

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0605-02
Bill No.: SCS for SB 163
Subject: Courts; Federal – State Relations; Fees
Type: Original
Date: February 9, 2007

Bill Summary: The proposal modifies various provisions relating to the basic civil legal services fund. The expiration date of §477.650 is extended from December 31, 2007, until December 31, 2012. §488.031 shall expire on December 31, 2012.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Basic Civil Legal Services	(\$1,500,000)	(\$3,000,000)	(\$3,000,000)
Total Estimated Net Effect on <u>Other</u> State Funds	(\$1,500,000)	(\$3,000,000)	(\$3,000,000)

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on FTE	0	0	0

- 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 2008	FY 2009	FY 2010
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator** assume the proposed legislation would extend the sunset of the Basic Civil Legal Services Fund from 2007 to 2012.

The Basic Civil Legal Services Fund provides low income Missourians with equal access to the civil justice system. Moneys are paid to the Office of the State Court Administrator and credited to the fund, which is administered by the Supreme Court.

In addition to the other fees authorized by law, the clerk of each court collects fees on the filing of any civil and criminal action or proceeding, including an appeal: Supreme Court and Court of Appeals \$20; Circuit Courts \$10; Associate Circuit Courts \$8. The fund collects and disburses approximately \$3,000,000 in any given year.

Oversight assumes the provision authorizing the distribution of funds in the basic civil legal services fund will be extended from the current expiration date of December 31, 2007, to December 31, 2012. Oversight has reflected the distribution of funds for 6 months of FY 2008 and for 12 months of FY 2009 and FY 2010.

Oversight assumes the provision setting an expiration date of December 31, 2012, on the collection of court fees to be deposited into the basic civil legal services fund will have a fiscal impact which is beyond the scope of the fiscal note, as Section 488.031 currently has no expiration date. Therefore, Oversight shows no revenues from the collection of fees.

<u>FISCAL IMPACT - State Government</u>	FY 2008 (6 Mo.)	FY 2009	FY 2010
BASIC CIVIL LEGAL SERVICES FUND			
<u>Costs – CTS</u>			
Distribution to legal services organizations	<u>(\$1,500,000)</u>	<u>(\$3,000,000)</u>	<u>(\$3,000,000)</u>
ESTIMATED NET EFFECT ON BASIC CIVIL LEGAL SERVICES FUND	<u>(\$1,500,000)</u>	<u>(\$3,000,000)</u>	<u>(\$3,000,000)</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
	<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.

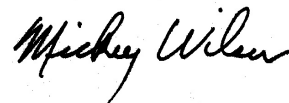
FISCAL DESCRIPTION

The proposed legislation modifies the provisions relating to the basic civil legal services fund. The expiration date of §477.650, the distribution of moneys in the basic civil legal services fund, is extended from December 31, 2007, to December 31, 2012. The provisions in §488.031, the collection of fees to be deposited in the basic civil legal services fund, shall expire on December 31, 2012.

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



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Director
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