

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

House Bill 1439 (Delegate Vallario)

Rules and Executive Nominations

District Court - Criminal Jurisdiction - New or Amended Charging Documents

This bill provides that the District Court has jurisdiction over offenses if a charging document is amended or a new charging document is filed to remove any offense not within the jurisdiction of the District Court.

Fiscal Summary

State Effect: Minimal. While this bill could lead to a small increase in amended or new charging documents, it is not expected to materially affect the finances or operations of the Judiciary. This bill generally codifies current practice.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Generally, such jurisdiction is believed to reside in the District Court.

Background: In February 2000 (*In Re: Darren M.*), the Court of Appeals held, in part, that the juvenile court had exclusive jurisdiction over Darren M. and the conduct alleged in the attendant delinquency petition. On the question of whether the District Court or a circuit court had criminal jurisdiction over his case, Darren M. had maintained that his case was properly before the District Court, rather than the Circuit Court for Baltimore City. He had reasoned that, after the State *nolle prossed* the felony charges, the remaining charges involved crimes that were misdemeanors within the exclusive jurisdiction of the District Court. Based on his prior waiver of the right to a jury trial, he had contended that his case

should have remained in the District Court.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - April 5, 2000
ncs/jr

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