

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

Senate Bill 198

(Chair, Anne Arundel County Senators)

Judicial Proceedings

Judiciary

**Courts and Judicial Proceedings - Circuit Court for Anne Arundel County - Fees
for Appearance of Counsel**

This bill alters, from \$10 to \$20, specified fees collected or charged by the Circuit Court for Anne Arundel County for docketing the appearance of counsel. The bill also authorizes the Circuit Court for Anne Arundel County to collect a \$20 fee for docketing the appearance of counsel when bringing or defending a case in the Court of Special Appeals.

Fiscal Summary

State Effect: None. The Judiciary can handle any related computer reprogramming costs with existing resources.

Local Effect: Anne Arundel County revenues increase by \$71,300 in FY 2013 and by \$95,000 annually beginning in FY 2014, assuming the number of appearances docketed annually remains constant. Expenditures are not affected.

Small Business Effect: None.

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. The fee varies in Baltimore City and Baltimore, Harford, Montgomery, and St. Mary's counties.

No jurisdiction currently collects a fee for docketing the appearance of counsel when bringing or defending a case in the Court of Special Appeals.

In Anne Arundel County, all appearance fees collected by the clerk are required to be used for the general purposes of the court library and assignment office and for the maintenance and improvement of the court's facilities, equipment, and programs. These include expenses for books, legal publications, library equipment, and the services of the library and other personnel.

Local Fiscal Effect: Anne Arundel County indicates that \$95,000 was collected in appearance fees in fiscal 2011, with the majority being collected from civil or criminal cases in the circuit court. Assuming that the number of cases in which an attorney's appearance is docketed remains constant, Anne Arundel County revenues increase by \$71,250 in fiscal 2013, which accounts for the bill's October 1, 2012 effective date and by \$95,000 annually beginning in fiscal 2014. Revenues are statutorily required to be used for the maintenance and improvement of the circuit court.

Additional Information

Prior Introductions: None.

Cross File: HB 161 (Delegate George, *et al.*) - Judiciary.

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

Fiscal Note History: First Reader - February 6, 2012
mc/kdm

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