

Department of Legislative Services
 Maryland General Assembly
 2005 Session

FISCAL AND POLICY NOTE

Senate Bill 410 (Senator Giannetti)
 Judicial Proceedings

District Court Commissioner - Appointment - City of Laurel

This bill requires the Administrative Judge of the 5th District for Prince George’s County to appoint a District Court Commissioner in the City of Laurel.

Fiscal Summary

State Effect: General fund expenditures would increase by an estimated \$261,600 in FY 2006; this increase reflects salaries for five additional District Court Commissioners and operating and start-up costs for the new commissioner station. Out-years reflect annualization and inflation.

(in dollars)	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	261,600	323,600	341,200	360,200	380,600
Net Effect	(\$261,600)	(\$323,600)	(\$341,200)	(\$360,200)	(\$380,600)

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

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The administrative judge of each district, with the approval of the Chief Judge of the District Court, may appoint the number of commissioners necessary to perform the functions of the office within each county.

In multicounty districts, the administrative judge is required to obtain the recommendation of the resident judge in each county as to the number of commissioners required in the county and as to the persons to be appointed.

Background: Commissioners are judicial officers, appointed by the Chief Judge of the District Court of Maryland. There are more than 240 District Court commissioners around the State.

Commissioners review applications for statements of charges to determine whether probable cause exists to issue charging documents and conduct initial appearance hearings on arrested individuals to decide the conditions of pretrial release.

The Laurel commissioner station was closed in 1985 due to less than 40 activities per year. The Beltsville station was closed in 1994 due to an average of less than 38 activities per year. Prince George's County then converted to a regional booking plan, with District Court commissioner stations located in Eastover (Oxon Hill), Upper Marlboro, and Hyattsville. There are two stations in Upper Marlboro, one in the county courthouse and one in the county correctional facility.

State Expenditures: Each District Court commissioner station must be staffed 24 hours each day, seven days per week, which requires five commissioners. General fund expenditures for the Administrative Office of the Courts would increase by an estimated \$261,632, in fiscal 2006, which reflects a 90-day start-up delay from the bill's October 1, 2005 effective date. The estimate includes salaries and fringe benefits for the five commissioners and start-up and operating costs for the new commissioner station.

Salaries and Fringe Benefits	\$211,367
Equipment and Supplies	25,506
Operating Expenses	<u>24,750</u>
Total Expenditures	\$261,623

Future year expenditures reflect: (1) full salaries with 4.6% annual increases and 3% employee turnover; and (2) 1% annual increases in ongoing operating expenses.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - February 15, 2005
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