

circuit court; correcting a reference; and making this Act an emergency measure.

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings  
Section 4-402(e)  
Annotated Code of Maryland  
(1984 Replacement Volume and 1984 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Courts and Judicial Proceedings

4-402.

(e) (1) In a civil action in which the amount in controversy exceeds \$500, exclusive of attorney's fees if attorney's fees are recoverable by law or contract, a party may demand a jury trial pursuant to the Maryland [District] Rules.

(2) Except in a replevin action, if a party is entitled to and [demands] FILES A TIMELY DEMAND, IN ACCORDANCE WITH THE MARYLAND RULES, FOR a jury trial, jurisdiction is transferred forthwith and the record of the proceeding shall be transmitted to the appropriate court. In a replevin action, if a party is entitled to and [demands] FILES A TIMELY DEMAND FOR a jury trial, the District Court may conduct a hearing on the show cause order prior to issuing the writ, enforce an injunction issued by it in the action, and issue, renew, and receive returns upon the writ of replevin. The action shall be transmitted to the appropriate court only after the writ has been returned, stating that the property sought has been seized or eloigned[;], and the time for filing a notice of intention to defend has expired.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved March 26, 1985.

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