

# SENATE BILL 40

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(PRE-FILED)

4r0732  
CF HB 181

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By: **Carroll County Senators**

Requested: October 25, 2013

Introduced and read first time: January 8, 2014

Assigned to: Judicial Proceedings

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Committee Report: Favorable

Senate action: Adopted

Read second time: January 28, 2014

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Courts and Judicial Proceedings – Circuit Court for Carroll County – Fees**  
3 **for Appearance of Counsel**

4 FOR the purpose of altering certain appearance of counsel fees collected or charged by  
5 the Clerk of the Circuit Court for Carroll County; authorizing the Clerk of the  
6 Circuit Court for Carroll County to collect certain appearance of counsel fees;  
7 and generally relating to certain appearance of counsel fees.

8 BY repealing and reenacting, with amendments,  
9 Article – Courts and Judicial Proceedings  
10 Section 7–204(a)  
11 Annotated Code of Maryland  
12 (2013 Replacement Volume and 2013 Supplement)

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

15 **Article – Courts and Judicial Proceedings**

16 7–204.

17 (a) (1) Except in Montgomery County and except as provided in  
18 paragraph (2) of this subsection for Baltimore County, in paragraph (3) of this  
19 subsection for St. Mary’s County, in paragraph (4) of this subsection for Baltimore

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 City, [and] in paragraph (5) of this subsection for Harford County, **AND IN**  
2 **PARAGRAPH (6) OF THIS SUBSECTION FOR CARROLL COUNTY**, the clerk of each  
3 circuit court shall:

4 (i) Collect, in advance, a \$10 fee for docketing the appearance of  
5 counsel when bringing or defending a civil action in the court;

6 (ii) Charge as costs a \$10 fee for docketing the appearance of  
7 counsel when prosecuting or defending a criminal action in the court; and

8 (iii) Collect, in advance, a \$10 fee for docketing the appearance of  
9 counsel when bringing or defending a case in the Court of Appeals.

10 (2) The Clerk of the Circuit Court for Baltimore County shall:

11 (i) Collect, in advance, the following fee for docketing the  
12 appearance of counsel when bringing or defending a civil action:

13 1. A \$20 fee for an action, including the collection of  
14 money due on mortgage, in a court of equity; and

15 2. A \$10 fee for an action at law in a court of original  
16 jurisdiction;

17 (ii) Charge as costs the following fee for docketing the  
18 appearance of counsel when bringing or defending a criminal action:

19 1. If the punishment for the offense charged is death or  
20 confinement in the State penitentiary, a \$20 fee; and

21 2. For any other criminal action, a \$10 fee; and

22 (iii) Collect, in advance, a \$20 fee for docketing the appearance of  
23 counsel when bringing or defending a case in the Court of Appeals.

24 (3) The Clerk of the Circuit Court for St. Mary's County shall collect,  
25 in advance, a \$10 fee for docketing the appearance of counsel when bringing or  
26 defending a civil action in the court.

27 (4) The Clerk of the Circuit Court for Baltimore City shall:

28 (i) Collect, in advance, a \$20 fee for docketing the appearance of  
29 counsel when bringing or defending a civil action in the court;

30 (ii) Charge as costs the following fee for docketing the  
31 appearance of counsel when bringing or defending a criminal action:

1                   1.     If the punishment for the offense charged is death or  
2 confinement in the State penitentiary, a \$20 fee; and

3                   2.     For any other criminal action, a \$10 fee; and

4                   (iii)   Collect, in advance, a \$20 fee for docketing the appearance of  
5 counsel when bringing or defending a case in the Court of Appeals.

6                   (5)     The Clerk of the Circuit Court for Harford County shall:

7                   (i)     Collect, in advance, a \$20 fee for docketing the appearance of  
8 counsel when bringing or defending a civil action in the court;

9                   (ii)    Charge as costs a \$20 fee for docketing the appearance of  
10 counsel when prosecuting or defending a criminal action in the court; and

11                  (iii)   Collect, in advance, a \$20 fee for docketing the appearance of  
12 counsel when bringing or defending a case in the Court of Appeals.

13                  **(6)     THE CLERK OF THE CIRCUIT COURT FOR CARROLL COUNTY**  
14 **SHALL:**

15                   **(I)     COLLECT, IN ADVANCE, A \$20 FEE FOR DOCKETING THE**  
16 **APPEARANCE OF COUNSEL WHEN BRINGING OR DEFENDING A CIVIL ACTION IN**  
17 **THE COURT;**

18                   **(II)    CHARGE AS COSTS A \$20 FEE FOR DOCKETING THE**  
19 **APPEARANCE OF COUNSEL WHEN PROSECUTING OR DEFENDING A CRIMINAL**  
20 **ACTION IN THE COURT; AND**

21                   **(III)  COLLECT, IN ADVANCE, A \$20 FEE FOR DOCKETING THE**  
22 **APPEARANCE OF COUNSEL WHEN BRINGING OR DEFENDING A CASE IN THE**  
23 **COURT OF APPEALS.**

24                  SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2014.