

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Mary Ellen Barbera
Chief Judge

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: House Judiciary Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: House Bill 744
Courts – Counsel Appearance Fees – Domestic Violence
DATE: February 1, 2021
(2/11)
POSITION: Support

The Maryland Judiciary supports House Bill 744. This bill prohibits the clerk of a circuit court from collecting fees for docketing the appearance of a petitioner’s counsel in certain domestic violence cases.

This bill will clarify the ambiguity on whether circuit court clerks are to collect appearance fees from petitioner’s counsel in certain domestic violence cases.

In addition, pursuant to Stop Violence Against Women Act (STOP VAWA) federal grant eligibility conditions, states are required to certify that there is no fee or cost involved when a protective order is requested. This applies to both the petitioner and petitioner’s counsel. House Bill 744 will codify the federal law, which prohibits any Maryland court from charging a fee to a person seeking a Protective Order, or a person who acts as counsel for a person seeking a Protective Order. To do otherwise is to fall out of compliance with STOP VAWA, with significant consequences regarding federal funding.

cc. Hon. Kathleen Dumais
Judicial Council
Legislative Committee
Kelley O’Connor