

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 550

(Charles County Delegation)

Health and Government Operations

Judicial Proceedings

Charles County - Orphans' Court Judges - Salary

This bill increases the salaries for the judges of the orphans' court for Charles County as follows: (1) \$12,250 in calendar 2019; (2) \$12,500 in calendar 2020; (3) \$12,750 in calendar 2021; and (4) \$13,000 in calendar 2022 and thereafter. Beginning in calendar 2019, the chief judge receives an additional \$500 annually. Pursuant to constitutional requirements, the salary increases take effect at the beginning of the next term of office.

Fiscal Summary

State Effect: None.

Local Effect: Charles County salary expenditures increase by approximately \$700 in FY 2019 and by a minimum of \$1,700 annually thereafter. Local revenues are not affected.

Small Business Effect: None.

Analysis

Current Law: Orphans' court judges for Charles County receive annual compensation of \$12,000 in calendar 2018 and each subsequent calendar year. Each judge is also entitled to \$500 annually for travel expenses, which is paid quarterly.

Article III, § 35 of the Maryland Constitution prohibits the salary or compensation of any public officer from being increased or diminished during the individual's term of office, except those whose full term is fixed by law in excess of four years. According to a Letter

from the Counsel to the General Assembly, dated January 17, 1978, salary increases that are to be implemented over a period of time are permissible if implemented before the beginning of the term.

Background: Under the Maryland Constitution, each county elects, for a term of four years, three judges to the orphans' court of their respective jurisdictions, with the exception of Montgomery and Harford counties, where a circuit court judge sits as the orphans' court. The orphans' courts are the State's probate courts. The courts supervise the handling of estates and also have certain jurisdiction over the guardianship of minors and their property. The salaries of orphans' court judges are paid by county governments and Baltimore City (except for Harford and Montgomery counties, because the State pays the salaries of circuit court judges).

Local Expenditures: County expenditures for orphans' court judges increase by \$675 in fiscal 2019 and by a minimum of \$1,754 annually thereafter. This estimate includes fringe benefits.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Charles County; Judiciary (Administrative Office of the Courts); Department of Legislative Services

Fiscal Note History: First Reader - February 7, 2018
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