

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0796-08
Bill No.: Perfected SS for SCS for SB 144
Subject: Courts; Counties; Judges
Type: Original
Date: April 20, 2005

FISCAL SUMMARY

| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | | | |
|---|-----------------------------------|-----------------------------------|-----------------------------------|
| FUND AFFECTED | FY 2006 | FY 2007 | FY 2008 |
| General Revenue | (\$228,211 to Unknown) | (\$345,836 to Unknown) | (\$354,394 to Unknown) |
| | | | |
| Total Estimated Net Effect on General Revenue Fund | (\$228,211 to Unknown) | (\$345,836 to Unknown) | (\$354,394 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** assume the proposal would have no fiscal impact on their agency.

Officials from the **Missouri State Employees' Retirement System** assume the contribution rate for retirement for the circuit judges is 55.76% of pay. This would factor into the fringe benefit percentage.

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

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).

ASSUMPTION (continued)

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

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.

CTS assumes the legislation would also add an additional associate circuit judge in Cass County beginning on January 1, 2006. The cost for this judge in FY 06 would be \$48,000 plus fringe benefits (six months). The cost in subsequent years would be \$96,000 plus fringe benefits per year at the present associate judge salary.

Officials from the **St. Charles County** and **Cass 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 – Office of State Courts</u> | | | |
| Administrator (CTS) | | | |
| Personal Service (2 FTE Associate Circuit Judge positions) | \$164,000 | \$201,720 | \$206,763 |
| Fringe Benefits | <u>\$91,446</u> | <u>\$112,479</u> | <u>\$115,291</u> |
| <u>Total Savings – CTS</u> | \$255,446 | \$314,199 | \$322,054 |
| <u>Costs – CTS</u> | | | |
| Personal Service (2 FTE Circuit Judge positions and 1 FTE Associate Circuit Judge) | (\$232,500) | (\$327,795) | (\$335,900) |
| Personal Service (2 FTE Court Reporter positions) | (\$85,178) | (\$104,768) | (\$107,388) |
| Fringe Benefits | (\$165,979) | (\$227,472) | (\$233,160) |
| Equipment and Expense | <u>(Unknown)</u> | <u>(Unknown)</u> | <u>(Unknown)</u> |
| <u>Total Costs – CTS</u> | (\$483,657 to <u>Unknown</u>) | (\$660,035 to <u>Unknown</u>) | (\$676,448 to <u>Unknown</u>) |
| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | <u>(\$228,211 to Unknown)</u> | <u>(\$345,836 to Unknown)</u> | <u>(\$354,394 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 increase the number of circuit judges in the eleventh judicial circuit (St. Charles County) from four to six beginning on January 1, 2007. The two new circuit judges would be elected in November 2006 for a full six-year term. Further, the proposal would provide that beginning on January 1, 2007, the current drug court commissioner and family court commissioner positions would become associate circuit judge positions, but would retain the duties of the drug court and family court. The new associate circuit judges would be elected in November 2006 for a full four-year term. (§478.600)

The proposed legislation would also increase the number of associate circuit judges in Cass Counties by one, beginning January 1, 2006. (§478.570)

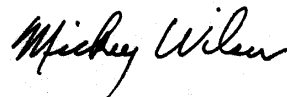
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

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

NOT RESPONDING

St. Charles County
Cass County



Mickey Wilson, CPA
Director
April 20, 2005