
By: **Delegate Marriott**

Introduced and read first time: February 10, 2000

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Circuit Courts - Funding Formula**

3 FOR the purpose of requiring certain grants to be included in the State budget
4 annually for circuit courts; setting forth the formula for calculating circuit court
5 grants; requiring the grants to be used for certain purposes; requiring certain
6 fiscal savings resulting from the grants to be used for certain purposes; and
7 generally relating to funding for circuit courts.

8 BY adding to
9 Article - Courts and Judicial Proceedings
10 Section 2-512
11 Annotated Code of Maryland
12 (1998 Replacement Volume and 1999 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Courts and Judicial Proceedings**

16 2-512.

17 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
18 INDICATED.

19 (2) "COUNTY" INCLUDES BALTIMORE CITY.

20 (3) "COUNTY COURT CASES" MEANS ALL CRIMINAL, CIVIL, AND
21 JUVENILE CASES FILED IN THE CIRCUIT COURT OF THE COUNTY, INCLUDING
22 JUVENILE CASES PROCESSED AT THE DISTRICT COURT LEVEL, FOR THE SECOND
23 PRIOR FISCAL YEAR BEFORE THE FISCAL YEAR FOR WHICH THE CALCULATIONS OF
24 CIRCUIT COURT GRANTS UNDER THIS SECTION ARE MADE, AS REPORTED BY THE
25 ADMINISTRATIVE OFFICE OF THE COURTS.

26 (4) "COUNTY WEALTH PER CAPITA" MEANS COUNTY WEALTH DIVIDED
27 BY COUNTY POPULATION.

1 (5) "POPULATION" MEANS POPULATION FOR JULY 1 OF THE CALENDAR
2 YEAR BEFORE THE FISCAL YEAR FOR WHICH THE CALCULATIONS OF CIRCUIT COURT
3 GRANTS UNDER THIS SECTION ARE MADE, DETERMINED BASED ON THE MOST
4 RECENT ESTIMATE AVAILABLE AS OF DECEMBER 1 OF THAT CALENDAR YEAR FROM:

5 (I) THE LATEST DECENNIAL CENSUS; OR

6 (II) ESTIMATES PREPARED BY THE DEPARTMENT OF HEALTH AND
7 MENTAL HYGIENE.

8 (6) "PROGRAM BASE" MEANS, FOR EACH COUNTY, \$44 MULTIPLIED BY
9 THE NUMBER OF COUNTY COURT CASES.

10 (7) "STATE WEALTH PER CAPITA" MEANS STATE WEALTH DIVIDED BY
11 STATE POPULATION.

12 (8) "STATEWIDE COURT CASES" MEANS ALL CRIMINAL, CIVIL, AND
13 JUVENILE CASES FILED IN THE CIRCUIT COURTS STATEWIDE, INCLUDING JUVENILE
14 CASES PROCESSED AT THE DISTRICT COURT LEVEL, FOR THE SECOND PRIOR FISCAL
15 YEAR BEFORE THE FISCAL YEAR FOR WHICH THE CALCULATIONS OF CIRCUIT COURT
16 GRANTS UNDER THIS SECTION ARE MADE, AS REPORTED BY THE ADMINISTRATIVE
17 OFFICE OF THE COURTS.

18 (9) "UNADJUSTED STATE AID AMOUNT" MEANS, FOR ANY COUNTY, THE
19 COUNTY PROGRAM BASE DIVIDED BY THE COUNTY'S WEALTH FACTOR.

20 (10) "WEALTH" HAS THE MEANING STATED IN § 5-202 OF THE EDUCATION
21 ARTICLE.

22 (11) "WEALTH FACTOR" MEANS COUNTY WEALTH PER CAPITA DIVIDED BY
23 STATE WEALTH PER CAPITA.

24 (B) THERE SHALL BE INCLUDED IN THE STATE BUDGET FOR THE JUDICIARY
25 DEPARTMENT OF MARYLAND, BEGINNING IN FISCAL YEAR 2001, FUNDS FOR
26 "CIRCUIT COURT GRANTS" TO THE COUNTIES AND BALTIMORE CITY CALCULATED AS
27 PROVIDED IN THIS SECTION.

28 (C) FOR EACH FISCAL YEAR, THE TOTAL STATEWIDE AMOUNT OF THE
29 CIRCUIT COURT GRANTS UNDER THIS SECTION EQUALS THE PRODUCT OBTAINED BY
30 MULTIPLYING \$44 AND THE NUMBER OF STATEWIDE COURT CASES.

31 (D) OF THE TOTAL STATEWIDE AMOUNT OF CIRCUIT COURT GRANTS UNDER
32 THIS SECTION AS DETERMINED UNDER SUBSECTION (C) OF THIS SECTION, EACH
33 COUNTY SHALL RECEIVE A FRACTION:

34 (1) THE NUMERATOR OF WHICH IS THE UNADJUSTED STATE AID
35 AMOUNT DETERMINED FOR THE COUNTY; AND

36 (2) THE DENOMINATOR OF WHICH IS THE SUM OF THE UNADJUSTED
37 STATE AID AMOUNTS DETERMINED FOR ALL COUNTIES.

1 (E) (1) CIRCUIT COURT GRANTS PROVIDED UNDER THIS SECTION SHALL BE
2 USED FOR THE OPERATION OF THE CIRCUIT COURTS.

3 (2) ANY LOCAL FISCAL SAVINGS RESULTING FROM THE CIRCUIT COURT
4 GRANTS PROVIDED UNDER THIS SECTION SHALL BE USED TO SUPPLEMENT AND MAY
5 NOT SUPPLANT EXISTING LOCAL EXPENDITURES FOR THE CIRCUIT COURTS, POLICE
6 OFFICERS AND OTHER LAW ENFORCEMENT PERSONNEL, AND THE OFFICES OF THE
7 STATE'S ATTORNEY.

8 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intention of the
9 General Assembly that the funding provided under § 2-512 of the Courts and Judicial
10 Proceedings Article of the Annotated Code of Maryland as enacted by Section 1 of this
11 Act be used to maintain and enhance the partnership between the State and local
12 governments for improving the effectiveness of the circuit courts, consistent with the
13 "Circuit Courts Action Plan" issued by the Administrative Office of the Courts dated
14 November 1, 1999.

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 July 1, 2000.