

**Department of Legislative Services**  
 Maryland General Assembly  
 2001 Session

**FISCAL NOTE**

House Bill 1101 (Montgomery County Delegation)  
 Judiciary

**Montgomery County - Juvenile Causes - Transfer of Jurisdiction**  
**MC 105-01**

This bill transfers jurisdiction over juvenile causes in Montgomery County from the District Court to the circuit court effective March 1, 2002. District Court personnel, other than judges who are currently assigned to the juvenile court, shall be transferred to the Office of the Clerk of the Circuit Court without any loss of compensation or benefits. Until otherwise provided, circuit court judges exercising juvenile jurisdiction pursuant to the bill must use existing courthouse facilities.

The bill also creates four new circuit court judgeships for Montgomery County effective July 1, 2001.

**Fiscal Summary**

**State Effect:** : General fund expenditures would increase by an estimated \$662,400 in FY 2002, which reflects a 90-day start-up delay. These costs are included in the Governor’s proposed FY 2002 budget. Out-year expenditures reflect annualization and inflation. These amounts do not include additional costs that would be incurred by the Public Defender’s Office for staffing increases.

(in dollars)	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	662,400	894,700	918,000	942,300	967,900
Net Effect	(\$662,400)	(\$894,700)	(\$918,000)	(\$942,300)	(\$967,900)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** Montgomery County expenditures would increase by approximately \$1,020,600 in FY 2002 and by approximately \$1,360,800 annually thereafter.

**Small Business Effect:** None.

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### Analysis

**Current Law:** The juvenile court is a division of the circuit court in every county but Montgomery County, where the juvenile court is a part of the District Court.

Seventeen resident judges are statutorily authorized for the Circuit Court for Montgomery County.

**State Expenditures:** General fund expenditures for the Judiciary would increase by an estimated \$662,443 in fiscal 2002, which reflects a 90-day start-up delay from the July 1, 2002 effective date for the new judgeships. This estimate includes salaries and fringe benefits for four circuit court judges and four courtroom clerks. The estimate also includes costs for supplies.

Judicial Salaries	\$351,900
Courtroom Clerk Salaries	75,147
Fringe Benefits	234,616
Supplies	<u>780</u>
<b>Total FY 2002 Expenditures</b>	<b>\$662,443</b>

Future year expenditures reflect: (1) full salaries for the courtroom clerks with a 6.5% increase in fiscal 2003 and a 4.5% increase each year thereafter; (2) full salaries for the judges with a 4% cost-of-living increase in fiscal 2003 and a 2% increase each year thereafter; (3) 3% employee turnover; and (4) 1% annual increases in ongoing operating expenses. Judicial salary increases (other than cost-of-living) are not included because they are determined by the Judicial Compensation Commission and the General Assembly.

The Governor's proposed fiscal 2002 budget includes \$4.2 million for 19 new circuit court and District Court judgeships and associated expenses, including four new circuit court judgeships for Montgomery County.

General fund expenditures for the Office of the Public Defender would increase for staff expansions necessitated by the new judgeships. The precise amount of such expenditures cannot be estimated at this time. It is expected that staff expansions would be phased in gradually by the Office of the Public Defender as the new judgeships reach full operating capacity.

**Local Expenditures:** Montgomery County advises that, as a result of the bill, it would incur costs of \$1,360,820 on an annualized basis. These amounts are composed of salary and benefits for a secretary and a law clerk for each of the new judges; salary and benefits for a family court coordinator, paralegal, and computer systems coordinator; health insurance for the judges; 2.5 sheriff's deputies for each new courtroom; one new assistant State's attorney and office services manager for the State's Attorney's Office; one new assistant county attorney; operating expenses; and one-time equipment and supplies purchases.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Judiciary (Administrative Office of the Courts), Montgomery County, Department of Legislative Services

**Fiscal Note History:** First Reader – March 6, 2001  
ncs/jr

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Analysis by: Claire Rooney

Direct Inquiries to:  
John Rixey, Coordinating Analyst  
(410) 946-5510  
(301) 970-5510