

Department of Legislative Services  
 Maryland General Assembly  
 2008 Session

FISCAL AND POLICY NOTE

House Bill 1070 (Delegate Conaway)  
 Judiciary

Courts - Jury Duty - Payment to Jurors

This bill increases the minimum State per diem payment made to jurors from \$15 to \$30, retaining the \$50 per diem afforded to trial jurors for service in excess of five days.

The bill takes effect January 1, 2009.

Fiscal Summary

**State Effect:** General fund expenditures would increase by approximately \$1.7 million in FY 2009 and \$3.5 million annually beginning in FY 2010 for increased juror per diem payments. Revenues would not be affected.

(\$ in millions)	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	1.7	3.5	3.5	3.5	3.5
Net Effect	(\$1.7)	(\$3.5)	(\$3.5)	(\$3.5)	(\$3.5)

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

**Local Effect:** Initial increase in local expenditures due to the increase in the juror per diem, but the monies will be recouped upon payment by the State.

**Small Business Effect:** None.

Analysis

**Current Law:** Individuals required to be in attendance at or proximity to a circuit court for jury service are generally entitled to a State per diem payment of \$15 for each day of

service. Pursuant to Chapter 596 of 2005, trial jurors are entitled to a per diem of \$50 for each day of service in excess of five days. Each county and Baltimore City may supplement the State per diem amount by local ordinance.

**Background:** According to the National Center for State Courts, juror payments range from \$4 per day in Illinois to \$40 per day in West Virginia.

**State Expenditures:** The Administrative Office of the Courts (AOC) paid \$3,867,675 in expenditures for jury services in fiscal 2007. AOC estimates that \$382,092 of that amount was used to pay jurors for service in excess of five days, and payment for such service is unaffected by this bill. Therefore, the total payment for the first five days of jury service at \$15 per diem was approximately \$3,485,583. Increasing the per diem rate from \$15 to \$30 would double this expenditure for the first five days of jury service, resulting in a fiscal impact of \$1,742,792 in fiscal 2009, which accounts for the bill's January 1, 2009 effective date. Beginning in fiscal 2010, expenditures would increase annually by \$3,485,583. Out-year costs are assumed to be relatively consistent.

**Local Fiscal Effect:** Counties currently make juror reimbursements and are subsequently reimbursed by AOC. Therefore, there will be an initial increase in local expenditures due to the increase in the juror per diem, but the monies will be recouped upon payment by the State.

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### Additional Information

**Prior Introductions:** HB 83 of 2007, an identical bill, received an unfavorable report by the House Judiciary Committee.

**Cross File:** None.

**Information Source(s):** Montgomery County, Prince George's County, Caroline County, Howard County, Judiciary (Administrative Office of the Courts), Baltimore City, Department of Legislative Services

**Fiscal Note History:** First Reader - February 25, 2008  
mam/jr

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