

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE

House Bill 497
Judiciary

(Prince George's County Delegation)

**Prince George's County - Courts - Docketing Fee for Appearance of Counsel -
Payment and Collection
PG 316-07**

This bill establishes an additional fee in Prince George's County for docketing the appearance of counsel if the clerk sends a bill or a collection notice for nonpayment of the fee. The Clerk of the Circuit Court for Prince George's County must collect an additional \$20 fee for docketing an appearance if such a notice is sent, and a \$40 fee if 30 days have elapsed without payment after such a notice is sent. The clerk also has to refer the matter to the court for a consideration of contempt if 60 days have passed without payment after such a notice is sent.

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: Potentially 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.

Analysis

Current Law: The clerk of the circuit court for each county is charged with collecting fees for the docketing of the appearance of counsel. Generally, the fee is \$10 when bringing or defending a civil action in court, prosecuting or defending a criminal action, or bringing or defending a case in the Court of Appeals.

Variations in this fee exist in Baltimore City and Baltimore, Harford, Montgomery, and St. Mary's counties. Each of these jurisdictions charges a \$20 fee for docketing an appearance or does not charge any fee, under certain circumstances. However, no county charges an additional fee if the clerk sends a bill or notice for nonpayment of the fee, or includes provisions for referring the matter to the court for a possible contempt citation in the case of nonpayment.

Background: Prince George's County advises that attorneys fail to pay appearance fees in 10% to 20% of its cases. In fiscal 2006, there were 35,383 cases filed in the Circuit Court for Prince George's County.

Additional Information

Prior Introductions: HB 924 of 2006, an identical bill, received an unfavorable report in the House Judiciary Committee. HB 1108 of 2005, an identical bill, received a hearing in Judiciary, 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 18, 2007
ncs/hlb

Analysis by: Nicholas M. Goedert

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