

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 592

(Senator Ramirez, *et al.*)

Judicial Proceedings

Lawyers - Fees - Payment by Credit or Debit Card

This bill requires the Court of Appeals to allow an applicant to the Bar or a lawyer to use a credit or debit card to pay (1) an examination fee or any other fee required for admission to the Bar and (2) any annual fee assessed against a lawyer. The Court may charge a processing fee for each credit or debit card payment made under the bill, up to the actual cost incurred in processing the credit or debit card payment.

Fiscal Summary

State Effect: General fund expenditures for the Judiciary increase minimally beginning in FY 2017 for programming and related costs necessary to implement the bill. As the bill authorizes a processing fee for each credit or debit card payment, up to the actual cost incurred in processing the payment, general/special fund revenues are only affected to the extent necessary to recoup costs.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: The Court of Appeals is not required to accept a credit or debit card payment for the fees specified in the bill. The Court currently does not accept credit and debit card payments for these fees.

Current fees for in-state applicants to the Bar are \$225 if filed timely or \$275 if filed late and must be paid by check or money order made payable to the State Board of Law

Examiners. Fees are higher for out-of-state applicants and must be paid by check or money order as well. The Bar examination or reexamination fee is an additional \$250.

The Court does accept credit card authorizations from out-of-state applicants on behalf of the National Conference of Bar Examiners for the cost of the character and fitness investigation and report.

The State Board of Law Examiners is a seven-member board appointed by the Court of Appeals. The board administers the Maryland Bar examination, investigates the legal competence and character and fitness of persons who seek a license to practice law in the State courts of the State of Maryland, and recommends to the Court of Appeals those candidates qualified for admission to the Maryland Bar.

The Client Protection Fund was created in 1966. The fund reimburses clients for losses (not recoverable from other sources) caused by an attorney's or fiduciary's misuse of the client's money. With limited exceptions, the Court of Appeals requires all attorneys barred by the State of Maryland to pay the annual fee – currently set at the statutory \$20 maximum – to the fund. The fund may also raise and collect additional money through voluntary contributions or other means.

Additional Information

Prior Introductions: SB 540 of 2014 received an unfavorable report from the Senate Judicial Proceedings Committee. Its cross file, HB 239, received an unfavorable report from the House Judiciary Committee.

Cross File: None.

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

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