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**To:** Members of the House Judiciary Committee

**From:** Katherine Kelly Howard  
Past President, Maryland State Bar Association

**Date:** February 19, 2020

**Subject:** **HB 704 - Attorney Grievance Commission - Disciplinary Fund - Annual Fee**

**Position:** **OPPOSE**

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**The Maryland State Bar Association (MSBA) opposes House Bill 704 – Attorney Grievance Commission – Disciplinary Fund – Annual Fee.** Under the provisions of HB 704, that the annual fee payable by a lawyer employed full time by a governmental entity to the Disciplinary Fund of the Attorney Grievance Commission could not exceed \$50.

The MSBA opposes the bill for two basic reasons. First, the MSBA would point out that the duty to administer the Disciplinary Fund is granted to the Attorney Grievance Commission under Maryland Rule 19-702, and is inherently of function of the judicial branch of Maryland government. Second, as indicated by the Fiscal Note to HB 704, reduction of the fee assessed to Maryland attorneys employed by governmental entities would have an indeterminate, yet presumably negative, impact upon the balance of the Disciplinary Fund, which is a component of the Client Protection Fund (CPF) The CPF provides relief to Maryland citizens who have been harmed by unscrupulous or negligent attorneys. Further, the Fiscal Note indicates that there is no clear sense of how many Maryland attorneys are employed by governmental entities; thus it is not possible to determine magnitude of the reduction of the Disciplinary Fund.

**For the reasons stated above, the MSBA opposes HB 704 and urges an unfavorable Committee report.**

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