

Department of Fiscal Services
 Maryland General Assembly

FISCAL NOTE

House Bill 843 (Delegate Rosenberg, et al.)
 Judiciary

Civil Court Fees - Maryland Legal Services Corporation Funding

This bill directs the State Court Administrator and the District Court to assess a surcharge on court costs to be deposited into a nonlapsing fund dedicated to the Maryland Legal Services Corporation for civil legal services to indigents.

Fiscal Summary

State Effect: Indeterminate increase in revenue offset by an equal increase in expenditures.

Local Effect: None.

Fiscal Analysis

Background: The number of cases that would be subject to the bill’s surcharge would vary from year to year. For illustrative purposes, the number of cases that would have been subject to the bill’s surcharge in fiscal 1995 are as follows:

Court	Case Type	Fiscal 1995 Cases
Circuit Courts	Civil	147,784
District Court	Criminal	181,530
District Court	Civil	810,973
District Court	Motor Vehicle	927,525
TOTAL		2,067,812

Court costs are not assessed in motor vehicle or criminal cases in which the defendant is acquitted.

State Effect: It is assumed that the nonlapsing fund identified in the bill would be a special

fund established and administered by the Comptroller. Establishment and administration of this fund could be handled with existing resources.

It is assumed that any revenue collected by the surcharge imposed under this bill would be offset by an equal expenditure increase in grants made to the Maryland Legal Services Corporation. Any such increase in revenues and expenditures cannot be reliably estimated at this time as the amount of the surcharge is set at the discretion of the State Court Administrator and the District Court. Fee schedules are also subject to the approval of the Board of Public Works.

Information Source(s): Judiciary (Administrative Office of the Courts), Annual Report of the Maryland Judiciary 1994-1995, Department of Fiscal Services

Fiscal Note History: First Reader - March 7, 1996

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Analysis by: Robert C. Bates

Reviewed by: John Rixey

Direct Inquiries to:

John Rixey, Coordinating Analyst

(410) 841-3710

(301) 858-3710