

Department of Legislative Services  
Maryland General Assembly  
2010 Session

FISCAL AND POLICY NOTE

House Bill 562  
Judiciary

(Prince George's County Delegation)

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Prince George's County - Surcharge on Divorce Petitions - Distribution to the  
Family Crisis Center of Prince George's County  
PG 423-10

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This bill increases the surcharge on divorce petitions filed in Prince George's County from a maximum of \$25 to a maximum of \$70. Under the bill's provisions, a maximum of \$25 from the surcharge must be deposited into the Maryland Legal Services Corporation (MLSC) Fund and a maximum of \$45 must be distributed to the Family Crisis Center of Prince George's County.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Significant increase in revenues from divorce petition filings in Prince George's County. Assuming that the maximum surcharge is set, revenues increase by \$45 for every divorce action filed. Based on the number of divorce actions in prior years, county revenues may increase by \$360,000 annually. Revenue from the surcharge is specifically allocated to the Family Crisis Center of Prince George's County.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** Court costs and charges for the circuit courts are set by the State Court Administrator with the approval of the Board of Public Works. The initial filing fee for a civil case in the circuit courts (including a divorce petition) is \$80 plus a \$25 surcharge for MLSC as authorized by statute.

A judge may waive the prepayment of filing fees and costs in a civil case because of indigency.

**Background:** MLSC was established by the General Assembly in 1982. It receives and distributes funds to nonprofit grantees that provide legal assistance to eligible clients in civil cases. The MLSC fund and the surcharge on filing fees were established in 1998. Since MLSC's creation, it has made grants of more than \$138 million.

The Family Crisis Center of Prince George's County was established in 1981. The center provides the only emergency shelter for victims of abuse and their children in Prince George's County. Other services include counseling, education, and legal advocacy.

**State and Local Effect:** The bill's provisions will not impact State finances, as \$25 of the surcharge from divorce petitions continues to be allocated to MLSC.

The Administrative Office of the Courts advises that in fiscal 2007 (the most recent information available), 7,526 new or reopened divorce or annulment actions were filed in the Prince George's County Circuit Court. *For illustrative purposes only*, if 8,000 divorce actions are filed in fiscal 2011 and the maximum surcharge is set, Prince George's County will receive \$360,000 in revenue to be distributed to the Family Crisis Center of Prince George's County.

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### Additional Information

**Prior Introductions:** None.

**Cross File:** None.

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

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ncs/kdm

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