

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

House Bill 443

(Washington County Delegation)

Judiciary

Judicial Proceedings

Washington County - Orphans' Court - Compensation and Expense Allowances
of Judges

This bill increases the annual salary of Washington County Orphans' Court judges from \$6,000 to \$7,000. The bill also increases the judges' allowances for meal and room expenses incurred while on business related trips out of the county from \$18 per day to \$30 per day and \$50 per day to \$85 per day, respectively.

Fiscal Summary

State Effect: None. The bill would not directly affect State operations or finances.

Local Effect: Expenditures for Washington County would increase by an estimated \$3,070 in FY 2003, due to the December 2, 2002 effective date of anticipated salary increases. Full year costs beginning in FY 2004 would be approximately \$5,260.

Small Business Effect: None.

Analysis

Current Law: The judges for the Washington County Orphans' Court currently earn \$6,000 annually. The judges' allowances for meal and room expenses incurred while on business related trips out of the county are \$18 per day and \$50 per day, respectively. Compensation and allowances for an Orphans' Court judge are set by statute.

Background: An orphans' court is a probate court. Orphans' court judges are elected to serve four-year terms. Each county, other than Harford and Montgomery counties, has

three judges sitting on its orphans' court. In Harford and Montgomery counties, circuit court judges preside in orphan's court. The chief judge of each county is appointed by the Governor. An orphans' court may establish that a will is valid, administer an estate, and direct the conduct of an executor of an estate.

The last time salaries and allowances for the Washington County Orphans' Court judges were increased was in 1989. At that time the salary for each judge was raised from \$4,700 annually to \$6,000 annually. The salaries for orphans' court judges vary greatly across the State. The current salaries are listed by county below.

- Allegany County -- annual salary set by the county commissioners
- Anne Arundel County -- \$19,000 annually, with an additional \$500 for the chief judge
- Baltimore City -- \$50,000 for associate judges, \$60,000 for the chief judge
- Baltimore County -- \$30,000 for associate judges, \$32,000 for the chief judge
- Calvert County -- \$5,000 for associate judges, \$5,200 for the chief judge
- Caroline County -- \$4,500 for each judge
- Carroll County -- \$10,000 for each judge
- Cecil County -- \$4,500 for each judge
- Charles County -- through 2002, \$6,365 for each judge; beginning 2003, \$7,000
- Dorchester County -- \$3,500 for each judge
- Frederick County -- \$6,000 for associate judges, \$6,500 for the chief judge
- Garrett County -- annual salary set by the county commissioners
- Howard County -- \$7,400 for each judge
- Kent County -- \$3,600 for each judge
- Prince George's County -- through the current term of office, \$31,500 for associate judges, \$32,000 for the chief judge; beginning at the start of the next term of office, \$36,500 for associate judges, \$37,000 for the chief judge
- Queen Anne's County -- annual salary set by the county commissioners
- St. Mary's County -- \$3,000 for each judge
- Somerset County -- \$34 a day for each day spent attending court sessions
- Talbot County -- annual salary set by the county council
- Washington County -- \$6,000 for each judge
- Wicomico County -- \$3,200 for each judge
- Worcester County -- set by county commissioners, but not less than \$30 a day for each day spent attending court sessions

In addition, 16 of the counties listed above explicitly provide in statute for allowances for travel and other expenses for the orphans' court judges.

Local Expenditures: Expenditures related to the increase in salaries for Washington County Orphans' Court judges would be approximately \$1,890 (including fringe benefits) in fiscal 2003, due to the December 2, 2002 effective date of anticipated salary increases. Full year costs beginning in fiscal 2004 would be approximately \$3,230. The increase in the meal and room expenses would result in a further increase of expenditures by approximately \$1,180 in fiscal 2003, and beginning in fiscal 2004 by approximately \$2,030.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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