

# HOUSE BILL 106

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CF 0lr1317

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By: **Delegates Dumais, Rosenberg, Anderson, Barnes, Carter, Conaway, Frush, Gutierrez, Ivey, Jones, Lafferty, Lee, Levi, Oaks, Simmons, Valderrama, and Waldstreicher**

Introduced and read first time: January 15, 2010

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Civil Cases – Maryland Legal Services Corporation Fund – Surcharges**

3 FOR the purpose of altering a certain surcharge on certain fees, charges, and costs in  
4 certain civil cases in the circuit courts and the District Court; making a stylistic  
5 change; and generally relating to certain surcharges deposited into the  
6 Maryland Legal Services Corporation Fund.

7 BY repealing and reenacting, with amendments,  
8 Article – Courts and Judicial Proceedings  
9 Section 7–202(a)(1) and (d) and 7–301(c)  
10 Annotated Code of Maryland  
11 (2006 Replacement Volume and 2009 Supplement)

12 BY repealing and reenacting, without amendments,  
13 Article – Courts and Judicial Proceedings  
14 Section 7–202(e)  
15 Annotated Code of Maryland  
16 (2006 Replacement Volume and 2009 Supplement)

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

19 **Article – Courts and Judicial Proceedings**

20 7–202.

21 (a) (1) **(I)** The State Court Administrator shall determine the amount  
22 of all court costs and charges for the circuit courts of the counties with the approval of  
23 the Board of Public Works.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   **(II)** The fees and charges shall be uniform throughout the State.

2           (d) The State Court Administrator, as part of the Administrator's  
3 determination of the amount of court costs and charges in civil cases, shall assess a  
4 surcharge that:

5                   (1) May not be more than [~~\$25~~] **\$70** per case; and

6                   (2) Shall be deposited into the Maryland Legal Services Corporation  
7 Fund established under § 11-402 of the Human Services Article.

8           (e) If a party in a proceeding feels aggrieved by any fee permitted under this  
9 subtitle or by §§ 3-601 through 3-603 of the Real Property Article, the party may  
10 request a judge of that circuit court to determine the reasonableness of the fee.

11 7-301.

12           (c) (1) The filing fees and costs in a civil case are those prescribed by law  
13 subject to modification by law, rule, or administrative regulation.

14                   (2) The Chief Judge of the District Court shall assess a surcharge that:

15                           (i) May not be more than:

16                                   1. [~~\$5~~] **\$10** per summary ejectment case; and

17                                   2. [~~\$10~~] **\$20** per case for all other civil cases; and

18                           (ii) Shall be deposited into the Maryland Legal Services  
19 Corporation Fund established under § 11-402 of the Human Services Article.

20                   (3) The Court of Appeals may provide by rule for waiver of  
21 prepayment of filing fees and other costs in cases of indigency.

22           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 June 1, 2010.