

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2013 Legislative Session

Resolution No. CR-44-2013
Proposed by The Chair (by request – County Executive)
Introduced by Council Member Harrison
Co-Sponsors _____
Date of Introduction June 4, 2013

RESOLUTION

1 A RESOLUTION concerning

2 Personnel Board

3 For the purpose of approving a revised reimbursement schedule for full or partial legal fees and
4 court costs for Personnel Board matters.

5 WHEREAS, Section 16-205 of the Prince George's County Code provides that the
6 Personnel Board shall forward to the County Council for approval by resolution a reimbursement
7 schedule for full or partial legal fees and court costs; and

8 WHEREAS, such schedule has been submitted by the Personnel Board and reviewed by the
9 County Council.

10 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
11 County, Maryland, that the reimbursement schedule for full or partial legal fees and court costs,
12 attached hereto and made a part hereof, be and the same is hereby approved.

13 BE IT FURTHER RESOLVED that the schedule approved hereby shall supersede and
14 replace the schedule approved by CR-22-2005.

Adopted this 11th day of June, 2013.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Andrea C. Harrison
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

ATTACHMENT

REIMBURSEMENT SCHEDULE FOR EMPLOYEE LEGAL FEES AND COURT COSTS

A. Legal Fees and Court Costs: Legal fees and court costs for which an employee is entitled to be reimbursed in accordance with the provisions of Section 16-205 of the Prince George's County Code, shall be determined and ordered by the Personnel Board in the following manner:

1. Maximum Hourly Fees and Maximum Fee Per Appeal

In determining the amount of legal fees to be awarded as reimbursement to an employee, the Board hereby establishes a maximum hourly fee of One Hundred Eighty Five Dollars (\$185.00) per hour. The maximum amount of fee to be awarded as reimbursement shall be as follows:

(a) In the case of any appeal heard before the Personnel Board, the maximum reimbursement amount for legal fees incurred for any one (1) appeal, inclusive of all proceedings, shall be Eighteen Thousand Five Hundred Dollars (\$18,500.00).

(b) In the case of any appeal of a decision and order rendered by the Personnel Board to the Circuit Court, the maximum reimbursement shall be Eighteen Thousand Five Hundred Dollars (\$18,500.00), inclusive of all proceedings.

(c) In the case of any appeal of a decision rendered by the Circuit Court to an Appellate Court, the maximum reimbursement amount for legal fees incurred for any one (1) appeal shall be Eighteen Thousand Five Hundred Dollars (\$18,500.00), inclusive of all proceedings.

The Board may grant up to an additional One Thousand Five Hundred Dollars (\$1,500.00) in court costs for employee appeals instituted under paragraphs (b) and (c) above.

2. Petition for Fee. The attorney for an employee who desires reimbursement for legal fees and/or court costs shall file a petition with the Personnel Board which sets forth the following:

- (a) Name of case;
- (b) Dates and times of hearings;
- (c) Relief sought;
- (d) Relief granted;
- (e) Itemized list of legal services performed, time required to perform such services and the name and position of the person performing the services;
- (f) The amount of court costs, if any;

- (g) The fee requested; and
- (h) The court costs requested, if any.

3. Standards for Determination of Amount of Award. In determining the amount of each legal fee reimbursement, the Board shall adhere to the following standards:

- (a) Notice of appeal;
- (b) Complexity of case;
- (c) Relief obtained;
- (d) Time spent by attorney; and
- (e) Experience of attorney in like matters.

4. Award. The Board shall make its determination pursuant to these rules within thirty (30) days from the filing of the petition unless the County Attorney has filed an objection to such petition within five (5) working days after the date of receipt of a copy of the petition filed with the Board. If the County Attorney files an objection, then the Board shall schedule a hearing on such objection within thirty (30) days and shall render a final decision within a reasonable period thereafter.