

Department of Legislative Services  
Maryland General Assembly  
2000 Session

FISCAL NOTE

House Bill 517 (Delegate Gordon)

Judiciary

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**District Court - Lien of Money Judgment**

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This bill provides that, promptly after entry of a money judgment, the clerk of the District Court in the county where the judgment was entered must record and index the judgment in the judgment records of the District Court for that county. When recorded and indexed in the District Court in accordance with the bill, a money judgment constitutes a lien from the date of entry. A person holding a money judgment that has been indexed and recorded pursuant to the bill may file with the clerk of the court of entry a request to transmit for recording a certified notice of lien of judgment to the clerk of the District Court for any other county.

The bill may not be applied to any entry of a lien of money judgment in the District Court before the bill's October 1, 2000 effective date.

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**Fiscal Summary**

**State Effect:** Efficiency savings for the District Court and the State as District Court judgment holder.

**Local Effect:** Efficiency savings for circuit courts and local governments as District Court judgment holders.

**Small Business Effect:** Potential minimal.

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**Analysis**

**Current Law:** The clerk of the District Court is required by the Maryland Rules to promptly

record judgments and transmit notices of lien of judgment to other courts upon request. The Maryland Rules also provide that in Baltimore City, a recorded and indexed District Court money judgment constitutes a lien from the date of entry. However, in jurisdictions other than Baltimore City, a District Court judgment does not constitute a lien. Only circuit court judgments operate as liens in jurisdictions other than Baltimore City. A holder of a District Court money judgment may create a lien by filing a request for notice of lien of judgment with the District Court clerk. The clerk must then transmit a notice of lien of judgment to the circuit court. The judgment constitutes a lien from the date of recording of the notice of lien in the circuit court.

**State Fiscal Effect:** The bill would provide efficiency savings for the District Court and the State as District Court judgment holder, because the need for District Court judgment holders to record their judgments in circuit court would be eliminated in many cases.

**Local Fiscal Effect:** The bill would provide efficiency savings for circuit courts and local governments as District Court judgment holders, because the need for District Court judgment holders to record their judgments in circuit court would be eliminated in many cases.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - February 16, 2000  
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