

Department of Legislative Services
 Maryland General Assembly
 2023 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 555
 Judiciary

(The Speaker)(By Request - Maryland Judiciary)

Judicial Proceedings

Baltimore County - Circuit Court Judgeships

This bill alters the number of resident judges of the circuit court by adding one additional judgeship in Baltimore County. **The bill takes effect July 1, 2023.**

Fiscal Summary

State Effect: General fund expenditures increase by approximately \$365,900 in FY 2024 for one additional judge and associated staff; the FY 2024 budget as passed by the General Assembly includes funding for this purpose. Future year expenditures reflect annualization. Revenues are not affected.

(in dollars)	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	365,900	486,000	508,700	515,800	530,200
Net Effect	(\$365,900)	(\$486,000)	(\$508,700)	(\$515,800)	(\$530,200)

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Baltimore County expenditures increase beginning in FY 2024. Revenues are not affected.

Small Business Effect: None.

Analysis

Current Law: There are 174 circuit court judges in the State, including 20 in Baltimore County.

Background: Additional judgeships were last created by Chapter 749 of 2019, which added one circuit court judge in Washington County and six District Court judges (throughout the State). To support the General Assembly’s role in establishing new judgeships, the Chief Judge of the Supreme Court of Maryland annually certifies to the General Assembly the need for additional judges in the State. The Judiciary uses best practices developed by the National Center for State Courts (NCSC) to calculate judicial need, which take into account the amount of judicial work generated on average per case filing within each distinct case type. Using the model developed by NCSC, judicial need for fiscal 2024 was primarily based on the average number and type of cases filed in the most recent three years least affected by the COVID pandemic (from fiscal 2018 through 2020). Although certification of judicial workloads indicates a projected need of seven additional judges throughout the State (three in circuit courts/four in the District Court), the Judiciary is requesting one judge position for Baltimore County, as it is deemed to be in most critical need of additional judicial resources. The Judiciary is also requesting one additional magistrate in Baltimore County, however, the number of magistrates authorized in each jurisdiction is not established in statute and is therefore not addressed in the bill.

State Expenditures: General fund expenditures increase by \$365,916 in fiscal 2024, which assumes a 90-day start-up delay. This estimate reflects the cost of creating one circuit court judgeship in Baltimore County and the associated positions of one courtroom clerk and one law clerk with the judgeship (a total of three positions). It includes salaries, fringe benefits, and one-time start-up costs.

Positions	3.0
Salaries and Fringe Benefits	\$355,416
Start-up Costs	<u>10,500</u>
FY 2024 State Expenditures	\$365,916

Future year expenditures generally reflect full salaries with annual increases and employee turnover. However, pursuant to Joint Resolutions 2 and 3 of 2022, judicial salaries have been set in statute through fiscal 2026. Because future increases in judicial salaries depend on any recommendations proposed by the Judicial Compensation Commission and subsequent action by the General Assembly, judicial salaries beyond fiscal 2026 do not account for additional increases.

Local Expenditures: The counties are responsible for funding certain operating expenses of the circuit courts, including the salaries and operating expenses of administrative assistants for circuit court judges. Therefore, Baltimore County expenditures increase beginning in fiscal 2024 to reflect the addition of the new judgeship, including costs associated with an administrative assistant for the judge.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 342 (The President)(By Request - Maryland Judiciary) - Judicial Proceedings.

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

Fiscal Note History: First Reader - February 13, 2023
rh/jkb Third Reader - March 20, 2023
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