Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

House Bill 722   (Delegate Marriott)

Appropriations

Circuit Courts - Funding Formula

This bill establishes a State funding formula for local expenditures for the circuit courts. State funding under the formula must be used to maintain and enhance the partnership between the State and local governments for improving the effectiveness of the circuit courts, consistent with the *Circuit Courts Action Plan* issued by the Administrative Office of the Courts dated November 1, 1999.

The bill takes effect July 1, 2000.

Fiscal Summary

State Effect: General fund expenditures would increase by $12.6 million in FY 2001. Future year expenditures reflect the projected increase in circuit court caseloads.

(in millions)	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
GF Revenues	$0	$0	$0	$0	$0
GF Expenditures	12.6	12.8	12.9	13.0	13.2
Net Effect	($12.6)	($12.8)	($12.9)	($13.0)	($13.2)

Note: ( ) = decrease; GF = general funds

Local Effect: State aid to local governments for circuit court operations would increase by $12.6 million in FY 2001.

Small Business Effect: None.

Analysis

Current Law: The State provides approximately two-thirds of the funding for the circuit courts.

Background: The circuit courts are Maryland's trial courts of general jurisdiction. They have original jurisdiction in the more serious criminal matters and larger civil cases. Circuit court judges also hear District Court appeals and lesser criminal cases where defendants are entitled to request a jury trial.

Each of Maryland's 24 circuit courts (one for each county and Baltimore City) has an administrative judge who is in charge of the operations and administration of that county's court. Unlike the District Court and Maryland's two levels of appellate courts, circuit courts are not fully funded by the State. Currently, Maryland pays the salaries and expenses of circuit court judges ($26.5 million in fiscal 2000) and clerks ($58.9 million), and for the first time in fiscal 2000, the cost of court interpreters ($0.2 million) and the first five dollars of juror per diem ($1.2 million). In addition, the State provides approximately $6.5 million through family law division grants and an estimated $1.7 million in other grants. Total State support for circuit courts is approximately $95 million. The 23 counties and Baltimore City are responsible for the remaining operating costs, totaling $46.8 million in county appropriations for fiscal 2000.

In the *1999 Joint Chairmen's Report* of the Senate Budget and Taxation Committee and the House Committee on Appropriations, the General Assembly requested that the Chief Judge of the Court of Appeals "prepare a plan for increasing the State's role in the circuit courts and associated efficiency improvements." The Judiciary submitted the report November 1, 1999. The plan proposes that the State provide $50 million in additional circuit court funding by fiscal 2004. The supplemental State funding would be for adjudication support services, rental payments, and courtroom security. The plan assumes that local governments would continue to play an important role in funding the circuit courts. Unlike the District Court, the circuit courts would not become a State-run court.

State and Local Fiscal Effect: This bill establishes a new State funding formula for local expenditures for the circuit courts. The formula is based on a $44 grant per court case filed with the circuit court statewide in the second prior year. Each county's share is adjusted by local wealth. In fiscal 1999, a total of 287,444 cases were filed with the circuit court. In fiscal 2001, State aid to local governments would increase by $12.6 million. State aid in future years would increase by approximately 1% each year. **Exhibit 1** shows the projected funding allocation for each county.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Judiciary, Department of Legislative Services

Fiscal Note History: First Reader - February 21, 2000
cm/jr

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Exhibit I
State Aid for Local Circuit Court Operations
Fiscal 2001

County	Court Cases Fiscal 1999	Program Base	Local Wealth Per Capita	Wealth Factor	Unadjusted State Aid	Final State Aid Allocation	State Aid Per Case
Allegany	3,440	$151,360	$26,005	64.2%	$235,907	$189,251	$55
Anne Arundel	21,405	941,820	45,438	112.1%	840,092	673,945	31
Baltimore City	69,976	3,078,944	20,743	51.2%	6,015,957	4,826,163	69
Baltimore	28,479	1,253,076	41,181	101.6%	1,233,264	989,358	35
Calvert	4,477	196,988	49,193	121.4%	162,299	130,201	29
Caroline	1,700	74,800	25,638	63.3%	118,250	94,863	56
Carroll	5,350	235,400	37,420	92.3%	254,965	204,540	38
Cecil	5,008	220,352	34,033	84.0%	262,421	210,522	42
Charles	8,088	355,872	38,695	95.5%	372,753	299,033	37
Dorchester	2,072	91,168	30,678	75.7%	120,447	96,626	47
Frederick	7,727	339,988	40,512	100.0%	340,136	272,866	35
Garrett	1,103	48,532	34,190	84.4%	57,532	46,154	42
Harford	7,464	328,416	37,108	91.6%	358,707	287,765	39
Howard	7,979	351,076	53,270	131.4%	267,113	214,285	27
Kent	1,391	61,204	40,985	101.1%	60,524	48,554	35
Montgomery	38,936	1,713,184	60,783	150.0%	1,142,354	916,427	24
Prince George's	44,946	1,977,624	32,522	80.2%	2,464,551	1,977,129	44
Queen Anne's	1,858	81,752	45,178	111.5%	73,342	58,837	32
St. Mary's	4,556	200,464	33,663	83.1%	241,359	193,625	42
Somerset	2,207	97,108	18,229	45.0%	215,912	173,210	78
Talbot	1,973	86,812	58,480	144.3%	60,166	48,267	24
Washington	8,647	380,468	31,748	78.3%	485,708	389,648	45
Wicomico	4,891	215,204	30,582	75.5%	285,209	228,802	47
Worcester	3,771	165,924	69,641	171.8%	96,565	77,467	21
Statewide	**287,444**	**$12,647,536**	**40,530**	**100.0%**	**$15,765,535**	**$12,647,536**	**$44**

Program Base: Amount per case ($44) multiplied by the number of cases for each county.

Wealth Factor: Local wealth per capita for each county divided by the statewide wealth per capita.

Unadjusted State Aid: Program base for each county divided by the county's wealth factor.

Final State Aid Allocation: Unadjusted state aid for each county multiplied by the quotient of the statewide program amount divided by the statewide unadjusted state aid amount.