

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**

**2000 Legislative Session**

Resolution No.	CR-38-2000
Proposed by	Council Member Maloney
Introduced by	Council Member Maloney
Co-Sponsors	
Date of Introduction	June 27, 2000

**RESOLUTION**

1 A RESOLUTION concerning

2 District Council Rules of Procedure

3 For the purpose of amending the Rules of Procedure for the District Council, concerning  
4 procedures for judicial review of District Council actions.

5 WHEREAS, Section 316 of the Charter for Prince George's County provides for the County  
6 Council to adopt and publish rules; and

7 WHEREAS, the County Council Rules of Procedure, as adopted in CR-1-1995, are  
8 applicable to proceedings of the County Council sitting as the District Council; and

9 WHEREAS, the Rules of Procedure for the District Council were adopted in CR-5-1993  
10 and have been amended in CR-2-1994, CR-2-1995, and CR-74-1995, to provide supplemental  
11 rules which pertain to the unique operations of the District Council and to restate portions of the  
12 Rules of Procedure which apply to operations of the District Council; and

13 WHEREAS, the District Council has determined that its Rules of Procedure should be  
14 amended further, to provide for procedures in judicial review proceedings concerning District  
15 Council action.

16 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's  
17 County, Maryland, sitting as the District Council for that part of the Maryland-Washington  
18 Regional District in Prince George's County, Maryland, that the Rules of Procedure for the  
19 District Council be and the same hereby are repealed and readopted with the following  
20 amendments:

**RULES OF PROCEDURE**  
**FOR THE COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY,**  
**SITTING AS THE DISTRICT COUNCIL**

\* \* \* \* \*

**12. District Council Procedures in Judicial Review Proceedings.**

|| (a) This Rule clarifies procedures followed by the District Council and its attorneys in judicial review proceedings concerning Council action.

(b) Where the District Council is authorized to participate in an appeal or other judicial proceeding concerning Council action, the Principal Counsel to the District Council or other attorney designated by the Council shall enter an appearance to defend the Council's action.

(c) In judicial proceedings concerning District Council action or actions, the Principal Counsel or other designated attorney shall have the following powers and duties:

(1) To take all actions, as necessary, to defend in each case all District Council decisions, including without limitation all legislative actions, all case decisions, and all findings, conclusions, and conditions in all decisions;

(2) To take all necessary steps to preserve District Council options in each case, including without limitation the option to contest or appeal any judicial ruling;

(3) To file all necessary notices, petitions, pleadings, motions, orders, or other papers, so that all necessary actions are taken to defend District Council decisions and to preserve Council rights in litigation concerning its actions. Where a court enters a final judgment or order reversing or modifying a District Council action and the Council for any reason does not make a decision whether to appeal during the appeal period provided by law, the Principal Counsel or other designated attorney shall file all papers to initiate, preserve, and prosecute the appeal until the Council decides whether an appeal should be taken.

BE IT FURTHER RESOLVED that a copy of the Rules of Procedure for the District Council as adopted by this Resolution, together with any subsequent amendments, shall be marked, identified, and maintained by the Clerk of the Council.

BE IT FURTHER RESOLVED that the Rules of Procedure for the District Council, as adopted by this Resolution, shall be effective on and after the date of adoption.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Dorothy F. Bailey  
Chair

ATTEST:

\_\_\_\_\_  
Joyce T. Sweeney  
Clerk of the Council

Underscoring indicates language added to existing law.