries the plaintiff's statement forward to the judgment and land records. This places a future title searcher or debt-holder on notice when reviewing court records that the judgment may not be a lien on certain property. She explained that the goal is to have the court's records be as complete as possible to allow interested parties to discover when a property is encumbered.

Judge Bielec asked whether the District Court forms will be updated to reflect the new pleading requirement. Chief Judge Morrissey responded that they have been amended and are ready to go into effect on October 1.

There being no further motion to amend or reject the proposed amendments to Rules 2-601 and 3-601, the Rules were approved as amended.

Mr. Laws presented Rule 3-621, Lien of Money Judgment, for consideration.

MARYLAND RULES OF PROCEDURE

TITLE 3 – CIVIL PROCEDURE – DISTRICT COURT

CHAPTER 600 – JUDGMENT

AMEND Rule 3-621 by adding an exception to section (b) and by adding a Committee note following section (b), as follows:

RULE 3-621. LIEN OF MONEY JUDGMENT

(a) Generally

A money judgment constitutes a lien in the amount of the judgment and post-judgment interest on the judgment debtor's interest in land located in a county, except as provided by law, only in accordance with this Rule.

(b) In Baltimore City

~~In~~ Except as provided in Code, Real Property Article, § 14-203.1, in Baltimore City a money judgment, when recorded and indexed pursuant to Rule 3-601 (d), constitutes a lien from the date of entry if entered in Baltimore City, or from the date of recording if received from another county.

Committee note: A judgment for medical debt in an action commenced on or after October 1, 2025, does not constitute a lien on owner-occupied residential property as defined by Code, Real Property Article, § 7-105.1. See Code, courts Article, § 11-402 (b) and Code, Real Property Article, § 14-203.1.

(c) In Counties Other Than Baltimore City

(1) Notice of Lien

A person holding a money judgment entered in a county other than Baltimore City may file with the

clerk of the court of entry a request that a certified Notice of Lien of Judgment be transmitted for recording to the clerk of the circuit court for that county or any other county. Within 24 hours after the filing of the request, the clerk shall transmit the Notice of Lien. If the Notice of Lien is transmitted to another county, the clerk at the same time shall transmit a certified copy of the judgment to the clerk of the District Court sitting in that county. The clerk shall maintain a record of all transmittals.

(2) Content of Notice

A Notice of Lien shall contain: (A) the names of the parties, designating each judgment creditor as a plaintiff and each judgment debtor as a defendant; (B) the name of the court and assigned docket reference; (C) the date of the judgment; and (D) the amount of the judgment.

(3) Date of Lien

When a Notice of Lien is recorded and indexed in the circuit court, the judgment constitutes a lien from the date of recording.

Source: This Rule is derived as follows:
Section (a) is derived from former M.D.R. 620 b.
Section (b) is derived from former M.D.R. 620 c.
Section (c) is derived from former M.D.R. 621 b and c.

Rule 3-621 was accompanied by the following Reporter's note:

Proposed amendments to Rule 6-621 implement Chapters 497/498, 2025 Laws of Maryland (SB 349/HB 428). The legislation adds a requirement to Code, Courts Article, § 11-402 that a complaint seeking judgment for medical debt – defined elsewhere in the Code – must so indicate and must include the address of the defendant's primary residence.

Rule 3-621 states that, in general, a money judgment constitutes a lien on the judgment debtor's interest in land located in a county if the holder of the judgment requests that a notice of the lien be

transmitted to the clerk of the circuit court of that county. Section (b) applies only to the District Court in Baltimore City and provides that a money judgment recorded and indexed in that court constitutes a lien on property in Baltimore City.

Section (a) includes the qualifier "except as provided by law," but the proposed amendments to section (b) would make it clear that new Code, Real Property Article, § 14-203.1, creates an exception to the longstanding practice of Baltimore City District Court. A Committee note draws attention to and summarizes the exception created by the new statute.

Mr. Laws said that Rule 3-621 contains a unique exception to the general principle that a judgment issued by the District Court does not constitute a lien on real property unless it is recorded in the circuit court. He explained that a judgment in Baltimore City District Court automatically constitutes a lien on the debtor's interest in land in Baltimore City. The new statute creates an exception to this provision, because a judgment that is the result of medical debt would not constitute a lien on the debtor's primary residence. Rule 3-621 (b) is amended to create a carve-out and add an explanatory Committee note.

Mr. Laws suggested that the Committee note should be relocated to the end of the Rule because it applies more broadly than just to section (b). By consensus, the Committee approved relocating the Committee note.

There being no further motion to amend or reject the proposed amendments to Rule 3-621, it was approved as amended.

Agenda Item 4. Consideration of proposed Rules changes pertaining to adoption of adults.

The Chair presented new Rule 9-103.1, Petition – Adoption of Adult, for consideration.

MARYLAND RULES OF PROCEDURE

TITLE 9 – FAMILY LAW ACTIONS

CHAPTER 100 – ADOPTION; PRIVATE AGENCY GUARDIANSHIP

ADD new Rule 9-103.1, as follows:

Rule 9-103.1. PETITION – ADOPTION OF ADULT

(a) Applicability

This Rule applies to a petition pursuant to Code, Family Law Article, Title 3, Subtitle 3B, when the prospective adoptee is an adult.

(b) Titling of Case

A proceeding shall be titled "In re Adoption of _____" (first and last name of prospective adoptee).

(c) Parties to the Petition

(1) Required

The petitioner and the prospective adoptee shall join in a petition for adoption filed pursuant to this Rule.

(2) Permitted

If the petitioner is married or in a registered domestic partnership, the spouse or domestic partner of the petitioner may join the petition.

Cross reference: See Code, Family Law Article, § 5-3B-13.

(d) Petition for Adoption

(1) Contents

A petition shall be signed and verified by each petitioner and shall contain the following information:

(A) The name, address, age, business or employment, and employer of each petitioner, including the person to be adopted;

(B) The name, sex, and date and place of birth of the person to be adopted;

(C) The name, last known address, and age of each living parent of the person to be adopted, including any individual who has been adjudicated to be a *de facto* parent;

(D) Any relationship of the person to be adopted to each petitioner;

(E) The name, last known address, and age of each child of each petitioner, including any children of the person to be adopted;

(F) If applicable, the name of each spouse or registered domestic partner of each petitioner;

(G) Facts known to each petitioner that may indicate that any other petitioner, including the person to be adopted, has a disability that makes that individual incapable of participating effectively in the proceedings, or, if no such facts are known to the petitioner, a statement to that effect;

(H) Facts known to each petitioner that may entitle the person to be adopted to the appointment of an attorney by the court;

(I) If a petitioner desires to change the name of the person to be adopted:

(i) the name that is desired;

(ii) a certification that the petitioner is not requesting the name change for any illegal or fraudulent purpose; and,

(iii) whether the person to be adopted has ever registered or been required to register as a sexual offender and, if so, each full name, including any suffix, under which the individual was registered and each state where the registration requirement originated;

Cross reference: See Code, Criminal Procedure Article, § 11-705, which requires a registered sexual offender whose name has been changed by order of court to send written notice of the change to each law enforcement unit where the registrant resides or habitually lives within three days after the order is entered.

(J) As to each petitioner, a statement whether the petitioner has ever been convicted of a crime other than a minor traffic violation and, if so, the offense and the date and place of the conviction.

(2) Exhibits

The following documents shall accompany the petition as exhibits:

(A) A certified copy of the birth certificate of the person to be adopted;

(B) A certified copy of any court order adjudicating parentage, establishing parental rights, or establishing an individual as a *de facto* parent of the person to be adopted;

Cross reference: See Rule 20-106 (c)(3) regarding electronic filing of certain original documents.

(C) A brief statement of the health of each petitioner, including the person to be adopted, signed by a physician or other licensed health care provider if applicable; and,

(D) If a change of name is sought and the current name of the person to be adopted differs from the name shown on the person's birth certificate,

documentation from which the court can find that the current name of the person is as alleged.

(3) Other Documents

The following documents shall be filed before a judgment of adoption is entered:

(A) A proposed judgment of adoption; and

(B) A Maryland Department of Health Certificate of Adoption Form.

Cross reference: Code, Health-General Article, § 4-211 (f).

(e) If Facts Unknown or Documents Unavailable

If a fact required by subsection (d)(1) of this Rule is unknown to a petitioner, or if a document required by subsection (d)(2) is unavailable, the petitioner shall so state and provide the reason for the omission in the petition or in a subsequent affidavit. If a document required to be submitted with the petition becomes available after the petition is filed, the petitioner shall ensure that the document is filed as soon as it becomes available.

Source: This Rule is new. It is derived in part from Rule 9-103.

Rule 9-103.1 was accompanied by the following Reporter's note:

Proposed new Rule 9-103.1 implements Chapter 501, 2025 Laws of Maryland (HB 243). The law generally exempts independent adoption proceedings involving adult adoptees from the consent and show cause requirements of Code, Family Law Article, Title 5, Subtitle 3B.

New Rule 9-103.1 governs the petition for the adoption of an adult.

Section (a) sets forth the applicability of the petition Rule.

Section (b) provides for captioning in the case. Because the usual concerns present in an adoption of a minor that encourage secrecy of adoption proceedings are not as likely to be present in an adult adoption, the case is captioned with the adoptee's first and last name. See Rule 9-112 regarding shielding and sealing of records.

Section (c) sets forth the required and permitted parties to the petition. Code, Family Law Article, § 5-3B-20 eliminates any required consents before the court may enter a judgment of adoption for an adult adoptee. The stated intent of the legislature was to do away with the requirement that the parents of the adoptee be located and their consent required when an adult child is being adopted. However, in doing away with all consents, the law – perhaps inadvertently – eliminates the requirement that an adoptee who is at least 10 years old consent to the adoption. To ensure that the adoptee in an adult adoption is participating voluntarily, subsection (c)(1) requires the prospective adoptee to join in the petition. Code, Family Law Article, § 5-3B-13 does not require a spouse of the adopting petitioner to join a petition where the perspective adoptee is an adult. Subsection (c)(2) implements this provision for spouses and registered domestic partners by making their participation permissive.

Section (d) governs the contents of the petition and attachments. The required information and documents are primarily derived from provisions of Rule 9-103 that are relevant to an adult adoptee.

Subsection (d)(1)(C) requires the name, last known address, and age of each living parent of the prospective adoptee. Subsection (d)(1)(E) requires the name, address, and age of each child of each petitioner, including any children of the person to be adopted. Though the legislative intent was to relieve the adult adoptee of the burden of locating and obtaining consent from an absent or abusive parent, there is a public policy argument that a parent or adult child of the adult adoptee should be notified when the adoption occurs. There are estate planning implications and the possibility that these individuals

> could alert the court of possible fraud or undue influence in the proceeding. The disclosure of the name and address of these individuals, if known, permits the court to notify them of the judgment of adoption pursuant to new section (g) in Rule 9-111.
>
> Subsection (d)(1)(I) provides that an adult adoptee seeking a change of name must comply with certain requirements from the name change Rule (15-901).

The Chair informed the Committee that the legislature determined that the requirement of parental consent should not apply in an adoption where the prospective adoptee is an adult. The Family/Domestic Subcommittee recommends a series of amendments to the Rules in Title 9, Chapter 100 to implement this law.

Proposed new Rule 9-103.1 establishes a separate petition for an adult adoption. She pointed out that the statute eliminated the required consent by the adoptee's parents but, in doing so, also did away with the requirement that the adoptee consent to the adoption. To address this, section (c) requires that the prospective adoptee join the petition. The petition is also required to include last known addresses for the adoptee's parents and children to notify them that the adoption has occurred.

There being no motion to amend or reject proposed new Rule 9-103.1, it was approved as presented.

The Chair presented Rule 9-107, Objection, for consideration.

MARYLAND RULES OF PROCEDURE

TITLE 9 – FAMILY LAW ACTIONS

CHAPTER 100 – ADOPTION; PRIVATE AGENCY GUARDIANSHIP

AMEND Rule 9-107, as follows:

Rule 9-107. OBJECTION

(a) In General

Any person having a right to participate in a proceeding for adoption or guardianship may file a notice of objection to the adoption or guardianship. The notice may include a statement of the reasons for the objection and a request for the appointment of an attorney. The notice may be accompanied by a request for access to case records.

Cross reference: See Rule 9-105 for Form of Notice of Objection.

Committee note: In an independent adoption where the prospective adoptee is an adult, Code, Family Law Article, §§ 5-3B-15 and 5-3B-20 do not apply. Because there is no requirement that the court issue a notice pursuant to Rule 9-104 or a show cause order pursuant to Rule 9-105, a living parent of the prospective adoptee does not have a statutory right to file a notice of objection to the adoption pursuant to Rule 9-107. Nothing in these Rules is intended to preclude an individual who does not have a statutory right to participate in the proceedings, including a parent, from filing a motion to intervene pursuant to Rule 2-214.

. . .

Rule 9-107 was accompanied by the following Reporter's note:

> Proposed amendments to Rule 9-107 implement Chapter 501, 2025 Laws of Maryland (HB 243). The law generally exempts independent adoption proceedings involving adult adoptees from the consent and show cause requirements of Code, Family Law Article, Title 5, Subtitle 3B.
>
> Because a natural parent's consent is not required, that parent will not receive notice or a show-cause order and is not entitled to participate in a proceeding for adoption of an adult child. A Committee note is added following section (a) to explain the impact of the statute. The note also states that nothing precludes an individual without a right to participate from filing a motion to intervene. The Family/Domestic Subcommittee discussed whether this Committee note invites input from individuals who are not parties, but ultimately determined that it provides information to the public about the proper way to attempt to become involved while allowing the court to deny a motion if there are no grounds to permit intervention.

The Chair explained that because parents are not required to consent to the adoption of their adult child, they do not receive notice and are not entitled to file a notice of objection to the adoption pursuant to Rule 9-107. The Family/Domestic Subcommittee suggests adding a Committee note stating that an individual not entitled to participate in the proceeding may move to intervene. The Chair informed the Committee that the Subcommittee was concerned about seeming to encourage non-parties to insert themselves into the proceedings,

but ultimately determined that a biological parent or other relative of the adoptee may have information relevant to the proceeding; the court can deny the motion if there are no grounds for an individual to intervene.

There being no motion to amend or reject the proposed amendments to Rule 9-107, the Rule was approved as presented.

The Chair presented Rule 9-111, Judgment of Adoption or Guardianship, for consideration.

MARYLAND RULES OF PROCEDURE

TITLE 9 – FAMILY LAW ACTIONS

CHAPTER 100 – ADOPTION; PRIVATE AGENCY GUARDIANSHIP

AMEND Rule 9-111 by adding new section (g) pertaining to notice of an adoption of an adult, as follows:

Rule 9-111. JUDGMENT OF ADOPTION OR GUARDIANSHIP

(a) Time

The court may not enter a judgment of adoption or guardianship before the time set forth in Code, Family Law Article:

(1) § 5-336 in a Public Agency Adoption without Prior TPR;

(2) § 5-348 in a Public Agency Adoption after TPR;

(3) § 5-3A-17 in a Private Agency Guardianship;

(4) § 5-3A-33 in a Private Agency Adoption; or

(5) § 5-3B-18 in an Independent Adoption.

(b) Information from Other Court

If a required consent indicates that any revocation of the consent must be filed in a court other than the trial court, the trial court may not enter a judgment of adoption or guardianship until it has obtained from the other court a copy of all papers filed in connection with the consent or an affidavit of the clerk of the other court that no papers were filed in connection with the consent.

(c) Supplemental Report

Before entering a judgment of adoption or guardianship, the court may require a supplemental written report from the investigating officer or agency.

(d) Change of Name

If the name of the person adopted is changed, the judgment of adoption shall state the new name of the person adopted and the names of the adopting parents.

(e) Spouse or Registered Domestic Partner of Parent

If the adopting parent is the spouse or registered domestic partner of a parent of the person to be adopted, the judgment shall specifically state whether and to what extent the parental rights of the parent are affected.

(f) Judgments of Adoption – Recording

The clerk shall record each judgment of adoption entered by the juvenile court pursuant to Code, Family Law Article, § 5-352 in the adoption records of the circuit court for the county where the judgment was awarded.

(g) Notice of Adoption of an Adult

In an independent adoption where the adoptee is an adult, the clerk shall send a notice of the entry of a judgment of adoption to each living parent, including each *de facto* parent, and each living adult child of the adoptee. The notice shall be:

(1) sent by first-class mail to the last known address provided in the petition;

(2) include the caption and case number of the case; and,

(3) include a statement that the judgment has the effect set forth in Code, Family Law Article, § 5-3B-25.

Committee note: Any attempt to set aside a judgment of adoption by reason of a procedural defect shall be filed with the court within one year following entry of the judgment. See Code, Family Law Article, §§ 5-342 as to a Public Agency Adoption without Prior TPR; 5-353 as to a Public Agency Adoption after TPR; 5-3A-37 as to a Private Agency Adoption; and 5-3B-26 as to an Independent Adoption.

An adoptive relationship created by a judgment of adoption in another jurisdiction shall be given full faith and credit by the courts of this State. See Code, Family Law Article, §§ 5-305 as to a Public Agency Adoption without Prior TPR; 5-305 as to a Public Agency Adoption after TPR; 5-3A-05 as to a Private Agency Adoption; and 5-3B-04 as to an Independent Adoption.

For the legal effect of adoption of an adult, see Code, Family Law Article, §§ 5-341 as to a Public Agency Adoption without Prior TPR; 5-352 as to a Public Agency Adoption after TPR; 5-3A-36 as to a Private Agency Adoption; and 5-3B-25 as to an Independent Adoption.

Source: This Rule is derived in part from former Rule D79 and former Rule 11-501 (g) (2021) and is in part new.

Rule 9-111 was accompanied by the following Reporter's note:

Proposed amendments to Rule 9-109 implement Chapter 501, 2025 Laws of Maryland (HB 243). The law generally exempts independent adoption proceedings involving adult adoptees from the consent and show cause requirements of Code, Family Law

Article, Title 5, Subtitle 3B. See the Reporter's note to Rule 9-103.1.

Though the stated legislative intent was to relieve the adult adoptee of the burden of locating and obtaining consent from an absent or abusive parent, there is a public policy argument that a parent or adult child of the adult adoptee should be notified when the adoption occurs. There are estate planning implications and the possibility that these individuals could alert the court of possible fraud or undue influence in the proceeding.

Proposed provisions in new Rule 9-103.1 require the petition to provide the last known address of a living parent and the name, age, and address of the children of each petitioner, including the adoptee. This information will be used by the court to send the notice in Rule 9-111.

New section (g) requires the court to send notice of a judgment of adoption to the parents of the adoptee and any adult children of the adoptee to alert them of the entry of the judgment and the legal effect of the judgment.

The Chair explained that the amendments to Rule 9-111 provide for notice of the adoption of an adult to be sent by mail to the last known address – provided in the petition – of the parents and any adult children of the adoptee. The notice includes a statement about the effect of the adoption. The Chair noted that there are estate planning implications for these individuals.

There being no motion to amend or reject the proposed amendments to Rule 9-111, the Rule was approved as presented.

The Chair presented Rule 9-112, Court Records, and Rule 16-914, Case Records—Required Denial of Inspection—Certain Categories, for consideration.

MARYLAND RULES OF PROCEDURE

TITLE 9 – FAMILY LAW ACTIONS

CHAPTER 100 – ADOPTION; PRIVATE AGENCY GUARDIANSHIP

AMEND Rule 9-112 by adding new subsection (b)(1) containing the current provisions pertaining to dockets and indices in adoptions generally, by adding new subsection (b)(2) pertaining to adult adoption records, by adding new subsection (c)(4) pertaining to judgments of adoption for adult adoptees, by renumbering subsection (c)(4) as (c)(5), and by making stylistic changes, as follows:

Rule 9-112. COURT RECORDS

(a) Party

For purposes of this Rule, "party" includes (1) a petitioner, (2) the prospective adoptee, (3) in a Private Agency Guardianship or Private Agency Adoption, the agency, and (4) in a Public Agency Adoption after TPR or Public Agency Adoption without Prior TPR, the local department to which the prospective adoptee is committed.

Committee note: Unless the prospective adoptee's parent is also a petitioner, the parent is not a party to a proceeding under this Chapter except as provided by Code, Family Law Article, § 5-301 in a Public Agency Adoption without Prior TPR.

(b) Dockets and Indices

(1) Generally

The clerk shall keep separate dockets for ~~(1)~~(A) adoption and guardianship proceedings and ~~(2)~~(B) revocations of consent to adoption or guardianship for which there are no pending adoption or guardianship proceedings in that county. These dockets are not open to inspection by any person except upon order of court, but docket entries in a proceeding shall be open to inspection by the parties to the proceeding. If the court maintains a non-electronic index to a docket that is kept apart from the docket itself, the index shall be open to public inspection.

(2) Adult Adoption Records

Docket entries in a proceeding for an independent adoption of a prospective adoptee who is an adult shall be open to public inspection.

(c) Shielding and Sealing of Records

(1) Shielding of Records

All pleadings and other papers in adoption and guardianship proceedings shall be shielded from public inspection when they are filed. Unless otherwise ordered by the court, and subject to Rule 9-103 ~~(e)~~(f) and subsection (c)(2) of this Rule, pleadings and other papers shall be open to inspection by parties to a proceeding. If a person files a notice of objection pursuant to Rule 9-107, the person's access to pleadings and papers filed in the proceeding is governed by the court's order entered pursuant to Rule 9-107 (f).

Cross reference: See Rule 16-914(a), requiring denial of public inspection of case records in actions for adoption, guardianship, or revocation of consent to adoption or guardianship filed under this Chapter. See Rule 20-109 concerning remote access.

(2) Sealing of Records

(A) Guardianship Records

The case file for a guardianship proceeding shall be sealed and not open to inspection by any person, including the parties, upon the later of (i) 30 days after termination of the proceeding pursuant to Code, Family Law Article, § 5-3A-25 or, (ii) if an appeal

is taken, dismissal of the appeal or exhaustion of appellate review.

(B) Adoption Records

Except as otherwise provided in subsections (c)(3) ~~and (c)(4)~~ through (c)(5) of this Rule, the case file for an adoption proceeding shall be sealed and not open to inspection by any person, including the parties, upon the later of (i) 30 days after entry of a judgment of adoption or, (ii) if an appeal is taken, dismissal of the appeal or exhaustion of appellate review. When an adoption becomes final, the clerk shall send notice of that event to each person entitled to notice.

Cross reference: See Code, Health - General Article, § 4-211, concerning the amendment and replacement of birth certificates following adoption and the requirement that the clerk transmit to the Maryland Department of Health a report of adoption or revocation of adoption.

(3) Adoption Records Prior to June 1, 1947

If a final decree of adoption was entered before June 1, 1947 and the record is not already sealed, the record may be sealed only on motion of a party.

(4) Adoption of an Adult

A judgment of adoption in an independent adoption of an adoptee who is an adult at the time of the adoption shall be open to public inspection.

~~(4)~~(5) Inspection of Sealed Records

Sealed records of guardianship and adoption proceedings shall remain sealed and not be open to inspection except upon order of court.

Cross reference: See Code, Family Law Article, Title 5, Subtitle 3, Part V; Subtitle 3A, Part IV; and Subtitle 3B, Part III concerning access to records relating to an adoptee.

Source: This Rule is derived from former Rule D80 a and c and is in part new.

Rule 9-112 was accompanied by the following Reporter's note:

Proposed amendments to Rule 9-112 implement Chapter 501, 2025 Laws of Maryland (HB 243). The law generally exempts independent adoption proceedings involving adult adoptees from the consent and show cause requirements of Code, Family Law Article, Title 5, Subtitle 3B.

Proposed amendments to section (b) provide that docket entries in a proceeding for an independent adoption of an adult are open to public inspection. New subsection (c)(4) makes the judgment of adoption of an adult a public record.

Because the usual concerns present in an adoption of a minor that encourage secrecy of adoption proceedings are not as likely to be present in an adult adoption, the Family/Domestic Subcommittee recommends that this information be subject to public inspection to allow for individuals who may have estate planning interests or concerns about fraud to learn that the adoption occurred.

MARYLAND RULES OF PROCEDURE

TITLE 16 – COURT ADMINISTRATION

CHAPTER 900 – ACCESS TO JUDICIAL RECORDS

DIVISION 2 – LIMITATIONS ON ACCESS

AMEND Rule 16-914 by adding an exception to subsection (a)(1)(A), as follows:

Rule 16-914. CASE RECORDS--REQUIRED DENIAL OF INSPECTION--CERTAIN CATEGORIES

Except as otherwise provided by law, court order, or the Rules in this Chapter, the custodian shall deny inspection of:

(a) All case records filed in the following actions involving children:

(1) Actions filed under Title 9, Chapter 100 of the Maryland Rules for:

(A) adoption, except as otherwise provided in Rule 9-112;

(B) guardianship; or

(C) revocation of a consent to adoption of guardianship for which there is no pending adoption or guardianship proceeding in that county.

. . .

Rule 16-914 was accompanied by the following Reporter's note:

Proposed amendments to Rule 16-914 implement Chapter 501, 2025 Laws of Maryland (HB 243). The law generally exempts independent adoption proceedings involving adult adoptees from the consent and show cause requirements of Code, Family Law Article, Title 5, Subtitle 3B.

Because the usual concerns present in an adoption of a minor that encourage secrecy of adoption proceedings are not as likely to be present in an adult adoption, the Family/Domestic Subcommittee recommends that this information be subject to public inspection to allow for individuals who may have estate planning interests or concerns about fraud to learn that the adoption occurred.

Rule 9-112 is amended to state that docket entries, indices, and judgements in these cases are subject to public inspection. Rule 16-914 (a)(1)(A) is amended to refer to the exception in Rule 9-112.

The Chair explained that there are different privacy concerns surrounding the adoption of an adult compared to the adoption of a minor. The proposed amendments to Rule 9-112 make the docket entries and the judgment of adoption for an adult adoption public. Conforming amendments to Rule 16-914 (a)(1)(A), which governs public access to adoption records, adds a reference to the provisions of Rule 9-112.

There being no motion to amend or reject the proposed amendments to Rule 9-112 and Rule 16-914, the Rules were approved as presented.

The Chair presented conforming amendments to Rule 9-102, Consents; Revocation of Consent; Rule 9-103, Petition; and Rule 9-105, Show Cause Order; Disability of an Individual; Other Notice, for consideration.

MARYLAND RULES OF PROCEDURE

TITLE 9 – FAMILY LAW ACTIONS

CHAPTER 100 – ADOPTION; PRIVATE AGENCY GUARDIANSHIP

AMEND Rule 9-102 by adding a clarifying amendment in the cross reference following section (a), as follows:

Rule 9-102. CONSENTS; REVOCATION OF CONSENT

(a) Consents Generally Required

Except when otherwise permitted, a judgment of adoption or guardianship may not be entered without the consents prescribed by Code, Family Law Article.

Cross reference: For provisions governing the authority to grant guardianships or adoptions and the validity of consents, see Code, Family Law Article, §§ 5-338 and 5-339 as to a Public Agency Adoption without Prior TPR; 5-350 and 5-351 as to a Public Agency Adoption after TPR; 5-3A-18 and 5-3A-19 as to a Private Agency Guardianship; 5-3A-35 as to a Private Agency Adoption; and 5-3B-20 and 5-3B-21 as to an Independent Adoption <u>of a minor</u>.

. . .

Rule 9-102 was accompanied by the following Reporter's note:

Proposed amendments to Rule 9-102 implement Chapter 501, 2025 Laws of Maryland (HB 243). See the Reporter's note to Rule 9-103.1.

The proposed amendment clarifies that the provisions of Code, Family Law Article, Title 5, Subtitle 3B mandating consents in an adoption proceeding only apply to the independent adoption of a minor.

MARYLAND RULES OF PROCEDURE

TITLE 9 – FAMILY LAW ACTIONS

CHAPTER 100 – ADOPTION; PRIVATE AGENCY GUARDIANSHIP

AMEND Rule 9-103 by adding new section (a) stating the applicability of the Rule and by re-lettering sections (a) through (e) as (b) through (f), respectively, as follows:

Rule 9-103. PETITION

(a) Applicability

This Rule applies to a petition for:

(1) private agency guardianship;

(2) private agency adoption;

(3) public agency adoption without prior TPR;

(4) public agency adoption after TPR; and,

(5) independent adoption where the prospective adoptee is a minor.

Cross reference: See Rule 9-103.1 regarding a petition for independent adoption when the prospective adoptee is an adult.

~~(a)~~(b) Titling of Case

A proceeding shall be titled "In re Adoption/Guardianship of _____" (first name and first initial of last name of prospective adoptee or ward).

. . .

~~(b)~~(c) Petition for Adoption

. . .

~~(c)~~(d) Petition for Guardianship

. . .

~~(d)~~(e) If Facts Unknown or Documents Unavailable

. . .

~~(e)~~(f) Disclosure of Facts Known or Documents Available to Child Placement Agency

. . .

Source: This Rule is derived in part from former Rule D72, in part from former Rule D80, and is in part new.

Rule 9-103 was accompanied by the following Reporter's note:

Proposed amendments to Rule 9-103 implement Chapter 501, 2025 Laws of Maryland (HB 243). See the Reporter's note to Rule 9-103.1.

New section (a) sets forth the applicability of the petition Rule and excludes a petition where the prospective adoptee is an adult. A cross reference to new Rule 9-103.1 following new section (a) directs the reader to the new Rule for a petition for the adoption of an adult.

Current sections (a) through (e) are re-lettered as (b) through (f), respectively.

MARYLAND RULES OF PROCEDURE

TITLE 9 – FAMILY LAW ACTIONS

CHAPTER 100 – ADOPTION; PRIVATE AGENCY GUARDIANSHIP

AMEND Rule 9-105 by updating a reference in the form in section (d), as follows:

Rule 9-105. SHOW CAUSE ORDER; DISABILITY OF AN INDIVIDUAL; OTHER NOTICE

. . .

(d) Form of Show Cause Order

Except as provided in section (g) of this Rule, the show cause order shall be substantially in the following form:

IMPORTANT

THIS IS A COURT ORDER. IF YOU DO NOT UNDERSTAND WHAT THE ORDER SAYS, HAVE SOMEONE EXPLAIN IT TO YOU. YOUR RIGHT TO AN ATTORNEY IS EXPLAINED IN PARAGRAPH 3 OF THIS ORDER. IF YOU DO NOT MAKE SURE THAT THE COURT RECEIVES YOUR NOTICE OF OBJECTION ON OR BEFORE THE DEADLINE STATED IN PARAGRAPH

2 OF THIS ORDER, YOU HAVE AGREED TO A TERMINATION OF YOUR PARENTAL RIGHTS.

(Note to Drafter of Show Cause Order: For the form of the caption of the Show Cause Order, see Rule 9-103 ~~(a)~~(b).)

. . .

Rule 9-105 was accompanied by the following Reporter's note:

Proposed amendments to Rule 9-105 implement Chapter 501, 2025 Laws of Maryland (HB 243). See the Reporter's note to Rule 9-103.1.

Amendments to Rule 9-103 re-letter current section (a) as section (b). The reference is updated in Rule 9-105 (d).

The Chair informed the Committee that the remaining amendments are conforming ones to clarify applicability and capture re-lettering. Rule 9-102 is amended to clarify that Code, Family Law Article, § 5-3B-21 refers to required consents in the independent adoption of a minor. Rule 9-103 is amended to limit the applicability of that Rule to petitions for adoption other than the independent adoption of an adult. A cross reference refers to new Rule 9-103.1 for the petition for adoption of an adult. The remaining sections in Rule 9-103 are re-lettered. Rule 9-105 is amended to conform to the re-lettering of Rule 9-103 (a) as 9-103 (b).

There being no motion to amend or reject the proposed conforming amendments, they were approved as presented.

Agenda Item 5. Consideration of proposed amendments to Rule 9-206 (Child Support Guidelines)

The Chair presented Rule 9-206, Child Support Guidelines, for consideration.

MARYLAND RULES OF PROCEDURE

TITLE 9 – FAMILY LAW ACTIONS

CHAPTER 200 – DIVORCE, ANNULMENT, ALIMONY, CHILD SUPPORT, AND CHILD CUSTODY

AMEND Rule 9-206 by adding new subsection (a)(1) defining "multifamily adjustment"; by adding a Committee note following subsection (a)(1); by renumbering current subsections (a)(1) and (a)(2) as (a)(2) and (a)(3), respectively; by updating a statutory reference in renumbered subsection (a)(2); by adding to sections (c) and (d) a statutory reference and new section 1.d. in Worksheet A and Worksheet B pertaining to a multifamily adjustment, as follows:

Rule 9-206. CHILD SUPPORT GUIDELINES

(a) Definitions

The following definitions apply in this Rule:

(1) Multifamily Adjustment

"Multifamily adjustment" means an allowance for support for each child (A) living in a parent's home to whom the parent owes a legal duty of support, (B) spending more than 92 overnights in the parent's

home in a year, and (C) not subject to the support order.

Committee note: In calculating a multifamily adjustment, the court (1) uses the actual income of the parent entitled to the deduction to determine the basic child support obligation for each additional child in the parent's home in accordance with Code, Family Law Article, §12-204, then (2) multiplies that amount by 75 percent. See Code, Family Law Article, §12-201 (c)(1)(iii).

~~(1)~~(2) Shared Physical Custody

"Shared physical custody" has the meaning stated in Code, Family Law Article, §12-201 ~~(n)~~(o).

~~(2)~~(3) Worksheet

"Worksheet" means a document to compute child support under the guidelines set forth in Code, Family Law Article, Title 12, Subtitle 2.

(b) Filing of Worksheet

In an action involving the establishment or modification of child support, each party shall file a worksheet in the form set forth in section (c) or (d) of this Rule. Unless the court directs otherwise, the worksheet shall be filed not later than the date of the hearing on the issue of child support.

Cross reference: See Code, Family Law Article, §12-203 (a) and *Walsh v. Walsh*, 333 Md. 492 (1994).

(c) Primary Physical Custody

Except in cases of shared physical custody, the worksheet shall be in substantially the following form:

_____ In the

Circuit Court for _____

v.

_____ No. _____

WORKSHEET A – CHILD SUPPORT OBLIGATION: PRIMARY PHYSICAL CUSTODY

Name of Child	Date of Birth	Name of Child	Date of Birth
Name of Child	Date of Birth	Name of Child	Date of Birth
Name of Child	Date of Birth	Name of Child	Date of Birth

	Parent 1	Parent 2	Combined
1. MONTHLY ACTUAL INCOME (Before taxes) (Code, Family Law Article, §12-201 (b) and (c))	$	$	//////// //////// ////////
a. Minus preexisting child support payment actually paid	-	-	//////// ////////
b. Minus alimony actually paid	-	-	////////
c. Plus/minus alimony awarded in this case	+/-	+/-	//////// ////////
d. Minus multifamily adjustment	-	-	////////

. . .

(d) Shared Physical Custody

In cases of shared physical custody, the worksheet shall be in substantially the following form:

_____ In the

Circuit Court for _____

v.

_____ No. _____

WORKSHEET B – CHILD SUPPORT OBLIGATION: SHARED PHYSICAL CUSTODY

Name of Child	Date of Birth	Name of Child	Date of Birth
Name of Child	Date of Birth	Name of Child	Date of Birth
Name of Child	Date of Birth	Name of Child	Date of Birth

	Parent 1	Parent 2	Combined
1. MONTHLY ACTUAL INCOME (Before taxes) (Code, Family Law Article, §12-201 (b) and (c))	$	$	////////// ////////// //////////
a. Minus preexisting child support payment actually paid	-	-	////////// //////////
b. Minus alimony actually paid	-	-	//////////
c. Plus/minus alimony awarded in this case	+/-	+/-	////////// //////////
d. Minus multifamily adjustment	-	-	//////////

...

Rule 9-206 was accompanied by the following Reporter's note:

> Proposed amendments to Rule 9-206 implement Chapter 532, 2025 Laws of Maryland (HB 275). The statute alters the definition of "adjusted actual income" in the child support guidelines to require an adjustment for other children in the home of the parent whose income is being calculated. The statute applies when the parent owes a duty of support for children in the home other than the child for whom child support is being calculated.
>
> Proposed amendments to Rule 9-206 add a definition of "multifamily adjustment" to section (a). A Committee note provides practical guidance to the court in applying the statute to an income calculation. The worksheets in section (c) and (d) are amended to add a line for the multifamily adjustment.

The Chair informed the Committee that the legislature amended the child support statute to allow the guidelines to account for additional children in a parent's home to whom the parent owes a duty of support. She explained that the calculation of a parent's income now can be adjusted based on this consideration. Rule 9-206 is amended to add a definition of "multifamily adjustment" to section (a), and the worksheets in sections (c) and (d) are amended to add the adjustment.

There being no motion to amend or reject the proposed amendments to Rule 9-206, the Rule was approved as presented.

Agenda Item 6. Consideration of proposed amendments to Rule 9-204.1 (Parenting Plans) and Rule 9-204.2 (Joint Statement of the Parties Concerning Decision-Making Authority and Parenting Time)

The Chair presented Rule 9-204.1, Parenting Plans, and Rule 9-204.2, Joint Statement of the Parties Concerning Decision-Making Authority and Parenting Time, for consideration.

MARYLAND RULES OF PROCEDURE

TITLE 9 – FAMILY LAW ACTIONS

CHAPTER 200 – DIVORCE, ANNULMENT, ALIMONY, CHILD SUPPORT, AND CHILD CUSTODY

AMEND Rule 9-204.1 by clarifying that parenting plan documents may be provided either at or before the parties' first appearance on a decision-making or parenting time matter, by permitting the court to provide either paper or electronic copies of the documents to the parties, by adding "exposure to" to subsection (c)(5), by adding "in determining how best to serve the physical, developmental, and emotional needs of the child" to subsection (c)(16), by adding a cross reference following section (c), and by making stylistic changes, as follows:

Rule 9-204.1. PARENTING PLANS

(a) Definitions

The following definitions apply, except as expressly otherwise provided or as necessary implication requires:

(1) Decision-Making Authority (Legal Custody)

Decision-Making Authority, also called legal custody, refers to how major long-term decisions about a child's medical care, mental health, education,

religious training, and extracurricular activities are made.

(2) Parenting Plan

Parenting Plan means a written agreement about how parties will work together to take care of a child.

(3) Parenting Time (Physical Custody)

Parenting Time, also called physical custody, refers to where a child lives and the amount of time the child spends with each party.

(b) Introduction of Parenting Plan

At or before the parties' first appearance in court on a decision-making authority or parenting time matter, the court shall provide to each party a paper copy of the Maryland Parenting Plan Instructions and Maryland Parenting Plan Tool ~~and~~ or direct them to an electronic version of these documents. The court shall advise the parties that they may work separately, together, or with a mediator to develop a parenting plan they believe is in the best interest of their child.

(c) Best Interest of the Child

In determining what decision-making authority and parenting time arrangement is in the best interest of the child, the parties may consider the following factors:

(1) Stability and the foreseeable health and welfare of the child;

(2) Frequent, regular, and continuing contact with parties who can act in the child's best interest;

(3) Whether and how parties who do not live together will share the rights and responsibilities of raising the child;

(4) The child's relationship with each parties, any siblings, other relatives, and individuals who are or may become important in the child's life;

(5) The child's physical and emotional security and protection from exposure to conflict and violence;

(6) The child's developmental needs, including physical safety, emotional security, positive self-image,

interpersonal skills, and intellectual and cognitive growth;

(7) The day-to-day needs of the child, including education, socialization, culture and religion, food, shelter, clothing, and mental and physical health;

(8) How to:

(A) place the child's needs above the parties' needs;

(B) protect the child from the negative effects of any conflict between the parties; and

(C) maintain the child's relationship with the parties, siblings, other relatives, or other individuals who have or likely may have a significant relationship with the child;

(9) Age of the child;

(10) Any military deployment of a party and its effect, if any, on the parent-child relationship;

(11) Any prior court orders or agreements;

(12) Each party's role and tasks related to the child and how, if at all, those roles and tasks have changed;

(13) The location of each party's home as it relates to ~~their~~ the parties' ability to coordinate parenting time, school, and activities;

(14) The parties' relationship with each other, including:

(A) how they communicate with each other;

(B) whether they can co-parent without disrupting the child's social and school life; and

(C) how the parties will resolve any disputes in the future without the need for court intervention;

(15) The child's preference, if age-appropriate; and

(16) Any other factor deemed appropriate by the parties in determining how best to serve the physical, developmental, and emotional needs of the child.

Cross reference: See Code, Family Law Article, § 9-201.

(d) No Agreement Reached

If the parties do not reach a comprehensive parenting plan, they shall complete a Joint Statement of the Parties Concerning Decision-Making Authority and Parenting Time pursuant to Md. Rule 9-204.2.

Source: This Rule is new.

Rule 9-204.1 was accompanied by the following Reporter's note:

Proposed amendments to Rule 9-204.1 implement Chapters 483/484, 2025 Laws of Maryland (HB 1191/SB 548). The legislation generally establishes factors that a court may consider when determining what legal and physical custody is in the best interest of the child. The factors were drawn from case law and largely mirror those in Rule 9-204.1, which sets forth the factors for the parties' consideration in making a parenting plan.

Proposed amendments to section (b) are recommended by the Court Process Workgroup in the Domestic Law Committee of the Judicial Council. The workgroup recommended permitting the court to provide the parenting plan instructions and forms to the parties "at or before" their first appearance in court. The amendments also permit the court to provide the documents in either paper or electronic format.

Subsection (c)(5) is amended to refer to "exposure to" conflict and violence to match the language of the statute.

Subsection (c)(16) is amended to align with the language of the statute and add reference to the law.

MARYLAND RULES OF PROCEDURE

TITLE 9 – FAMILY LAW ACTIONS

CHAPTER 200 – DIVORCE, ANNULMENT, ALIMONY, CHILD SUPPORT, AND CHILD CUSTODY

AMEND Rule 9-204.2 by altering the requirements when the court reviews a joint statement in section (d), as follows:

Rule 9-204.2. JOINT STATEMENT OF THE PARTIES CONCERNING DECISION-MAKING AUTHORITY AND PARENTING TIME

(a) When Required

If the parties are not able to reach a comprehensive parenting plan, the parties shall file a Joint Statement of the Parties Concerning Decision-Making Authority and Parenting Time.

Cross reference: For the authority of a mediator to assist the parties with the completion of a Joint Statement, see Rule 9-205.

(b) Form of Joint Statement

The statement shall be substantially in the form approved by the State Court Administrator, posted on the Judiciary website, and available in the offices of the clerks of the circuit courts.

(c) Time for Filing; Procedure

The Joint Statement shall be filed at least ten days before any scheduled settlement conference or if none, 20 days before the scheduled trial date or by any other date fixed by the court. At least 30 days before the Joint Statement is due to be filed, each party shall prepare and serve on the other party a proposed Joint Statement in the form set forth in section (b) of this Rule. At least 15 days before the Joint Statement is due, the plaintiff shall sign and serve on the defendant for approval and signature a proposed Joint Statement that fairly reflects the positions of the parties. The defendant shall timely file the Joint Statement, which

shall be signed by the defendant or shall be accompanied by a written statement of the specific reasons why the defendant did not sign.

(d) Review of Joint Statement

Prior to rendering its decision, the court shall consider the entire Joint Statement. As to the provisions upon which the parties agree as well as those upon which the court must decide, the court ~~may consider~~ shall address the factors listed in ~~Rule 9-204.1 (c)~~ Code, Family Law Article, § 9-201(a) and articulate its findings of fact on the record or in writing pursuant to Code, Family Law Article, § 9-201(b).

(e) Sanctions

If a party willfully fails to comply with this Rule, the court, on motion or on its own initiative, after the opportunity for a hearing, may enter any appropriate order in regard to the noncompliance.

Committee note: Failure to comply with this Rule cannot be the basis upon which to deny a party's request for decision-making authority or parenting time.

Rule 9-204.2 was accompanied by the following Reporter's note:

Proposed amendments to Rule 9-204.2 implement Chapters 483/484, 2025 Laws of Maryland (HB 1191/SB 548). The legislation generally establishes factors that a court may consider when determining what legal and physical custody is in the best interest of the child. The factors were drawn from case law and largely mirror those in Rule 9-204.1, which sets forth the factors for the parties' consideration in making a parenting plan.

Code, Family Law Article, § 9-201(a) states that the court "may consider" the listed factors. Section (b) of the statute, however, requires the court to articulate findings, "including consideration of each factor listed in section (a)." The Family/Domestic Subcommittee expressed concern about this conflicting language;

courts are presumed to be considering all relevant factors but cannot articulate findings if a factor is not relevant. The Subcommittee was informed that one of the motivations for the statute was parties who claim they do not know the reasoning behind a judge's decision.

The Subcommittee recommends amending section (d) to require the court to "address" the factors listed in the statute, which would include stating when a factor is not relevant, and articulating findings as required by the statute.

The Chair informed the Committee that Chapters 483/484, 2025 Laws of Maryland (HB 1191/SB 548) codified the best interest factors a court is to consider when making a custody determination. The factors are substantially similar to those in Rule 9-204.1, with stylistic changes. Rule 9-204.1 is amended to conform to the statute.

The Chair explained that, in addition to listing factors that the court "may consider," the statute requires the court to articulate its findings on each factor. The Family/Domestic Subcommittee recommends amending Rule 9-204.2 to state that the court "shall address" each factor, which can include ruling out a factor as irrelevant.

There being no motion to amend or reject the proposed amendments to Rule 9-204.1 and Rule 9-204.2, the Rules were approved as presented.

Agenda Item 7. Consideration of proposed amendments to Rule 15-901 (Action for Change of Name)

The Chair presented Rule 15-901, Action for Change of Name, for consideration.

MARYLAND RULES OF PROCEDURE

TITLE 15 – OTHER SPECIAL PROCEEDINGS

CHAPTER 900 – CHANGE OF NAME; JUDICIAL DECLARATION OF GENDER IDENTITY

AMEND Rule 15-901, as follows:

Rule 15-901. ACTION FOR CHANGE OF NAME

. . .

(f) Action by Court; Hearing

(1) Name Change of Adult

The court may hold a hearing or may rule on a petition to change the name of an adult without a hearing and shall enter an appropriate order, except that the court shall not deny the petition without a hearing. The court may not enter an order earlier than 30 days after the petition was filed.

Committee note: Although there is no publication or other required notice of a requested name change of an adult, if a person learns of a requested name change, the 30-day delay in the entry of an order after the petition is filed affords a period of time within which an objection could be filed.

(2) Name Change of Minor

The court may hold a hearing or may rule on a petition to change the name of a minor without a hearing and enter an appropriate order if (A) the

written consent of the minor, if required, has been filed, and (B) each parent, guardian, and custodian (i) has filed a written consent pursuant to subsection (c)(2)(B) of this Rule, or (ii) having been served pursuant to section (d) of this Rule, did not timely file an objection. In all other cases in which a name change of a minor is requested, the court shall hold a hearing and enter an appropriate order no earlier than 30 days after all nonconsenting parents, guardians, or custodians have been served in accordance with section (d) of this Rule.

Cross reference: See *In the Matter of Becker*, 265 Md. App. 301 (2025) pertaining to the relevant standards for changing the surname of a minor.

Source: This Rule is derived in part from former Rules BH70 through BH75 and is in part new.

Rule 15-901 was accompanied by the following Reporter's note:

The proposed amendment to Rule 15-901 adds a cross reference to a recent appellate case discussing the standard for changing the surname of a minor. *In the Matter of Becker*, 265 Md. App. 301 (2025) involved a change of name case where the parents mutually agreed to the child's name at birth, and one later sought to change the child's surname. The Appellate Court discussed the relevant considerations and standard for the trial court to apply in deciding such cases.

The Chair said that a recent Appellate Court opinion, *In the Matter of Becker*, 265 Md. App. 301 (2025), articulated the considerations and standard for a court determining whether to change the name of a minor where the parents had mutually agreed to the child's name at birth and now disagree. She said that a

cross reference to the case is recommended to assist litigants and the court with identifying the appropriate standard.

There being no motion to amend or reject the proposed amendments to Rule 15-901, the Rule was approved as presented.

Agenda Item 8. Consideration of proposed "Housekeeping" amendments

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The Assistant Reporters presented a series of "housekeeping" amendments for consideration.

Assistant Reporter Cobun presented Rule 9-109, Hearing on Merits, for consideration.

MARYLAND RULES OF PROCEDURE

TITLE 9 – FAMILY LAW ACTIONS

CHAPTER 100 – ADOPTION; PRIVATE AGENCY GUARDIANSHIP

AMEND Rule 9-109 by deleting "a guardianship" from subsection (a)(1), as follows:

Rule 9-109. HEARING ON MERITS

(a) Requirement

(1) Generally

The court shall hold a hearing and make findings on the record on the merits of ~~a guardianship~~ an adoption petition as provided by Code, Family Law Article:

(A) § 5-335 in a Public Agency Adoption without Prior TPR;

(B) § 5-347 in a Public Agency Adoption after TPR;

(C) § 5-3A-32 in a Private Agency Adoption; or

(D) § 5-3B-17 in an Independent Adoption.

(2) Guardianship

The court may hold a hearing on the merits of a consensual Private Agency Guardianship petition.

. . .

Rule 9-109 was accompanied by the following Reporter's note:

A proposed housekeeping amendment to Rule 9-109 removes reference to guardianships. Public agency guardianship procedures were removed from Title 9 in 2022.

Ms. Cobun informed the Committee that the proposed amendment removes an outdated reference to guardianships, which were removed from Title 9 in 2022.

There being no motion to amend or reject the proposed amendments to Rule 9-109, the Rule was approved as presented.

Assistant Reporter Drummond presented Rule 9-301, Applicability; Rule 11-112, Papers in a Foreign Language; Rule 11-220, Termination of Proceeding; Rule 11-503, Voluntary Placement; and Rule 12-103, Action for Release of Lien Instrument, for consideration.

MARYLAND RULES OF PROCEDURE

TITLE 9 – FAMILY LAW ACTIONS

CHAPTER 300 – DOMESTIC VIOLENCE

AMEND Rule 9-301, as follows:

Rule 9-301. APPLICABILITY

The Rules is this Chapter apply to actions brought solely under Code, Family Law Article, Title 4, Subtitle 5.

Committee note: If relief is sought as part of a criminal, divorce, or other action, the Rules governing that action prevail.

Cross reference: For the issuance of a peace order for the protection of an individual who is not a "person eligible for relief" as defined in Code, Family Law Article, ~~§ 4-501(m)~~ § 4-501 (n), see Rule 3-731 and Code, Courts Article, Title 3, Subtitle 15 if the respondent is an adult and Code, Courts Article, Title 3, Subtitle 8A if the respondent is an individual under the age of 18 years.

Source: This Rule is new.

Rule 9-301 was accompanied by the following Reporter's note:

The proposed amendment to Rule 9-301 updates a statutory reference. Chapters 530/531, 2025 Laws of Maryland (HB 533/SB 273) adds a new definition to Code, Family Law Article, § 4-501. The definition of "person eligible for relief" is now contained in section (n).

MARYLAND RULES OF PROCEDURE

TITLE 11 - JUVENILE CAUSES

CHAPTER 100 – GENERAL PROVISIONS

AMEND Rule 11-112 by updating a quotation in the Committee note, as follows:

Rule 11-112. PAPERS IN A FOREIGN LANGUAGE

Whenever the court has reason to believe that an individual required to be served with a summons, subpoena, notice of hearing or court conference, or other document that requires a decision, action, or response by the individual, by reason of unfamiliarity with the English language, may be unable to read and understand the document, the court shall issue the document in English and (1) if the document is available in a language that the court reasonably believes the individual can understand, issue the document in that language, or (2) if the document is not available in a language the court reasonably believes the individual can understand, attach a Multilingual Advisement Form approved by the State Court Administrator.

Committee note: The Access to Justice Department of the Administrative Office of the Courts provides translation services to the Maryland courts and can provide translations of certain forms and materials into priority languages. The Access to Justice Department does not provide translation of case-specific documents. See Code, State Government Article, § 10-1103 requiring certain State agencies, departments, and programs in the Executive Branch of government, including the Department of Human Services, Department of Juvenile Services, and Attorney General's Office, to provide "the translation of vital documents ordinarily provided to the public into any language spoken by any limited English proficient population that constitutes 3% of the ~~overall~~ population within the geographic area served by a local office of a State program ~~as measured by the United States Census~~."

Source: This Rule is new.

Rule 11-112 was accompanied by the following Reporter's note:

A proposed amendment to Rule 11-112 updates the language in the Committee note quoting Code, State Government Article, § 10-1103. Chapter 434, 2025 Laws of Maryland (HB 1473) amended the language in § 10-1103. Accordingly, the proposed amendment to Rule 11-112 conforms the language to the amended law.

MARYLAND RULES OF PROCEDURE

TITLE 11 - JUVENILE CAUSES

CHAPTER 200 – CHILD IN NEED OF ASSISTANCE

AMEND Rule 11-220 by updating the cross references following subsections (a)(1) and (a)(2), as follows:

Rule 11-220. TERMINATION OF PROCEEDING

(a) Termination of Jurisdiction

(1) Generally

Except as provided in subsection (a)(2), upon termination of the court's jurisdiction over the respondent child, the court shall enter a final order terminating the proceeding.

Cross reference: See Code, Courts Article, § 3-804~~(b)~~(c), providing that jurisdiction over a CINA continues until the child is age 21 years, unless the court terminates the case sooner.

(2) Limited Retention of Jurisdiction

If the court enters an order directing the provision of services to a child under Code, Courts Article, § 3-819(c)(3) or § 3-823(h)(2)(viii), the court retains jurisdiction for the limited purpose of enforcement, modification, or termination of the order.

Cross reference: See Code, Courts Article, §§ 3-804~~(d)~~(e) and 3-823(k) and *In re Adoption/Guardianship Dustin R.*, 445 Md. 536 (2015) for continuing jurisdiction over a CINA.

(b) Prior to Termination of Jurisdiction

Upon a finding of good cause, the court may enter a final order terminating the proceeding prior to expiration of the court's jurisdiction by operation of law (1) on the court's own initiative, (2) on motion of a party, or (3) on the recommendation of an appropriate governmental agency exercising supervision over the respondent.

Cross reference: See *In re Emileigh F.*, 355 Md. 198 (1999) and *In re Joseph N.*, 407 Md. 278 (2009) precluding the court from terminating the proceeding while an appeal from its decision is pending.

Source: This Rule is derived from former Rule 11-120 (2021).

Rule 11-220 was accompanied by the following Reporter's note:

A proposed amendment to Rule 11-220 updates references to Code, Courts Article, § 3-804 in the cross references following sections (a) and (b). Chapters 261/262, 2025 Laws of Maryland (SB 280/HB 1060) added new section (a) to § 3-804, re-lettering the subsequent sections. Accordingly, the proposed amendment to Rule 11-220 updates the references to sections of § 3-804.

MARYLAND RULES OF PROCEDURE

TITLE 11 - JUVENILE CAUSES

CHAPTER 500 – OTHER PROCEEDINGS

AMEND Rule 11-503 by updating the cross references following subsection (a)(2)(A) and section (q), as follows:

Rule 11-503. VOLUNTARY PLACEMENT

(a) Applicability; Definitions

(1) Applicability

This Rule applies to voluntary placement proceedings under Code, Courts Article, Title 3, Subtitle 8 and Code, Family Law Article, § 5-525.

(2) Definitions

In this Rule, the following definitions apply:

(A) Former CINA

"Former CINA" means an individual who (i) has been found to be a CINA, (ii) is at least 18 years old but under the age of 21 years, and (iii) is subject to the jurisdiction of the court pursuant to Code, Courts Article, § 3-804~~(a)(2)~~(b)(2).

…

(q) Continuing Jurisdiction

If the court obtains jurisdiction over a child, that jurisdiction continues in that case until the child reaches the age of 21 years, unless the court terminates the case.

Cross reference: See Code, Courts Article, § 3-804~~(b)~~(c), providing that jurisdiction over a child in voluntary placement continues until the child is age 21, unless the court terminates the case.

Source: This Rule is new.

Rule 11-503 was accompanied by the following Reporter's note:

A proposed amendment to Rule 11-503 updates references to Code, Courts Article, § 3-804 in subsection (a)(2)(A) and in the cross reference following section (q). Chapters 261/262, 2025 Laws of Maryland (SB 280/HB 1060) added new section (a) to § 3-804, re-lettering the subsequent sections. Accordingly, the proposed amendment to Rule 11-503 updates the references to sections of § 3-804.

MARYLAND RULES OF PROCEDURE

TITLE 12 – PROPERTY ACTIONS

CHAPTER 100 – GENERAL PROVISIONS

AMEND Rule 12-103 by updating the cross reference, as follows:

Rule 12-103. ACTION FOR RELEASE OF LIEN INSTRUMENT

When a mortgage or deed of trust remains unreleased of record, the mortgagor, grantor, or a successor in interest entitled by law to a release may file a complaint for release of the lien instrument in any county where the lien instrument is recorded. The person bringing the action shall include as defendants all other parties to the instrument unless their interest has been assigned or transferred of record, and in that case their successors in interest. If the court orders the lien instrument released of record, the clerk shall record the release in the manner prescribed by law.

Cross reference: Code, Real Property Article, § 7-106(e), § 3-105~~(d)~~(c), and 3-105.1(e)(1).

Source: This Rule is new.

Rule 12-103 was accompanied by the following Reporter's note:

> A proposed amendment to Rule 12-103 updates a cross reference at the end of the Rule. Chapters 65/66, 2025 Laws of Maryland (HB 347/SB 150) deletes section (c) from Code, Real Property Article, § 3-105, re-lettering the subsequent sections. Accordingly, the proposed amendment to Rule 12-103 updates the reference to § 3-105.

Ms. Drummond explained that the remaining "housekeeping" amendments are the result of legislation impacting citations and cross references.

A motion to approve the "housekeeping" amendments to Rules 9-301, 11-112, 11-220, 11-503, and 12-103 was made, seconded, and approved by consensus.

There being no further business before the Committee, the Chair adjourned the meeting.