

SENATE BILL 248

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CF HB 106

By: **Senators Frosh, Brochin, Forehand, Gladden, Haines, Muse, Raskin, and Stone**

Introduced and read first time: January 22, 2010

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: March 3, 2010

CHAPTER _____

1 AN ACT concerning

2 **Civil Cases – Maryland Legal Services Corporation Fund – Surcharges**

3 FOR the purpose of altering a certain surcharge on certain fees, charges, and costs in
4 certain civil cases in the circuit courts and the District Court; making a stylistic
5 change; and generally relating to certain surcharges deposited into the
6 Maryland Legal Services Corporation Fund.

7 BY repealing and reenacting, with amendments,
8 Article – Courts and Judicial Proceedings
9 Section 7–202(a)(1) and (d) and 7–301(c)
10 Annotated Code of Maryland
11 (2006 Replacement Volume and 2009 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article – Courts and Judicial Proceedings
14 Section 7–202(e)
15 Annotated Code of Maryland
16 (2006 Replacement Volume and 2009 Supplement)

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

19 **Article – Courts and Judicial Proceedings**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 7–202.

2 (a) (1) (I) The State Court Administrator shall determine the amount
3 of all court costs and charges for the circuit courts of the counties with the approval of
4 the Board of Public Works.

5 (II) The fees and charges shall be uniform throughout the State.

6 (d) The State Court Administrator, as part of the Administrator's
7 determination of the amount of court costs and charges in civil cases, shall assess a
8 surcharge that:

9 (1) May not be more than [~~\$25~~] **\$70** per case; and

10 (2) Shall be deposited into the Maryland Legal Services Corporation
11 Fund established under § 11–402 of the Human Services Article.

12 (e) If a party in a proceeding feels aggrieved by any fee permitted under this
13 subtitle or by §§ 3–601 through 3–603 of the Real Property Article, the party may
14 request a judge of that circuit court to determine the reasonableness of the fee.

15 7–301.

16 (c) (1) The filing fees and costs in a civil case are those prescribed by law
17 subject to modification by law, rule, or administrative regulation.

18 (2) The Chief Judge of the District Court shall assess a surcharge that:

19 (i) May not be more than:

20 1. [~~\$5~~] **\$10** per summary ejectment case; and

21 2. [~~\$10~~] **\$20** per case for all other civil cases; and

22 (ii) Shall be deposited into the Maryland Legal Services
23 Corporation Fund established under § 11–402 of the Human Services Article.

24 (3) The Court of Appeals may provide by rule for waiver of
25 prepayment of filing fees and other costs in cases of indigency.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 June 1, 2010.