

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE
Revised

Senate Bill 847

(Senators Ferguson and Mooney)

Judicial Proceedings

Judiciary

Frederick County - Deputy State's Attorneys

This bill increases from one to two the number of deputy State's Attorneys that can be appointed by the Frederick County State's Attorney. The bill also repeals the provision that a deputy State's Attorney be a member of the bar of Frederick County.

The bill is effective July 1, 2002.

Fiscal Summary

State Effect: None.

Local Effect: None. The appointment of a second deputy State's Attorney and reduction of one assistant State's Attorney represents a restructuring of the Frederick County State's Attorney's Office and would not affect Frederick County finances.

Small Business Effect: None.

Analysis

Current Law: The Frederick County State's Attorney may appoint one member of the bar of Frederick County as a deputy State's Attorney. The deputy State's Attorney serves at the pleasure of the State's Attorney and is paid a salary set by the State's Attorney subject to the approval of the County Commissioners of Frederick County. The deputy State's Attorney, under the direction of the State's Attorney, shall present cases to the grand jury and perform other acts and duties in relation to the grand jury and in the

operation of the office as are necessary and proper. The deputy State's Attorney may not engage in the private practice of law.

The State's Attorney has the authority to appoint two deputy State's Attorneys in Baltimore City and Allegany, Anne Arundel, Baltimore, Carroll, Harford, Howard, Montgomery, and Prince George's counties. The State's Attorney in Kent County may appoint one or more deputy State's Attorneys and in Talbot and Worcester counties the State's Attorney may appoint any number of deputy State's Attorneys.

Background: Frederick County advises that an existing full-time assistant State's Attorney would be given the title of deputy State's Attorney. The individual gaining the title of deputy State's Attorney is currently earning a salary at the same grade and level as a deputy State's Attorney. Accordingly, there would be no impact to Frederick County finances.

Additional Information

Prior Introductions: None.

Cross File: HB 434 (Frederick County Delegation) – Judiciary.

Information Source(s): Frederick County, Department of Legislative Services

Fiscal Note History: First Reader - February 22, 2002
ncs/jr Revised - Enrolled Bill - May 1, 2002

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