

MCPA-MSA_HB 176 _Service of Process-Senate

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Maryland Chiefs of Police Association

Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable William Smith, Jr., Chair and
Members of the Judicial Proceedings Committee

FROM: Chief of Staff David Morris, Co-Chair, MCPA, Joint Legislative Committee
Sheriff Darren Popkin, Co-Chair, MSA, Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee

DATE: March 29, 2022

RE: **HB 176 – Courts – Service of Process – Fees Collected by Sheriff**

POSITION: **SUPPORT**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **SUPPORT HB 176**. This bill, as amended, would increase certain fees for service of process by Sheriffs of Court related documents.

The Service of Process by the Sheriff is a credible effective mechanism for ensuring a defendant in a civil case receives a copy of the Court Documents that have been filed. Without the service of process, the case cannot progress to trial. To request the Sheriff to serve the process, a forty (40) dollar service fee is required by statute. This fee was a fair and equitable cost when the statute was increased more than ten years ago. Unfortunately, costs associated with the service of process, to include fuel, materials, vehicles, salaries, etc. have significantly increased without an increase in fees, creating a significant reduction in service of process revenue in comparison to actual costs. The appropriate increase from \$40.00 to \$60.00 dollars will also make the statutory costs of out of state service of process consistent with the proposed in-state fee.

As amended, HB 176 will keep the fee at \$40.00 for tenant eviction related matters. MCPA and MSA support this approach as evictions have increased significantly during the pandemic. Increasing the fee on this population will create further financial hardships.

For these reasons, MCPA and MSA **SUPPORT HB 176** and urge a **FAVORABLE** Committee report.