

**Department of Legislative Services**  
 Maryland General Assembly  
 2006 Session

**FISCAL AND POLICY NOTE**

Senate Bill 1058 (The President) (By Request – Maryland Judiciary)  
 Judicial Proceedings

**Judgeships - Circuit Courts**

This bill alters the number of resident circuit court judges from 21 to 22 in Montgomery County and from 32 to 33 in Baltimore City.

The bill takes effect on July 1, 2006.

**Fiscal Summary**

**State Effect:** General fund expenditures would increase by \$451,900 in FY 2007 for two additional circuit court judges and associated staff. Future year estimates reflect annualization and inflation. The FY 2007 budget includes \$459,300 for these six positions.

(in dollars)	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	451,900	615,500	648,300	683,100	720,100
Net Effect	(\$451,900)	(\$615,500)	(\$648,300)	(\$683,100)	(\$720,100)

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

**Local Effect:** Circuit court expenses would increase for Baltimore City and Montgomery County.

**Small Business Effect:** None.

**Analysis**

**Current Law:** There are currently 153 circuit court judges in the State. **Exhibit 1** shows the number of circuit court judges by jurisdiction.

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**Exhibit 1**  
**Current Number of Circuit Court Judges by Jurisdiction.**

<u>Jurisdiction</u>	<u>Actual Number of Circuit Court Judges</u>
Allegany	2
Anne Arundel	11
Baltimore City	32
Baltimore County	17
Calvert	2
Caroline	1
Carroll	3
Cecil	3
Charles	4
Dorchester	1
Frederick	4
Garrett	1
Harford	5
Howard	5
Kent	1
Montgomery	21
Prince George's	23
Queen Anne's	1
St. Mary's	3
Somerset	1
Talbot	1
Washington	5
Wicomico	3
Worcester	3
<b>Statewide</b>	<b>153</b>

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**Background:** At the suggestion of the Legislative Policy Committee, in January 1979 the Chief Judge of the Court of Appeals began an annual procedure of formally certifying to the General Assembly the need for additional judges in the State. The annual

certification is prepared based upon a statistical analysis of the workload of the courts and the comments of the circuit administrative judges and the Chief Judge of the District Court. For fiscal 2007, the Judiciary has certified the need for 23 additional judgeships.

According to the *Annual Certification of Need for Additional Judgeships for Fiscal Year 2007*, approximately 280,000 cases were filed in circuit courts per year over the last three years. Domestic and juvenile cases account for almost 50% of the case filings. The nature of family cases, which include divorce, adoption and guardianship, paternity, and domestic violence, and the increase in more complex civil case filings, have placed additional demands on judicial time. Criminal cases accounted for approximately 29% of the filings, with requests for jury trials from the District Court comprising over 40% of the fiscal 2005 criminal caseload.

**State Expenditures:** General fund expenditures could increase by an estimated \$451,931 in fiscal 2007, which accounts for the 90-day start-up delay. This estimate reflects the salaries and fringe benefits cost of hiring two judges, two law clerks, and two courtroom clerks.

Positions	6
Salaries	\$287,755
Fringe Benefits	<u>164,176</u>
<b>Total FY 2007 State Expenditures</b>	<b>\$451,931</b>

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.

The fiscal 2007 budget for the Judiciary includes \$459,273 to fund these positions.

**Local Expenditures:** The counties provide support staff, supplies, and equipment for circuit court judges, as well as capital and operating expenses for courtrooms and office facilities used by the circuit court judges and their staffs. Specific costs associated with the circuit courts vary from county to county. The precise expenditure increases that would be incurred by the counties affected by the bill cannot be estimated at this time. Expenditures could be significant, however, if building renovations or increased office space is needed.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 1557 (The Speaker) (By Request – Maryland Judiciary) – Judiciary.

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

**Fiscal Note History:** First Reader - March 9, 2006  
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Analysis by: Amy A. Devadas

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