

Department of Legislative Services

Maryland General Assembly

2001 Session

FISCAL NOTE

House Bill 398

Delegate Gladden, et al.

Judiciary

Judicial Proceedings

Criminal Procedure - Circuit Courts - Time for Trial

This bill provides that, in a criminal matter in circuit court, if the trial date is changed, any subsequent change of the trial date may only be made by the county administrative judge or that judge's designee for good cause shown.

Fiscal Summary

State Effect: The bill is not expected to have a significant impact on the operations or finances of the Judiciary.

Local Effect: The bill is not expected to have a significant impact on circuit court operations or finances.

Small Business Effect: None.

Analysis

Current Law: On motion of a party or on the court's initiative and for good cause shown, a county administrative judge or designee may grant a change of the circuit court trial date in a criminal case. "Good cause" is not statutorily defined.

State Fiscal Effect: The bill could result in an increase in the use of retired judges to hear cases and/or longer working hours for active judges. Active and retired judges are paid with State funds; active judges are salaried employees and retired judges are paid on a per diem basis. The precise amount of increased expenditures for retired judges that

would be incurred as a result of the bill cannot be determined at this time, but a significant impact is not expected.

Additional Information

Prior Introductions: This bill was introduced in the 2000 session as HB 272. It passed the House but received an unfavorable report from the Judicial Proceedings Committee.

Cross File: SB 22 (Senator Baker) – Judicial Proceedings.

Information Source(s): Judiciary (Administrative Office of the Courts), Maryland State's Attorney's Association, Office of the Public Defender, Department of Legislative Services

Fiscal Note History: First Reader – February 21, 2001
ef/jr

Analysis by: Claire Rooney

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