

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1185
Judiciary

(St. Mary's County Delegation)

Judicial Proceedings

St. Mary's County - Circuit Court Personnel - Repeal

This bill repeals obsolete provisions of the Public Local Laws of St. Mary's County relating to the appointment and salaries of law clerks for the St. Mary's County Circuit Court.

Fiscal Summary

State Effect: None. The bill is technical in nature and does not impact State operations or finances.

Local Effect: None. The bill is technical in nature and does not impact local operations or finances.

Small Business Effect: None.

Analysis

Bill Summary/Current Law: The bill repeals provisions of law authorizing a resident judge of the St. Mary's County Circuit Court to appoint a law clerk, who must receive compensation as fixed by the county commissioners.

Pursuant to § 2-501 of the Courts and Judicial Proceedings Article, the judges of the circuit court for a county may employ staff, as specified and necessary, to conduct the business of the court, including law clerks. The circuit court employees are entitled to compensation as provided in the appropriate budget. Section 2-512 of the Courts and Judicial Proceedings Article also specifically states that each circuit court judge must have one law clerk, who is employed by the State. The budget for the Administrative Office of the Courts must include funds to employ one law clerk for each circuit court judge.

Background: St. Mary's County advises that the bill is intended to repeal provisions of local law that have since become obsolete due to the provisions of the Courts and Judicial Proceedings Article as specified above.

State/Local Fiscal Effect: St. Mary's County advises that the bill is intended only to repeal obsolete provisions of local law. The State continues to be responsible for paying the salaries of judicial law clerks in St. Mary's County.

Additional Information

Prior Introductions: None.

Cross File: SB 1000 (Senator Waugh) - Judicial Proceedings.

Information Source(s): St. Mary's County, Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History: First Reader - February 29, 2016
md/kdm Revised - House Third Reader - March 22, 2016

Analysis by: Jennifer K. Botts

Direct Inquiries to:
(410) 946-5510
(301) 970-5510