SENATE BILL 40

D2 4lr0732
(PRE–FILED) CF 4lr1151

By: **Carroll County Senators**
Requested: October 25, 2013
Introduced and read first time: January 8, 2014
Assigned to: Judicial Proceedings

A BILL ENTITLED

AN ACT concerning

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

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

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

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

Article – Courts and Judicial Proceedings

7–204.

(a) (1) Except in Montgomery County and except as provided in paragraph (2) of this subsection for Baltimore County, in paragraph (3) of this subsection for St. Mary's County, in paragraph (4) of this subsection for Baltimore City, **[**and**]** in paragraph (5) of this subsection for Harford County, **AND IN PARAGRAPH (6) OF THIS SUBSECTION FOR CARROLL COUNTY,** the clerk of each circuit court shall:

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
[Brackets**]** indicate matter deleted from existing law.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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