

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE

House Bill 48

(Chair, Judiciary Committee)(By Request - Maryland
Judicial Conference)

Judiciary

Judicial Proceedings

Clerks of the Circuit Courts - Collection of Appearance Fees

This bill clarifies that if more than one stockholder, partner, member, or employee of an entity engaged in practicing law enters an appearance in an action or case, the clerk of the circuit court may collect only one appearance fee per entity. If more than one employee of a governmental entity that has consented to the assessment of court fees enters an appearance in an action or case, the clerk of the circuit court may assess only one appearance fee per governmental entity.

Fiscal Summary

State Effect: None.

Local Effect: The bill does not materially impact local government finances.

Small Business Effect: Minimal.

Analysis

Current Law: The clerk of the circuit court for each county, other than Montgomery County, is charged with collecting fees for docketing 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. Pursuant to statutory requirements, appearance fees are generally used for the law libraries within the circuit courts. Some counties allow for other uses, such as

for the assignment office and the general maintenance and improvement of the court's facilities and equipment.

The State Court Administrator must determine the amount of all court costs and charges for the circuit courts of the counties with the approval of the Board of Public Works. The clerk may not charge the State, or any county, municipality, or Baltimore City any fees as set forth in specified statutory provisions unless the governmental entity first gives its consent.

Additional Information

Prior Introductions: None.

Cross File: SB 60 (Chair, Judicial Proceedings Committee) (By Request - Maryland Judicial Conference) – Judicial Proceedings.

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

Fiscal Note History: First Reader - January 29, 2015
mar/kdm

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