

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

Senate Bill 656 (Senator Giannetti)
Judicial Proceedings and Finance

Task Force on Establishing a Business and Technology Division in Circuit Court

This bill establishes the Task Force on Establishing a Business and Technology Division in Circuit Court. Findings and recommendations are due to the Governor, the Court of Appeals, and the General Assembly by December 1, 2005. The Administrative Office of the Courts (AOC) must provide staff support for the task force.

The bill takes effect June 1, 2005 and terminates on December 31, 2005.

Fiscal Summary

State Effect: None. Any expense reimbursements for task force members and staffing costs for AOC are assumed to be minimal and absorbable within existing budgeted resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The task force must study and make recommendations regarding the current case management system for business and technology cases including: (1) studying federal and other states' statutes and court rules on the handling of business and technology matters; (2) seeking input from the Maryland business and legal community; (3) recommending a plan to establish a business and technology division in each circuit court; and (4) recommending legislation and changes to the Maryland Rules to implement the recommendations of the task force.

Current Law: The Maryland Rules provide for the Business and Technology Case Management Program in the circuit courts.

Subject to the availability of resources, a program approved by the Chief Judge of the Court of Appeals has been established to enable each circuit court to handle business and technology matters. The program must include:

- a program track within the differentiated case management system;
- the procedure by which an action is assigned to the program;
- program judges who are specially trained in business and technology; and
- alternative dispute resolution proceedings conducted by people qualified under the Maryland Rules and specially trained in business and technology.

Background: Chapter 10 of 2000 established the Business and Technology Court Task Force to study the feasibility of the establishment of a business and technology division in the circuit courts. The task force determined that the establishment of a Business and Technology Case Management Program, as opposed to a specialized division, would allow the benefits of having specialized judges to hear business and technology cases, while also allowing for the “fair and equitable allocation of judicial resources between different circuits.”

Additional Information

Prior Introductions: None.

Cross File: None.

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

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