

**Department of Legislative Services**  
Maryland General Assembly  
2007 Session

**FISCAL AND POLICY NOTE**

House Bill 497

(Prince George's County Delegation)

Judiciary

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

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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.

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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:** 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.

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## 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.

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## 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

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