

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5677-01
Bill No.: HB 1754
Subject: Courts; Judges
Type: Original
Date: February 21, 2012

Bill Summary: This proposal changes the composition of certain judicial circuits.

FISCAL SUMMARY

| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | | | |
|---|---------------------------------------|-------------------|-------------------|
| FUND AFFECTED | FY 2013 | FY 2014 | FY 2015 |
| General Revenue | (\$559,990 to \$1,059,990) | (\$71,371) | (\$72,085) |
| Total Estimated Net Effect on General Revenue Fund | (\$559,990 to \$1,059,990) | (\$71,371) | (\$72,085) |

| ESTIMATED NET EFFECT ON OTHER STATE FUNDS | | | |
|---|------------|------------|------------|
| FUND AFFECTED | FY 2013 | FY 2014 | FY 2015 |
| | | | |
| | | | |
| Total Estimated Net Effect on <u>Other</u> State Funds | \$0 | \$0 | \$0 |

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 pages.

| ESTIMATED NET EFFECT ON FEDERAL FUNDS | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2013 | FY 2014 | FY 2015 |
| | | | |
| | | | |
| Total Estimated Net Effect on <u>All</u> Federal Funds | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE) | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2013 | FY 2014 | FY 2015 |
| General Revenue | 1 | 1 | 1 |
| | | | |
| Total Estimated Net Effect on FTE | 1 | 1 | 1 |

- Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).
- Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

| ESTIMATED NET EFFECT ON LOCAL FUNDS | | | |
|--|----------------|----------------|----------------|
| FUND AFFECTED | FY 2013 | FY 2014 | FY 2015 |
| Local Government | \$0 | \$0 | \$0 |

FISCAL ANALYSIS

ASSUMPTION

Officials from **Office of the State Courts Administrator (CTS)** state the proposed legislation would change the county composition of the 12th, 13th, 26th, 30th, 36th, 37th and 42nd judicial circuits and give commissioners all the powers and duties of an associate circuit judge. In addition, it would reduce the number of circuit judges in the 22nd Circuit from 24 to 20 and provide one additional circuit judge in each of the following circuits: 19th, 38th, 31st and 40th. It is assumed that the transfer of the four circuit judge positions will be budget neutral.

Callaway County would be removed from the 13th Circuit and added to the 12th Circuit. As a result, the legislation would create a new single-county circuit in the 13th, which would require a state-paid juvenile officer at \$46,204 per year, plus fringe benefits.

Changes to the composition of the judicial circuits will require reconfiguration of the JIS (statewide court automation) system databases. CTS states they would need to change the databases and various data elements in the conversion. They would use both contractors and current staff. Based upon a previous larger conversion that cost \$3 million, CTS estimates a cost ranging from \$500,000 to \$1,000,000 for this proposal.

The total cost will range from \$559,990 to \$1,059,990.

Officials from the **City of St. Louis, Greene County, Cole County, and Boone County** did not respond to our request for fiscal impact.

Oversight is unsure if the state would realize a savings as a result of Boone County becoming a single-county circuit. According to CTS' response to another proposal from this year (HJR 77), single-county circuits pay for their juvenile officers and the state reimburses them for a percentage of the total costs. Under this proposal, Boone County would become a single-county circuit when Callaway County joins the twelfth circuit. However, CTS assumes that making a change to the composition of circuits would not retroactively trigger Boone County paying for their juvenile officers. Therefore, Oversight will not reflect a savings to the state and an offsetting costs to Boone County for their juvenile officer expense.

Oversight will reflect the costs for the JIS database conversions in the General Revenue Fund. The State Court Automation Fund's (0270) balance at the end of FY 2011 was \$484,708. Oversight assumes this is not sufficient to pay the outside contractors to perform this conversion; therefore, Oversight will reflect the potential costs to the General Revenue Fund.

| <u>FISCAL IMPACT - State Government</u> | FY 2013 (10 Mo.) | FY 2014 | FY 2015 |
|---|--|--------------------------|--------------------------|
| GENERAL REVENUE | | | |
| <u>Costs - CTS</u> | | | |
| Personal Service | (\$38,503) | (\$46,666) | (\$47,133) |
| Fringe Benefits | (\$20,383) | (\$24,705) | (\$24,952) |
| Expense and Equipment | (\$1,104) | \$0 | \$0 |
| Reconfiguration of JIS | (\$500,000 to <u>\$1,000,000</u>) | <u>\$0</u> | <u>\$0</u> |
| <u>Total Costs - CTS</u> | (\$559,990 to \$1,059,990) | (\$71,371) | (\$72,085) |
| FTE Change - CTS | 1 FTE | 1 FTE | 1 FTE |
| ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND | (\$559,990 to <u>\$1,059,990</u>) | <u>(\$71,371)</u> | <u>(\$72,085)</u> |
| Estimated net FTE Change for General Revenue Fund | 1 FTE | 1 FTE | 1 FTE |
| | | | |
| <u>FISCAL IMPACT - Local Government</u> | FY 2013 (10 Mo.) | FY 2014 | FY 2015 |
| | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

This proposal changes the composition of certain judicial circuits. In its main provisions, the bill:

- (1) Specifies that court commissioners, including probate commissioners, have the powers and duties of an associate circuit judge so that their orders, judgments, and decrees will no longer be subject to confirmation or rejection by the circuit judge;
- (2) Moves Callaway County from the 13th Judicial Circuit to the 12th Judicial Circuit, moves the counties of Camden, Miller, Moniteau, and Morgan from the 26th Judicial Circuit to the 30th Judicial Circuit, moves Dallas County from the 30th Judicial Circuit to the 26th Judicial Circuit, moves the counties of Polk and Webster from the 30th Judicial Circuit to the 26th Judicial Circuit, moves Carter County from the 37th Judicial Circuit to the 36th Judicial Circuit, and moves Wayne County from the 42nd Judicial Circuit to the 36th Judicial Circuit. Circuit judges in these circuits will continue to serve in the same judicial circuit in which they were serving prior to the effective date of the bill, and associate circuit judges whose county has been transferred to a different circuit must transfer to the circuit which includes the county in which he or she was serving prior to the effective date of the bill; and
- (3) Reduces the number of circuit judge positions in the 22nd circuit from 24 judges to 20 judges and reallocates one additional position in the 19th, 31st, 38th, and 40th judicial circuits. The newly created judge position in the 19th and 31st judicial circuits is to be elected in 2014. The newly created judge positions in the 38th and 40th judicial circuits will begin on January 1, 2015.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

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SOURCES OF INFORMATION

Office of the State Courts Administrator

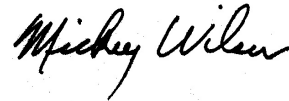
Not Responding:

City of St. Louis

Greene County

Cole County

Boone County



Mickey Wilson, CPA
Director
February 21, 2012

RS:LR:OD