

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0796-02
Bill No.: SB 144
Subject: Courts; Counties; Judges
Type: Original
Date: March 25, 2005

FISCAL SUMMARY

| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | | | |
|---|-----------------------------------|-----------------------------------|-----------------------------------|
| FUND AFFECTED | FY 2006 | FY 2007 | FY 2008 |
| General Revenue | (\$154,041 to Unknown) | (\$189,469 to Unknown) | (\$194,207 to Unknown) |
| | | | |
| Total Estimated Net Effect on General Revenue Fund | (\$154,041 to Unknown) | (\$189,469 to Unknown) | (\$194,207 to Unknown) |

| ESTIMATED NET EFFECT ON OTHER STATE FUNDS | | | |
|---|------------|------------|------------|
| FUND AFFECTED | FY 2006 | FY 2007 | FY 2008 |
| | | | |
| | | | |
| Total Estimated Net Effect on <u>Other</u> State Funds | \$0 | \$0 | \$0 |

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

| ESTIMATED NET EFFECT ON FEDERAL FUNDS | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2006 | FY 2007 | FY 2008 |
| | | | |
| | | | |
| Total Estimated Net Effect on <u>All</u> Federal Funds | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON LOCAL FUNDS | | | |
|--|----------------|----------------|----------------|
| FUND AFFECTED | FY 2006 | FY 2007 | FY 2008 |
| Local Government | \$0 | \$0 | \$0 |

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the Secretary of State** and the **Missouri State Employees' Retirement System** assume the proposal would have no fiscal impact on their agencies.

Officials from the **Office of State Courts Administrator (CTS)** assume the proposed legislation would create two new circuit court judgeships in the 11th judicial circuit, and convert two family court commissioners and one drug court commissioner to associate circuit judgeships in that same circuit.

CTS states if the intent of the legislation is to convert two existing associate circuit judgeships to circuit judgeships, the cost for the two new circuit judgeships would be \$24,000 plus fringe benefits. (Annual salary for a circuit judge is \$108,000, versus the annual salary of \$96,000 for an associate circuit judge or \$12,000 x 2).

Circuit court judges, by statute (§485.040), must appoint a court reporter; therefore, the legislation would also include costs for two court reporters.

ASSUMPTION (continued)

Cases heard by associate circuit judges are heard on the record via electronic recording devices. There would be some, unquantifiable, costs relating to transcribing these records for the three new associate circuit judges.

Since family court commissioners and drug court commissioners are paid at the associate circuit judge rate, there would be no additional salary for this provision.

CTS estimates the total cost for the legislation as follows:

1. Two circuit court judges: \$24,000 plus fringe benefits;
2. Two court reporters: \$49,860 x 2 plus fringe benefits.

Total cost for 12 months is \$123,720 plus fringe benefits.

3. Additional transcribing costs which are unquantifiable at this time.

Officials from the **St. Charles County** did not respond to Oversight's request for fiscal impact.

| <u>FISCAL IMPACT - State Government</u> | FY 2006 (10 Mo.) | FY 2007 | FY 2008 |
|--|--|--|--|
| GENERAL REVENUE FUND | | | |
| <u>Savings</u> – Office of State Courts Administrator (CTS) | | | |
| Personal Service (2 FTE Associate Circuit Judge positions) | \$164,000 | \$201,720 | \$206,763 |
| <u>Costs</u> – CTS | | | |
| Personal Service (2 FTE Circuit Judge positions) | (\$184,500) | (\$226,935) | (\$232,608) |
| Personal Service (2 FTE Court Reporter positions) | (\$85,178) | (\$104,768) | (\$107,388) |
| Fringe Benefits | (\$48,363) | (\$59,486) | (\$60,974) |
| Equipment and Expense | <u>(Unknown)</u> | <u>(Unknown)</u> | <u>(Unknown)</u> |
| <u>Total Costs</u> – CTS | (\$318,041 to <u>Unknown</u>) | (\$391,189 to <u>Unknown</u>) | (\$400,970 to <u>Unknown</u>) |
| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | <u>(\$154,041 to Unknown)</u> | <u>(\$189,469 to Unknown)</u> | <u>(\$194,207 to Unknown)</u> |
| <u>FISCAL IMPACT - Local Government</u> | | | |
| | FY 2006 (10 Mo.) | FY 2007 | FY 2008 |
| | <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.

DESCRIPTION

The proposed legislation would convert two current associate circuit judges in the eleventh judicial circuit into circuit judges beginning on January 1, 2006. Current family court commissioners and drug court commissioners in the eleventh judicial circuit would become associate circuit judges on January 1, 2006, but would maintain their responsibilities with regard to the family court and drug court.

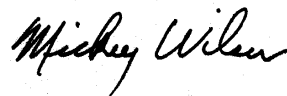
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of State Courts Administrator
Missouri State Employees' Retirement System
Office of the Secretary of State

NOT RESPONDING

St. Charles County



Mickey Wilson, CPA
Director
March 25, 2005