

Department of Legislative Services  
Maryland General Assembly  
2006 Session

FISCAL AND POLICY NOTE  
Revised

House Bill 105

(Anne Arundel County Delegation)

Judiciary

Judicial Proceedings

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Anne Arundel County - Orphans' Court Judges - Salary Increase

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This bill increases the annual base compensation for judges of the Orphans' Court for Anne Arundel County from \$19,000 to \$27,000, for calendar 2007, and to \$29,000 for calendar 2008 and each subsequent calendar year. The salary increase provisions will take effect at the beginning of the next term of office.

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Fiscal Summary

**State Effect:** None. The bill would not directly affect State operations or finances.

**Local Effect:** Anne Arundel County salary expenditures would increase by \$12,900 in FY 2007, \$29,100 in FY 2008, and \$32,300 in FY 2009 and each subsequent fiscal year.

**Small Business Effect:** None.

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Analysis

**Current Law:** The Orphans' Court for Anne Arundel County consists of one chief judge and two associate judges. The judges receive an annual base salary of \$19,000 and the chief judge receives an additional \$500 annually. Each judge is elected to a four-year term. Orphans' court judges are required by the Maryland Constitution to be citizens of the State and residents, for the preceding 12 months, of the city or county in which they are elected. The salaries for orphans' court judges across the counties and Baltimore City are mostly set by statute, with some being left to the discretion of the county commission or council. **Exhibit 1** lists the salaries for orphans' court judges for each county and the

City of Baltimore with the exception of Harford and Montgomery counties where a circuit court judge sits as the orphans' court.

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**Exhibit 1**  
**Current Orphans' Court Salaries\***

<u>County</u>	<u>Salary</u>	
	<u>Associate Judge</u>	<u>Chief Judge</u>
Allegany	\$4,500	\$4,500
Anne Arundel	19,000	19,500
Baltimore City	62,500	72,500
Baltimore County	39,000	39,500
Calvert County	7,750	7,950
Caroline County	4,500	4,500
Carroll County	10,000	10,000
Cecil County	5,500	5,500
Charles County	7,000	7,000
Dorchester County	3,500	3,500
Frederick County	6,000	6,500
Garrett County	1,800	2,000
Howard County	8,000	9,500
Kent County	4,000	4,000
Prince George's County	36,500	37,000
Queen Anne's County	3,000	3,150
Somerset County	1,700	1,900
St. Mary's County	4,000	4,000
Talbot County	4,942	4,942
Washington County	7,000	7,000
Wicomico County	3,200	3,200
Worcester County	3,500	3,500

\*Note: Salaries listed are those set forth in the Annotated Code, with the exception of those left to the discretion of a county commission or council (Allegany, Garrett, Queen Anne's, Talbot, and Worcester counties), which were obtained from the Institute for Governmental Service's *Compensation Survey of Maryland Local Governments for FY 2005*.

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**Background:** An orphans' court is a probate court. Orphans' court judges are elected to serve four-year terms during the statewide election. Each county, other than Harford and

Montgomery counties, has three judges sitting on its orphans' court. The chief judge of each county is appointed by the Governor. An orphans' court hears all contested matters regarding a decedent's estate, including validity of wills and legal questions involving transfers of property. It also supervises estates that are probated judicially, and approves accounts, awards of personal representatives' commissions, and attorney's fees.

**Exhibit 2** shows a history of salary increases for Anne Arundel County Orphans' Court Judges.

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## **Exhibit 2**

### **Salary Increases Anne Arundel County Orphan's Court Judges**

<u><b>Chapter</b></u>	<u><b>Salary Change</b></u>
Chapter 530, 2001	\$19,000
Chapter 352, 1994	15,000
Chapter 216, 1990	13,000
Chapter 341, 1986	9,000
Chapter 56, 1982	5,000
Chapter 595, 1977	2,500 to 3,000

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**Local Expenditures:** Salary expenditures would increase by \$12,900 in fiscal 2007, \$29,100 in fiscal 2008, and \$32,300 in fiscal 2009 and annually thereafter, reflecting the salary increases in calendar 2007 and 2008 and associated fringe benefits for all three judges.

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## **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Judiciary (Administrative Office of the Courts); Anne Arundel County; *Compensation Survey of Maryland Local Governments – FY 2005*, Institute for Governmental Service; Department of Legislative Services

**Fiscal Note History:** First Reader - January 31, 2006  
mll/jr Revised - House Third Reader - March 24, 2006  
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