

**Department of Legislative Services**  
Maryland General Assembly  
2000 Session

**FISCAL NOTE**

House Bill 416 (Delegates Baldwin and Mitchell)

Judiciary

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**District Court - Small Claim Actions**

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This bill increases from \$2,500 to \$10,000 the amount in controversy above which the District Court and circuit courts have concurrent jurisdiction in civil cases. The bill also provides that in a civil action in District Court, if the amount in controversy is \$10,000 or less, there shall be no formal pleadings.

The bill does not apply to any case filed before the bill's October 1, 2000, effective date.

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**Fiscal Summary**

**State Effect:** The District Court of Maryland could handle any additional workload resulting from the bill with existing budgeted resources. Any revenue increase for the District Court is expected to be insignificant.

**Local Effect:** The bill would not significantly impact circuit court operations or finances.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** A civil case with an amount in controversy of \$2,500 or less, exclusive of prejudgment or postjudgment interest, costs, and attorney's fees, must be filed in District Court. These cases are considered to be "small claims." A civil case with an amount in controversy of more than \$2,500 and \$25,000 or less may be filed in either the District Court or circuit court. This bill would require all cases with an amount in controversy of \$10,000 or less to be filed in District Court.

In a civil action in District Court, if the amount in controversy is \$1,000 or less, there are no

formal pleadings.

**State Fiscal Effect:** Although this bill could result in additional case filings for the District Court, it is expected that the number of additional cases would not be large. Many cases with an amount in controversy of more than \$2,500 and \$10,000 or less are already filed in District Court. Consequently, any workload increase could be handled by the District Court with existing budgeted resources.

The upper limit of the District Court's civil jurisdiction was increased from \$20,000 to \$25,000 effective in fiscal 1999. Although it was expected that District Court case filings would increase as a result of that legislation (HB 194 of 1998), civil case filings in the District Court actually decreased by approximately 3.25% from fiscal 1998 to fiscal 1999.

Any shift in caseload from the circuit court to the District Court would also result in a shift in fee revenue. The basic civil case filing fee in circuit court is currently \$80, and the basic civil case filing fee for a small claim in District Court is currently \$10 (\$20 for a large claim).

However, any revenue shift resulting from this bill is not expected to significantly impact governmental finances.

The District Court predicts that expanding the class of small claims cases would dramatically increase the workload of the District Court, based on the assumption that the bill would cause a significant increase in the number of pro-se case filings. The District Court advises that pro-se cases, in which a party is not represented by an attorney, involve more clerical and judicial time than cases in which the parties are represented by attorneys. Legislative Services believes, however, that enlarging the class of small claims cases may not have a significant impact on District Court operations or finances. Although some pro-se cases are time-consuming, attorney involvement in a case can make a case more lengthy and complicated than it would otherwise be. In addition, the bill would not necessarily result in a significant increase in the number of pro-se cases. Some litigants with claims involving more than \$2,500 already choose to represent themselves; moreover, there is no prohibition against attorney representation in small claims cases.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None

**Information Source(s):** Judiciary (District Court of Maryland, Administrative Office of the Courts), Department of Legislative Services

**Fiscal Note History:** First Reader - February 15, 2000

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