

SENATE BILL 40

D2

(PRE-FILED)

4r0732
CF 4r1151

By: **Carroll County Senators**

Requested: October 25, 2013

Introduced and read first time: January 8, 2014

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Courts and Judicial Proceedings – Circuit Court for Carroll County – Fees**
3 **for Appearance of Counsel**

4 FOR the purpose of altering certain appearance of counsel fees collected or charged by
5 the Clerk of the Circuit Court for Carroll County; authorizing the Clerk of the
6 Circuit Court for Carroll County to collect certain appearance of counsel fees;
7 and generally relating to certain appearance of counsel fees.

8 BY repealing and reenacting, with amendments,
9 Article – Courts and Judicial Proceedings
10 Section 7–204(a)
11 Annotated Code of Maryland
12 (2013 Replacement Volume and 2013 Supplement)

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

15 **Article – Courts and Judicial Proceedings**

16 7–204.

17 (a) (1) Except in Montgomery County and except as provided in
18 paragraph (2) of this subsection for Baltimore County, in paragraph (3) of this
19 subsection for St. Mary’s County, in paragraph (4) of this subsection for Baltimore
20 City, [and] in paragraph (5) of this subsection for Harford County, **AND IN**
21 **PARAGRAPH (6) OF THIS SUBSECTION FOR CARROLL COUNTY**, the clerk of each
22 circuit court shall:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) Collect, in advance, a \$10 fee for docketing the appearance of
2 counsel when bringing or defending a civil action in the court;

3 (ii) Charge as costs a \$10 fee for docketing the appearance of
4 counsel when prosecuting or defending a criminal action in the court; and

5 (iii) Collect, in advance, a \$10 fee for docketing the appearance of
6 counsel when bringing or defending a case in the Court of Appeals.

7 (2) The Clerk of the Circuit Court for Baltimore County shall:

8 (i) Collect, in advance, the following fee for docketing the
9 appearance of counsel when bringing or defending a civil action:

10 1. A \$20 fee for an action, including the collection of
11 money due on mortgage, in a court of equity; and

12 2. A \$10 fee for an action at law in a court of original
13 jurisdiction;

14 (ii) Charge as costs the following fee for docketing the
15 appearance of counsel when bringing or defending a criminal action:

16 1. If the punishment for the offense charged is death or
17 confinement in the State penitentiary, a \$20 fee; and

18 2. For any other criminal action, a \$10 fee; and

19 (iii) Collect, in advance, a \$20 fee for docketing the appearance of
20 counsel when bringing or defending a case in the Court of Appeals.

21 (3) The Clerk of the Circuit Court for St. Mary's County shall collect,
22 in advance, a \$10 fee for docketing the appearance of counsel when bringing or
23 defending a civil action in the court.

24 (4) The Clerk of the Circuit Court for Baltimore City shall:

25 (i) Collect, in advance, a \$20 fee for docketing the appearance of
26 counsel when bringing or defending a civil action in the court;

27 (ii) Charge as costs the following fee for docketing the
28 appearance of counsel when bringing or defending a criminal action:

29 1. If the punishment for the offense charged is death or
30 confinement in the State penitentiary, a \$20 fee; and

31 2. For any other criminal action, a \$10 fee; and

1 (iii) Collect, in advance, a \$20 fee for docketing the appearance of
2 counsel when bringing or defending a case in the Court of Appeals.

3 (5) The Clerk of the Circuit Court for Harford County shall:

4 (i) Collect, in advance, a \$20 fee for docketing the appearance of
5 counsel when bringing or defending a civil action in the court;

6 (ii) Charge as costs a \$20 fee for docketing the appearance of
7 counsel when prosecuting or defending a criminal action in the court; and

8 (iii) Collect, in advance, a \$20 fee for docketing the appearance of
9 counsel when bringing or defending a case in the Court of Appeals.

10 (6) **THE CLERK OF THE CIRCUIT COURT FOR CARROLL COUNTY**
11 **SHALL:**

12 (I) **COLLECT, IN ADVANCE, A \$20 FEE FOR DOCKETING THE**
13 **APPEARANCE OF COUNSEL WHEN BRINGING OR DEFENDING A CIVIL ACTION IN**
14 **THE COURT;**

15 (II) **CHARGE AS COSTS A \$20 FEE FOR DOCKETING THE**
16 **APPEARANCE OF COUNSEL WHEN PROSECUTING OR DEFENDING A CRIMINAL**
17 **ACTION IN THE COURT; AND**

18 (III) **COLLECT, IN ADVANCE, A \$20 FEE FOR DOCKETING THE**
19 **APPEARANCE OF COUNSEL WHEN BRINGING OR DEFENDING A CASE IN THE**
20 **COURT OF APPEALS.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2014.