

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE

House Bill 891 (Delegate Giannetti)

Judiciary

Prospective Jurors - Motor Vehicle Administration Lists

This bill expands the sources from which circuit courts are required to 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 MVA is to provide lists to the circuit courts without cost. Currently, circuit courts are required to select jurors from voter registration lists and may also use other sources under certain circumstances.

This bill takes effect January 1, 2000.

Fiscal Summary

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

Local Effect: Minimal increase in expenditures ranging from \$700 to \$8,000 per county depending on the size of the jurisdiction. No effect on revenues. **This bill imposes a mandate on units of local government.**

Small Business Effect: Potential minimal. One or more small computer services businesses could benefit from this bill to the extent that courts choose to contract out their merge and duplication elimination functions.

Fiscal Analysis

State Expenditures: The use of MVA lists will create the need to merge the MVA and voting lists and to eliminate duplicate names and unqualified persons. In most jurisdictions, the jury system is part of the local circuit court budget, with county employees performing the jury management functions. Therefore, any additional expense resulting from this bill would be borne mainly by local governments.

The Administrative Office of the Courts is in the early stages of a multi-year project to automate the offices of the clerks of the circuit courts. Software to merge voting lists and MVA data could eventually be incorporated into this system. Any associated costs cannot be reliably estimated at this time.

The MVA can supply lists to the circuit courts without additional resources.

Local Expenditures: Baltimore City, Anne Arundel County, Dorchester County, Howard County, Somerset County, and Worcester County already use MVA lists to help create their jury pools. Each of these jurisdictions other than Baltimore City receives a computerized list of names from the MVA and sends that list, along with a list of its registered voters, to a private computer services company. That company then merges the lists and eliminates duplicate names. In some cases, the company provides additional services such as creating qualification questionnaires and other forms, refining lists, and “scrambling” names on lists. Baltimore City’s merge process is performed (and paid for) by the State.

With the exception of Howard County, the annual cost for this type of service has ranged from approximately \$700 for a small county to approximately \$8,000 for Baltimore City. Howard County recently implemented a comprehensive automated jury selection system that includes features in addition to the use of MVA data. The cost of this system includes a \$70,000 initial outlay for hardware and development and \$4,000 to \$5,000 annually for maintenance. Although this system has been relatively expensive, it appears that increased efficiency and savings in fees paid to jurors could more than pay for the costs of the system.

As a result of this bill, the remaining counties could incur costs similar to those incurred by the 6 jurisdictions that already use MVA lists, as discussed above, depending on the size of the county and the implementation method chosen.

The bill could also result in additional work for employees. Baltimore City notes that its employees have had to perform additional work due to uneliminated duplicate names. Another jurisdiction reports an increase in the rate of “no-shows,” requiring the summoning of additional people, possibly due to distaste for jury service among non-voters. Additional work may also be created by the need to send and process qualification questionnaires in order to eliminate convicted felons, non-citizens, and others who may appear on MVA lists but are unqualified to serve as jurors. However, none of the 6 jurisdictions that already use MVA data have had to hire additional employees due to the use of MVA data. It is therefore expected that any additional workload created by this bill could be handled with existing resources.

Information Source(s): Judiciary (Administrative Office of the Courts, Judicial Information Systems); Department of Transportation (Motor Vehicle Administration); Baltimore City; Anne Arundel, Calvert, Dorchester, Howard, Montgomery, Prince George’s, Somerset, Washington, and Worcester Counties; Department of Legislative Services

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Analysis by: Claire E. Rooney

Direct Inquiries to:
John Rixey, Coordinating Analyst
(410) 946-5510
(301) 970-5510