

Department of Legislative Services  
 Maryland General Assembly  
 2002 Session

**FISCAL NOTE**

House Bill 39  
 Judiciary

(Delegates Barkley and Vallario)

Judicial Proceedings

**Circuit Court Clerks - Salary**

This bill repeals minimum salary requirements for circuit court clerks and increases the maximum salary for circuit court clerks from \$75,000 to \$85,000, effective at the beginning of the next term of office.

**Fiscal Summary**

**State Effect:** General fund expenditures would increase by \$154,700 in FY 2003, due to the December 1, 2002 effective date of anticipated salary increases. Future year increases reflect annualization.

(in dollars)	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	154,700	265,300	265,300	265,300	265,300
Net Effect	(\$154,700)	(\$265,300)	(\$265,300)	(\$265,300)	(\$265,300)

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

**Local Effect:** None, circuit court clerks' salaries are State funded.

**Small Business Effect:** None.

**Analysis**

**Current Law:** Circuit court clerks are elected officials whose salaries are paid by the State. The maximum annual salary for a circuit court clerk is \$75,000, as set by the Board of Public Works on the basis of the relative volume of business and receipts in each clerk's office. The minimum salary for the clerk of Baltimore City is \$12,000; the

minimum salary for all other circuit court clerks is \$10,000. Pursuant to the Constitution of Maryland, a circuit court clerk's salary may neither increase nor decrease during the clerk's term of office.

**Background:** Every four years, the Board of Public Works sets the salary that circuit court clerks earn annually based on the relative volume of businesses and receipts of the office. There are currently four tiers to the annual salary structure set by the board. The clerks of the circuit court do not receive annual cost of living increases.

The most recent increase to the maximum allowable salary for circuit court clerks was enacted in 1998 as Chapter 221 – a 17% increase from \$64,000 to \$75,000. Since 1982, the circuit court clerks' maximum allowable salary has increased as follows:

<b>Year</b>	<b>Maximum Salary</b>	<b>Percent Increase</b>
1982	\$ 37,500	--
1986	\$ 45,000	20
1990	\$ 60,000	33
1994	\$ 64,000	7
1998	\$ 75,000	17
2002 (Proposed)	\$ 85,000	13

**State Expenditures:** The table below shows the current and projected salaries of the 24 circuit court clerks. This analysis assumes that the Board of Public Works would increase the salaries of the clerks who currently earn \$75,000 to \$85,000, a 13.33% increase, and increase the salaries of the other clerks by 13.33%.

<b>Clerk</b>	<b>Current Salary</b>	<b>Projected Salary</b>
Allegany	\$ 72,100	\$ 81,711
Anne Arundel	\$ 75,000	\$ 85,000
Baltimore County	\$ 75,000	\$ 85,000
Baltimore City	\$ 75,000	\$ 85,000
Calvert	\$ 72,100	\$ 81,711
Caroline	\$ 69,100	\$ 78,311
Carroll	\$ 72,100	\$ 81,711
Cecil	\$ 72,100	\$ 81,711
Charles	\$ 73,250	\$ 83,014
Dorchester	\$ 69,100	\$ 78,311
Frederick	\$ 72,100	\$ 81,711
Garrett	\$ 69,100	\$ 78,311
Harford	\$ 73,250	\$ 83,014

<b>Clerk</b>	<b>Current Salary</b>	<b>Projected Salary</b>
Howard	\$ 73,250	\$ 83,014
Kent	\$ 69,100	\$ 78,311
Montgomery	\$ 75,000	\$ 85,000
Prince George's	\$ 75,000	\$ 85,000
Queen Anne's	\$ 69,100	\$ 78,311
St. Mary's	\$ 72,100	\$ 81,711
Somerset	\$ 69,100	\$ 78,311
Talbot	\$ 69,100	\$ 78,311
Washington	\$ 72,100	\$ 81,711
Wicomico	\$ 72,100	\$ 81,711
Worcester	\$ 72,100	\$ 81,711
<b>Total</b>	<b>\$1,727,350</b>	<b>\$1,957,618</b>

The total annual salary increase is \$230,268. Including fringe benefits at 15.2%, the total estimated annual cost of the bill is \$265,269. The salary increases would take effect December 1, 2002, the beginning of the next term of office for the elected clerks.

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### **Additional Information**

**Prior Introductions:** This bill was introduced in the 2001 session as HB 226. It passed the House and was assigned to the Senate Judicial Proceedings Committee; however, no further action was taken. A similar bill – SB 99 – was also introduced in the 2001 session. The Judicial Proceedings Committee set a hearing and no further action was taken.

**Cross File:** None. However, SB 14 and HB 127 are identical.

**Information Source(s):** Judiciary (Administrative Office of the Courts), Department of Budget and Management (Board of Public Works), Department of Legislative Services

**Fiscal Note History:** First Reader - January 22, 2002  
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