

# SENATE BILL 640

D1, D3

(3lr2047)

## ENROLLED BILL

— *Judicial Proceedings/Judiciary* —

Introduced by **Senators Frosh, Brochin, Forehand, Getty, Gladden, Muse, Raskin, Stone, and Zirkin**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Civil Cases – Maryland Legal Services Corporation Fund – Surcharges –**  
3 **~~Repeal~~ Extension of Termination Date**

4 FOR the purpose of ~~repealing~~ extending the termination date of certain provisions of  
5 law altering certain surcharges on certain fees, charges, and costs in certain  
6 civil cases and requiring a certain informational budget to be prepared for the  
7 Maryland Legal Services Corporation and submitted to the General Assembly;  
8 and generally relating to the Maryland Legal Services Corporation Fund.

9 BY repealing and reenacting, without amendments,  
10 Article – Courts and Judicial Proceedings  
11 Section 7–202(a)(1), (d), and (f) and 7–301(c)  
12 Annotated Code of Maryland  
13 (2006 Replacement Volume and 2012 Supplement)

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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.

*Italics* indicate opposite chamber/conference committee amendments.



1 BY repealing and reenacting, without amendments,  
2 Article – Human Services  
3 Section 11–208  
4 Annotated Code of Maryland  
5 (2007 Volume and 2012 Supplement)

6 BY repealing and reenacting, with amendments,  
7 Chapter 486 of the Acts of the General Assembly of 2010  
8 Section 2

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

11 **Article – Courts and Judicial Proceedings**

12 7–202.

13 (a) (1) (i) The State Court Administrator shall determine the amount  
14 of all court costs and charges for the circuit courts of the counties with the approval of  
15 the Board of Public Works.

16 (ii) The fees and charges shall be uniform throughout the State.

17 (d) The State Court Administrator, as part of the Administrator’s  
18 determination of the amount of court costs and charges in civil cases, shall assess a  
19 surcharge that:

20 (1) May not be more than \$55 per case; and

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

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

26 7–301.

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

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

30 (i) May not be more than:

31 1. \$8 per summary ejectment case; and

1                            2.    \$18 per case for all other civil cases; and

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

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

6    **Article – Human Services**

7 11-208.

8                            (a)    The executive director shall prepare an annual budget for the  
9 Corporation.

10                            (b)    (1)    For informational purposes only, the Corporation shall submit its  
11 budget to the General Assembly in conjunction with the budget request of the Judicial  
12 Branch of the State government on November 1 of each year.

13                            (2)    The informational budget required under this subsection shall  
14 include 3 years of data, including the most recently completed fiscal year, an estimate  
15 for the current fiscal year, and an estimate for the next fiscal year, including:

16                            (i)    a summary of total expenditures and the sources of revenue  
17 that support that spending;

18                            (ii)    line item expenditure detail for personnel, operating  
19 expenses, and grants, including individual grantees;

20                            (iii)    narrative explanation of all revenue and spending changes  
21 between the current fiscal year and the next fiscal year;

22                            (iv)    performance measurement data that details the use of  
23 funds; and

24                            (v)    detail on the Corporation’s reserve fund, including actual  
25 and estimated end of fiscal year balances, transfers to and from the reserve fund, and  
26 the policies governing the reserve fund.

27    **Chapter 486 of the Acts of 2010**

28                            SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 July 1, 2010. ~~It shall remain effective for a period of 3 8~~ years and, at the end of June  
30 30, ~~2013~~ 2018, with no further action required by the General Assembly, this Act shall  
31 be abrogated and of no further force and effect. ~~]~~

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   June 1, 2013.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.