

**Department of Fiscal Services**  
Maryland General Assembly

**FISCAL NOTE**

House Bill 407 (Delegates Opara and Vallario)  
Judiciary

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**District Court - Civil Actions - Jury Trials**

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This bill increases, from \$5,000 to \$10,000, the amount in controversy necessary to demand a jury trial in civil actions. Enactment of this bill is contingent upon the passage of a Constitutional Amendment (as proposed in HB 408).

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**Fiscal Summary**

**State Effect:** Potential indeterminate expenditure increase; potential minimal revenue increase, both as discussed below.

**Local Effect:** Potential indeterminate revenue and expenditure decrease as discussed below.

**Small Business Effect:** None. While the bill would bar some civil actions from jury trials, it is assumed that the outcome of any action sought by or against a small business would not be substantially affected.

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**Fiscal Analysis**

**Background:** Civil actions are generally tried in the District Court. However, all jury trials must be held in the circuit courts, regardless of where an initial filing was made. The District Court does not maintain statistics from which to deduce the number of civil actions filed where the damages sought were between \$5,000 and \$10,000. Likewise, the circuit courts have no way of knowing the number of instances where an amount greater than the current law threshold was sought without recourse to a jury trial.

**State Revenues:** Since more civil action cases would remain in the District Court, it is assumed that there would be additional revenues from the imposition and collection of attendant court costs.

**State Expenditures:** The District Court reports that since it cannot quantify the number of civil action cases that would be heard in the District Court rather than the circuit courts as a result of this bill, the potential fiscal impact is unknown. However, if a significant enough number of cases are retained and tried in that court, some jurisdictions could experience a workload increase that would create a need for additional clerical and judicial personnel.

The cost of a new District Court judge, including a Court Clerk and Bailiff, is estimated at \$193,000 for fiscal 1998. While this amount includes all salaries and fringe benefits, it does not take into account any potential capital costs needed for additional courtrooms.

**Local Revenues:** Since fewer civil action cases would go to the circuit courts for jury trials, it is assumed that there would be an indeterminate loss in revenues to the circuit courts from the collection of attendant court costs.

**Local Expenditures:** This bill would result in an indeterminate reduction in the civil caseload for the circuit courts. The magnitude of any potential savings cannot be quantified at this time.

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**Information Source(s):** Judiciary (District Court), Department of Fiscal Services

**Fiscal Note History:** First Reader - February 12, 1997

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