

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 139 (Chairman, Judicial Proceedings Committee)
(Maryland Judicial Conference)

Judicial Proceedings

Judiciary

Citations - Format and Printing

This bill transfers the duty to prescribe juvenile citation forms and certain adult alcoholic beverage citation forms from the Chief Judge of the District Court to the State Court Administrator. The Chief Judge of the District Court retains responsibility for designing the citation forms to be issued to adults for violations involving underage possession of alcohol. The bill also requires law enforcement agencies and the Office of the State Fire Marshal to reimburse the District Court for printing the citation forms used by each.

Fiscal Summary

State Effect: The shifts in responsibilities among State agencies resulting from the bill are not expected to have a significant impact on overall State finances.

Local Effect: It is expected that increased expenditures by local law enforcement agencies to print citation forms could be handled with existing resources.

Small Business Effect: None.

Analysis

Current Law: The Chief Judge of the District Court is generally responsible for prescribing all arrest-citation forms used by all law enforcement agencies in the State, when charging a person with a criminal, civil, or traffic offense. This responsibility includes designing citation forms issued to minors for certain violations involving underage possession of alcoholic beverages and tobacco products. Covered violations

include misrepresentation of age to obtain alcohol, underage possession of alcohol, possession of false documentation to obtain alcohol, obtaining alcohol for underage consumption, possession of tobacco products, and drinking or possessing alcohol on school premises. Juvenile cases are heard in juvenile court, which is a division of the circuit court.

The District Court prints all uniform citation forms that the Chief Judge is responsible for designing, and distributes all but the Uniform Motor Vehicle Citation to the State police and local law enforcement agencies. Law enforcement agencies reimburse the District Court for the costs of these citations. The citations contain preprinted numbering and barcodes that are used by the court for tracking purposes, and they are coordinated with the Department of Public Safety and Correctional Service's computer system.

The District Court's only jurisdiction over juvenile cases was transferred from the Montgomery County District Court to the Circuit Court for Montgomery County effective March 1, 2002. The bill makes a corresponding shift of responsibility for designing a uniform juvenile citation form from the Chief Judge of the District Court to the State Court Administrator.

State Fiscal Effect: The District Court would experience reduced costs for printing and distributing citations but could incur higher costs and/or an increased workload for tracking their use. The Department of State Police estimates that it will cost an additional \$12,000 per year (\$9,000 in fiscal 2004) to pay for citations that are currently provided free of charge by the District Court. The Office of the State Fire Marshal could also incur increased expenditures for printing. The shift in responsibility to prescribe juvenile and adult alcoholic beverage citation forms from the District Court to the State Court Administrator would result in a corresponding minor workload shift.

Additional Information

Prior Introductions: None.

Cross File: HB 108 (Chairman, Judiciary Committee) – Judiciary.

Information Source(s): Montgomery County, Prince George's County, Caroline County, Calvert County, Judiciary (Administrative Office of the Court), Department of State Police, Department of Transportation (Motor Vehicle Administration), Department of Public Safety and Correctional Services, Department of Legislative Services

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Analysis by: Rita A. Reimer

Direct Inquiries to:
(410) 946-5510
(301) 970-5510