

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE

House Bill 542
Judiciary

(Delegates O'Donnell and Jackson)

Judicial Proceedings

Circuit Court for Calvert County - Fees for Appearance of Counsel

This bill alters, from \$10 to \$20, specified fees collected or charged by the Circuit Court for Calvert County for docketing the appearance of counsel. The bill also alters the purposes for which the appearance fees can be used by authorizing the Calvert County Law Library Fund to be used for the general purposes of the court library and assignment office and for the maintenance and improvement of the court's facilities, equipment, and programs. The bill also specifies that permissible uses of the fund include payment for services of library and other personnel.

Fiscal Summary

State Effect: None.

Local Effect: Calvert County revenues increase by \$15,300 in FY 2016 and by \$20,400 annually beginning in FY 2017, assuming the number of appearances docketed annually remains constant. Expenditures are not directly affected, as discussed below.

Small Business Effect: None.

Analysis

Current Law: The clerk of the circuit court for each county, other than Montgomery County, is charged with collecting fees for the docketing of the appearance of counsel. Generally, the fee is \$10 when bringing or defending a civil action in court, prosecuting or defending a criminal action, or bringing or defending a case in the Court of Appeals. The fee varies in Baltimore City and Baltimore, Carroll, Harford, and St. Mary's counties.

In Calvert County, the clerk of the circuit court must deposit monthly all appearance fees collected into a special account known as the Calvert County Law Library Fund. The fund must be used only for the acquisition of books and other publications, library equipment, and other necessary expenses as determined by the county administrative judge.

Local Fiscal Effect: The Judiciary indicates that approximately \$20,400 was collected in appearance fees in fiscal 2014. Assuming that the number of cases in which an attorney's appearance is docketed remains constant, Calvert County revenues increase by \$15,300 in fiscal 2016, which accounts for the bill's October 1, 2015 effective date, and by \$20,400 annually beginning in fiscal 2017.

Revenues are statutorily required to be used for specified purposes in the circuit court, as amended by the bill. Expenditures are not directly affected; however, the increase in revenues and the expanded use of the Calvert County Law Library Fund may reduce the need for the county to allocate general funds to circuit court functions.

Additional Information

Prior Introductions: None.

Cross File: SB 264 (Senator Miller) - Judicial Proceedings.

Information Source(s): Calvert County, Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History: First Reader - February 23, 2015
min/kdm

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