

# HOUSE BILL 497

D2  
HB 924/06 – JUD

71r0704

---

By: **Prince George's County Delegation**  
Introduced and read first time: February 6, 2007  
Assigned to: Judiciary

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Courts – Docketing Fee for Appearance of Counsel**  
3 **– Payment and Collection**

4 **PG 316–07**

5 FOR the purpose of requiring the Clerk of the Circuit Court for Prince George's  
6 County to collect, in advance, a certain fee for docketing the appearance of  
7 counsel when bringing a civil action in the court; requiring the Clerk to charge  
8 as costs a certain fee for docketing the appearance of counsel when prosecuting  
9 or defending a criminal action in the court; requiring the Clerk to collect, in  
10 advance, a certain fee for docketing the appearance of counsel when bringing or  
11 defending a case in the Court of Appeals; requiring the Clerk to collect a higher  
12 fee if the Clerk is required to send a bill or collection notice for nonpayment of  
13 the fee; requiring the Clerk to collect a higher fee if a certain period of time  
14 elapses, without payment, after a collection notice for nonpayment has been  
15 sent by the Clerk; requiring the Clerk to refer the matter to the court for  
16 consideration of a contempt order if a certain period of time elapses, without  
17 payment, after a collection notice for nonpayment has been sent by the Clerk;  
18 making stylistic changes; and generally relating to Prince George's County and  
19 docketing fees for appearance of counsel.

20 BY repealing and reenacting, with amendments,  
21 Article – Courts and Judicial Proceedings  
22 Section 7–204(a) and (q)  
23 Annotated Code of Maryland  
24 (2006 Replacement Volume)

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Courts and Judicial Proceedings**

4 7–204.

5 (a) (1) Except in Montgomery County and except as provided in  
6 paragraph (2) of this subsection for Baltimore County, in paragraph (3) of this  
7 subsection for St. Mary’s County, in paragraph (4) of this subsection for Baltimore  
8 City, [and] in paragraph (5) of this subsection for Harford County, **AND IN**  
9 **PARAGRAPH (6) OF THIS SUBSECTION FOR PRINCE GEORGE’S COUNTY**, the clerk  
10 of each circuit court shall:

11 (i) Collect, in advance, a \$10 fee for docketing the appearance of  
12 counsel when bringing or defending a civil action in the court;

13 (ii) Charge as costs a \$10 fee for docketing the appearance of  
14 counsel when prosecuting or defending a criminal action in the court; and

15 (iii) Collect, in advance, a \$10 fee for docketing the appearance of  
16 counsel when bringing or defending a case in the Court of Appeals.

17 (2) The Clerk of the Circuit Court for Baltimore County shall:

18 (i) Collect, in advance, the following fee for docketing the  
19 appearance of counsel when bringing or defending a civil action:

20 1. A \$20 fee for an action, including the collection of  
21 money due on mortgage, in a court of equity; and

22 2. A \$10 fee for an action at law in a court of original  
23 jurisdiction;

24 (ii) Charge as costs the following fee for docketing the  
25 appearance of counsel when bringing or defending a criminal action:

26 1. If the punishment for the offense charged is death or  
27 confinement in the State penitentiary, a \$20 fee; and

28 2. For any other criminal action, a \$10 fee; and

1 (iii) Collect, in advance, a \$20 fee for docketing the appearance of  
2 counsel when bringing or defending a case in the Court of Appeals.

3 (3) The Clerk of the Circuit Court for St. Mary's County shall collect,  
4 in advance, a \$10 fee for docketing the appearance of counsel when bringing or  
5 defending a civil action in the court.

6 (4) The Clerk of the Circuit Court for Baltimore City shall:

7 (i) Collect, in advance, a \$20 fee for docketing the appearance of  
8 counsel when bringing or defending a civil action in the court;

9 (ii) Charge as costs the following fee for docketing the  
10 appearance of counsel when bringing or defending a criminal action:

11 1. If the punishment for the offense charged is death or  
12 confinement in the State penitentiary, a \$20 fee; and

13 2. For any other criminal action, a \$10 fee; and

14 (iii) Collect, in advance, a \$20 fee for docketing the appearance of  
15 counsel when bringing or defending a case in the Court of Appeals.

16 (5) The Clerk of the Circuit Court for Harford County shall:

17 (i) Collect, in advance, a \$20 fee for docketing the appearance of  
18 counsel when bringing or defending a civil action in the court;

19 (ii) Charge as costs a \$20 fee for docketing the appearance of  
20 counsel when prosecuting or defending a criminal action in the court; and

21 (iii) Collect, in advance, a \$20 fee for docketing the appearance of  
22 counsel when bringing or defending a case in the Court of Appeals.

23 **(6) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,**  
24 **THE CLERK OF THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY SHALL:**

25 **1. COLLECT, IN ADVANCE, A \$10 FEE FOR**  
26 **DOCKETING THE APPEARANCE OF COUNSEL WHEN BRINGING OR DEFENDING A**  
27 **CIVIL ACTION IN THE COURT;**

1                   **2. CHARGE AS COSTS A \$10 FEE FOR DOCKETING**  
2 **THE APPEARANCE OF COUNSEL WHEN PROSECUTING OR DEFENDING A**  
3 **CRIMINAL ACTION IN THE COURT; AND**

4                   **3. COLLECT, IN ADVANCE, A \$10 FEE FOR**  
5 **DOCKETING THE APPEARANCE OF COUNSEL WHEN BRINGING OR DEFENDING A**  
6 **CASE IN THE COURT OF APPEALS.**

7                   **(II) THE CLERK OF THE CIRCUIT COURT FOR PRINCE**  
8 **GEORGE'S COUNTY SHALL:**

9                   **1. COLLECT A \$20 FEE FOR DOCKETING THE**  
10 **APPEARANCE OF COUNSEL IF THE CLERK SENDS A BILL OR A COLLECTION**  
11 **NOTICE FOR NONPAYMENT OF THE FEE;**

12                   **2. COLLECT A \$40 FEE FOR DOCKETING THE**  
13 **APPEARANCE OF COUNSEL IF 30 DAYS WITHOUT PAYMENT ELAPSE AFTER A**  
14 **COLLECTION NOTICE FOR NONPAYMENT IS SENT BY THE CLERK; AND**

15                   **3. REFER THE MATTER TO THE COURT FOR**  
16 **CONSIDERATION OF A CONTEMPT ORDER IF 60 DAYS WITHOUT PAYMENT**  
17 **ELAPSE AFTER A COLLECTION NOTICE FOR NONPAYMENT IS SENT BY THE**  
18 **CLERK.**

19           (q)   (1)   **(I)**   The Clerk of the Circuit Court for Prince George's County  
20 shall transmit to the county all appearance fees collected by the Clerk under this  
21 section to be used for the general purposes of the court library and assignment office  
22 and for the maintenance and improvement of the court's facilities, equipment, and  
23 programs.

24                   **(II)**   These purposes include, but are not limited to, the necessary  
25 expenses for books, legal publications, library equipment, and the services of the  
26 library and other personnel.

27                   (2)   Expenditures for the library are not limited to this fund if the same  
28 should be deemed insufficient by the County Administrative Judge.

29           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 October 1, 2007.