

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

Senate Bill 409 (Senator Giannetti)
Judicial Proceedings

Commission to Study Electronic Filing of Documents in Court

This bill establishes the Commission to Study Electronic Filing of Documents in Court. Findings and recommendations are due to the Governor, the Chief Judge of the Court of Appeals, and the General Assembly by December 31, 2005. The Administrative Office of the Courts (AOC) must provide staff support for the commission.

The bill takes effect June 1, 2005 and terminates on January 31, 2006.

Fiscal Summary

State Effect: None. Any expense reimbursements for commission 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 commission must: (1) assess and evaluate the current pilot programs for electronic filing of pleadings and papers approved by the Court of Appeals; (2) study other states' statutes and court rules on electronic filing of documents and any model electronic filing rules; (3) recommend a statewide plan so that all State courts accept electronically filed documents by January 1, 2008; and (4) recommend legislation and changes to the Maryland Rules to implement its recommendations.

Current Law: Pursuant to Rule 16-307, a county administrative judge may develop, and submit for approval, a pilot project for the electronic filing of pleadings and papers. A plan may not be implemented unless approved by administrative order of the Court of Appeals and must terminate two years after the date of the administrative order, unless the court terminates it earlier or modifies or extends it by a subsequent order.

Background: The Circuit Court for Baltimore City and the District Court for Prince George's County have instituted pilot projects for the electronic filing of documents under Rule 16-307.

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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