

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

**FISCAL NOTE**  
**Revised**

Senate Bill 519 (The President) (Judiciary)

Judicial Proceedings and Budget and Taxation

Judiciary

**Judgeships - District Court**

This bill creates four new District Court judgeships -- one each in District 1 (Baltimore City), District 2 (Dorchester, Wicomico, Somerset, and Worcester counties), District 4 (Charles, St. Mary's, and Calvert counties), and District 5 (Prince George's County).

The bill takes effect July 1, 2001.

**Fiscal Summary**

**State Effect:** General fund expenditures would increase by approximately \$950,000 in FY 2002, which reflects a 90-day start-up delay from the bill's July 1, 2001 effective date. The Governor's proposed FY 2002 budget includes \$4.2 million for 19 new judgeships and associated expenses. Out-year expenditures reflect annualization and inflation. These amounts do not include additional costs that could be incurred by the Public Defender's Office for staffing increases.

(\$ in millions)	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	.95	1.29	1.33	1.37	1.42
Net Effect	(\$1.95)	(\$1.29)	(\$1.33)	(\$1.37)	(\$1.42)

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

**Local Effect:** Expenditures could increase for counties receiving new District Court judgeships for staff expansions in State's Attorneys' offices.

**Small Business Effect:** None.

## Analysis

**Current Law:** There are currently 107 District Court judgeships statewide.

**Background:** At the suggestion of the Legislative Policy Committee, in January 1979 the Chief Judge of the Court of Appeals began an annual procedure of formally certifying to the General Assembly the need for additional judges in the State. The annual certification is prepared based upon a statistical analysis of the workload of the courts and the comments of the circuit administrative judges and the Chief Judge of the District Court. For fiscal 2002 the Judiciary has certified the need for the 19 additional judgeships, 14 for circuit court and 5 for the District Court.

The Judiciary is requesting five additional judgeships in the District Court based on its increasing dependence on retired judges, a recent increase in civil jurisdiction which has necessitated more judicial time for civil matters, and a rise in more complicated civil litigation.

**State Expenditures:** General fund expenditures for the Judiciary would increase by an estimated \$947,271 in fiscal 2002, which reflects a 90-day start-up delay from the bill's July 1, 2001 effective date. This estimate includes salaries and fringe benefits for the four District Court judges and four courtroom clerks. The estimate also includes costs for supplies and four contractual bailiffs.

Judicial Salaries	\$328,050
Courtroom Clerk Salaries	285,559
Fringe Benefits	252,062
Contractual Bailiffs	80,820
Supplies	<u>780</u>
<b>Total FY 2002 Expenditures</b>	<b>\$947,271</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 judgeships and associated expenses.

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

**Local Expenditures:** Expenses could be incurred by the affected counties for staff expansions in State's Attorneys' offices.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 658 (Chairman, Judiciary Committee) – Judiciary.

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

**Fiscal Note History:** First Reader – March 5, 2001  
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