

Department of Legislative Services
 Maryland General Assembly
 2007 Session

FISCAL AND POLICY NOTE

House Bill 83
 Judiciary

(Delegate Conaway, *et al.*)

Courts - Jury Duty - Payment to Jurors

This bill increases the minimum per diem payment made to jurors from \$15 to \$30, retaining the \$50 per diem afforded to trial jurors for service in excess of five days.

The bill goes into effect July 1, 2007.

Fiscal Summary

State Effect: General fund expenditures would increase by approximately \$3.7 million annually beginning in FY 2008 for increased juror per diem payments. Revenues would not be affected.

(\$ in millions)	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	3.7	3.7	3.7	3.7	3.7
Net Effect	(\$3.7)	(\$3.7)	(\$3.7)	(\$3.7)	(\$3.7)

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

Local Effect: Potential increase in expenditures for circuit courts for computer reprogramming costs.

Small Business Effect: None.

Analysis

Current Law: Individuals required to be in attendance at or proximity to a circuit court for jury service are generally entitled to a per diem payment of \$15 for each day of service. Pursuant to Chapter 596 of 2005, trial jurors are entitled to a per diem of \$50 for

each day of service in excess of five days. Each county and Baltimore City may supplement the State per diem amount by local ordinance.

Background: According to the April 2005 *ABA Journal*, juror payments range from \$6 per day in Texas to \$50 per day in Connecticut.

State Expenditures: General fund expenditures would increase by an estimated \$3,692,372 in fiscal 2008. The Administrative Office of the Courts (AOC) paid \$4,192,372 in expenditures for jury services in fiscal 2006. AOC estimates that \$500,000 of that amount was used to pay jurors for service in excess of five day, and payment for such service is unaffected by this bill. Therefore, the total jury payment for the first five days of jury service at \$15 per diem was approximately \$3,692,372. Increasing the per diem rate from \$15 to \$30 would double this expenditures for the first five days of jury service, resulting in a fiscal impact of \$3,692,372 for fiscal 2008. Out-year costs are assumed to be relatively constant.

Local Fiscal Effect: Circuit court expenditures may increase minimally due to computer reprogramming costs required to provide for the increased reimbursements. The increase will vary by jurisdiction to the extent that the jurisdictions have staff to reprogram the computers and that counties use varying methods to maintain jury rosters for payment purposes.

Additionally, counties currently make juror reimbursements and are subsequently reimbursed by AOC. Therefore, there will be an initial increase in local expenditures due to the increase in the juror per diem, but the monies will be recouped upon payment by the State.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - January 30, 2007
nas/jr

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