

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 389 (Delegate Kagan)
Judiciary

Prospective Jurors - Motor Vehicle Administration Lists

This bill expands the sources from which jury commissioners or clerks of courts must select prospective jurors to include individuals at least 18 years of age who have been issued a driver's license or identification card by the Motor Vehicle Administration (MVA). The lists are to be provided by the MVA to the clerks and jury commissioners without cost. This bill takes effect on January 1, 1997.

Fiscal Summary

State Effect: Indeterminate increase in general fund expenditures. No effect on revenues.

Local Effect: Potential indeterminate increase in expenditures. Revenues would not be affected. **This bill imposes a mandate on units of local government.**

Fiscal Analysis

State Expenditures: In 15 counties and Baltimore City jury management is done by State employees or is shared by State and county employees. The bill gives the court clerks wide discretion on how to implement the program. For example, if the court clerks eliminate duplicate names with an automated system, they may not incur significant costs. If the clerks manually research every name to ensure that they eliminate only true duplicate listings, the State will incur significant costs.

The Department of Fiscal Services advises that the Administrative Office of the Courts is beginning a multi-year project to automate the offices of the clerks of the circuit courts. Software to merge voting lists and MVA data could be incorporated into this system as it is implemented throughout the State. Any such additional costs cannot be reliably estimated at this time.

The Motor Vehicle Administration can supply lists to the clerks of courts and jury

commissioners without additional resources.

Local Expenditures: In 11 counties jury management is done by county employees or is shared by county and State employees. The counties with partial or full responsibility for jury management are: Allegany, Anne Arundel, Baltimore, Carroll, Cecil, Dorchester, Garrett, Harford, Montgomery, Washington, and Wicomico. The bill gives the jurisdictions wide discretion on how to implement the mandate. For example, if a county eliminates duplicate names with an automated system, it may not incur significant costs. A county that manually researches every name to ensure that it eliminates only the same person listed twice will incur significant costs.

The Department of Fiscal Services advises that the Administrative Office of the Courts is beginning a multi-year project to automate the offices of the clerks of the circuit courts. Software to merge voting lists and MVA data could be incorporated into this system as it is implemented throughout the State. If the counties obtain these lists from the clerks, there should be no additional costs to the counties for this bill.

While Kent County has reported indeterminate costs, its jury management is done by State employees. Washington County has reported no fiscal impact, although its jury management is performed by State and county employees.

Information Source(s): Judiciary (Administrative Office of the Courts); Department of Transportation (Motor Vehicle Administration); Kent and Washington counties; Department of Fiscal Services

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