

Department of Legislative Services  
Maryland General Assembly  
2006 Session

FISCAL AND POLICY NOTE

House Bill 924  
Judiciary

(Prince George's County Delegation)

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Prince George's County - Courts - Docketing Fee for Appearance of Counsel -  
Payment and Collection  
PG 312-06

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This bill requires the Clerk of the Circuit Court for Prince George's County to collect a higher docketing fee if the clerk has to send a bill or collection notice for nonpayment of the original fee. Specifically, the clerk must collect a \$20 fee if the clerk has to send a bill or collection notice for nonpayment of the docketing fee for appearance of counsel and a \$40 fee if 30 days elapse, without payment, after a collection notice has been sent. The clerk must refer the matter to the court for consideration of a contempt order if 60 days elapse without payment.

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Fiscal Summary

**State Effect:** None.

**Local Effect:** Potential minimal increase in Prince George's County revenues based on fees collected for nonpayment of appearance fees. The actual increase depends on the number of fees that are not paid.

**Small Business Effect:** Potential minimal. Small law firms that practice before the Circuit Court for Prince George's County may incur increased expenses if billed for nonpayment of fees.

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Analysis

**Current Law:** The Clerk of the Circuit Court for Prince George's County collects a \$10 fee to docket the appearance of counsel when bringing or defending a civil or criminal

action in the court or when bringing or defending a case in the Court of Appeals. Generally, there is a statewide \$10 attorney appearance fee for civil and criminal cases filed in the circuit court. The clerk of each court must also collect, in advance, a \$10 fee for docketing the appearance of counsel when bringing or defending a civil action in the Court of Appeals. There are no penalties for failure to pay the docketing fees in a timely manner.

The circuit courts for Baltimore City, Baltimore County, St. Mary's County, and Harford County each require different appearance fees for attorneys bringing or defending matters in their jurisdictions.

- Baltimore County collects a (1) \$20 fee for an action in a court of equity; (2) \$10 fee for an action at law; (3) \$20 fee for a criminal action if the punishment for the offense charged is death or confinement in the State penitentiary; (4) \$10 fee for any other criminal action; and (5) \$20 fee when bringing or defending a case before the Court of Appeals;
- St. Mary's County collects a \$10 appearance fee when bringing or defending a civil action;
- Baltimore City collects a (1) \$20 appearance fee for bringing or defending a civil action; (2) \$20 fee for a criminal action if the punishment for the offense charged is death or confinement in the State penitentiary; (3) \$10 fee for any other criminal action; and (4) \$20 fee when bringing or defending a cases before the Court of Appeals; and
- Harford County collects a (1) \$20 appearance fee for bringing or defending a civil action; (2) \$20 fee for a criminal action; and (3) \$20 fee when bringing or defending a cases before the Court of Appeals.

**Background:** Based on the most current available information, Prince George's County advises that attorneys fail to pay appearance fees in 10-20% of its cases. In fiscal 2004, there were 37,383 cases filed in the Circuit Court for Prince George's County.

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### **Additional Information**

**Prior Introductions:** HB 1108 of 2005, an identical bill, received a hearing in the House Judiciary Committee, but no further action was taken.

**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 24, 2006  
mam/hlb

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