

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE

House Bill 1089
Judiciary

(Chair, Anne Arundel County Delegation)(By Request)

Anne Arundel County - Orphans' Court Judges - Salary and Pension

This bill increases the salaries of the orphans' court associate judges for Anne Arundel County from \$29,000 to \$45,000 for calendar 2015 and each subsequent calendar year. The salary of the Chief Judge of the orphans' court increases from \$29,500 to \$47,000. The bill also establishes that the salaries and pensions for orphans' court judges are subject to an annual cost-of-living adjustment (COLA).

Fiscal Summary

State Effect: None. The bill does not directly affect State finances.

Local Effect: Anne Arundel County expenditures increase by \$29,200 in FY 2015 and by a minimum of \$58,300 annually thereafter. Revenues are not affected.

Small Business Effect: None.

Analysis

Bill Summary: An initial COLA may not be made until the second July 1 after the day preceding the effective date. The effective date means the first day of the month in which the compensation or pension is first paid to the judge or chief judge. The bill establishes a method, using the Consumer Price Index, by which a cost-of-living rate is to be calculated in order to adjust the compensation or a pension payable in a fiscal year. For any fiscal year in which the cost-of-living rate is less than 0%, the cost-of-living rate for that fiscal year must be 0%. The rate used to adjust compensation or a pension payable in a fiscal year may not exceed 3%.

Current Law: Each judge of the orphans' court for Anne Arundel County receives annual compensation of \$29,000; the Chief Judge receives \$29,500. Each judge also receives an expense allowance of up to \$150 per month for personal expenses incidental to the judge's duties. Anne Arundel County must pay a pension to each orphans' court judge who has terminated active service, reached 60 years of age, and completed at least two terms of office.

Background: Under the Maryland Constitution, each county elects, for a term of four years, three judges to the orphans' court of their respective jurisdictions, with the exception of Montgomery and Harford counties, where a circuit court judge sits as the orphans' court. The orphans' courts are the State's probate courts. The courts supervise the handling of estates and also have certain jurisdiction over the guardianship of minors and their property. The salaries of orphans' court judges are paid by county governments and Baltimore City (except for Harford and Montgomery counties because the State pays the salaries of circuit court judges).

Local Expenditures: County expenditures increase by \$29,200 in fiscal 2015 and by a minimum of \$58,300 annually thereafter to account for the salary increases for orphans' court judges. This estimate includes fringe benefits. In addition, county expenditures for orphans' court judges' salaries and pensions increase by up to 3% annually beginning in fiscal 2017 in any year in which a COLA is provided.

Additional Information

Prior Introductions: None.

Cross File: SB 946 (Senator Astle) - Rules.

Information Source(s): Anne Arundel County, Department of Legislative Services

Fiscal Note History: First Reader - February 17, 2014
ncs/kdm

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