

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4916-01  
Bill No.: SB 733  
Subject: Judges; Courts; Saint Louis; Appropriations; Elections  
Type: Original  
Date: January 23, 2016

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Bill Summary: This proposal authorizes additional circuit judges for certain circuits when indicated by a judicial performance report and repeals provisions regarding the appointment of a janitor-messenger.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>				
FUND AFFECTED	FY 2017	FY 2018	FY 2019	Fully Implemented (FY 2021)
General Revenue	(\$693,338)	(\$1,040,007)	(\$1,386,676)	(\$2,080,014)
<b>Total Estimated Net Effect on General Revenue</b>	<b>(\$693,338)</b>	<b>(\$1,040,007)</b>	<b>(\$1,386,676)</b>	<b>(\$2,080,014)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>				
FUND AFFECTED	FY 2017	FY 2018	FY 2019	Fully Implemented (FY 2021)
<b>Total Estimated Net Effect on Other State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>				
<b>FUND AFFECTED</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>Fully Implemented (FY 2021)</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>				
<b>FUND AFFECTED</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>Fully Implemented (FY 2021)</b>
General Revenue	4 FTE	6 FTE	8 FTE	12 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>4 FTE</b>	<b>6 FTE</b>	<b>8 FTE</b>	<b>12 FTE</b>

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>				
<b>FUND AFFECTED</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>Fully Implemented (FY 2021)</b>
Local Government	\$0	\$0	\$0	\$0

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials at the **Office of the State Courts Administrator (OSCA)** assume the proposed legislation authorizes additional circuit judges for certain circuits when indicated by annual judicial performance report and repeals provisions regarding the appointment of a janitor-messenger. This section of the proposed legislation indicates for three consecutive calendar years the need for four or more full-time judicial positions in any judicial circuit having a population of one hundred thousand or more there shall be one additional circuit judge position authorized in such circuit, subject to appropriations made for that purpose.

St. Louis County qualifies for an additional judicial position in Fiscal Years 2017, again in 2018, and again in 2019. The cost of each position is as follows:

	Salary	Fringe	Annual FTEs	Annual Total	Cumulative FTEs	Cumulative Total
Circuit Judge	\$148,263	\$111,365	1	\$259,628	1	\$259,628
Court Reporter	\$ 56,612	\$ 30,429	1	<u>\$ 87,041</u>	<u>1</u>	<u>\$ 87,041</u>
Fiscal Year 2017			2	\$346,669	2	\$346,669
Fiscal Year 2018			2	\$346,669	4	\$693,338
Fiscal Year 2019			2	\$346,669	6	\$1,040,007

Currently the JudWWL for St. Louis County is 9.63 FTE, this proposal would reduce the need to 8.63 in FY 2017, 7.63 in FY 2018 and 6.53 in FY 2019.

**Oversight** assumes from the Missouri Circuit Costs Judicial Needs Assessment Model that Greene County would also qualify for an additional judicial position in FY 2017 (their JudWWL at August 2015 was 4.70). Oversight also assumes that St. Louis County would continue to qualify for an additional judicial position in FY 2020 as well as in FY 2021. The cost of each position would be as follows:

	Salary	Fringe	Annual FTEs	Annual Total	Cumulative FTEs	Cumulative Total
Fiscal Year 2020 (St. Louis County)			2	\$346,669	8	\$1,386,676
Fiscal Year 2021 (St. Louis County)			2	\$346,669	10	\$1,733,345
Circuit Judge	\$148,263	\$111,365	1	\$259,628	1	\$259,628
Court Reporter	\$ 56,612	\$ 30,429	1	<u>\$ 87,041</u>	<u>1</u>	<u>\$ 87,041</u>
Fiscal Year 2017 (Greene County)			2	\$346,669	2	\$346,669

ASSUMPTION (continued)

Fiscal Year 2018 (Greene County)	0	\$0	2	\$346,669
Fiscal Year 2019 (Greene County)	0	\$0	2	\$346,669
Fiscal Year 2020 (Greene County)	0	\$0	2	\$346,669
Fiscal Year 2021 (Greene County)	0	\$0	2	\$346,669

**Oversight** assumes according to section 478.073.1.(2), beginning in 2020, a judicial conference shall submit to the Secretary of the Senate a circuit realignment plan for the alteration of the geographical boundaries and territorial jurisdiction of the judicial circuits. Along with a statement of the numbers and boundaries of the proposed judicial circuits together with a map of the proposed judicial circuits, the circuit realignment plan shall include an analysis of the A current judicial weighted workload model. Once submitted to both chambers, a circuit realignment plan shall become effective January first of the year following the session of the general assembly (1/1/2021) to which it is submitted, unless a bill realigning the judicial circuits is presented to the Governor and is duly enacted.

Therefore, Oversight assumes once the realignment plan is submitted in 2020, judicial positions may be realigned among the circuits, and Oversight will not reflect a fiscal impact for this bill past FY 2021.

<u>FISCAL IMPACT - State Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019	Fully Implemented (FY 2021)
<b>GENERAL REVENUE</b>				
<u>Cost - OSCA - additional judicial positions in St. Louis County</u>	(\$346,669)	(\$693,338)	(\$1,040,007)	(\$1,733,345)
FTE Change - St. Louis County Circuit	2 FTE	4 FTE	6 FTE	10 FTE
<u>Cost - OSCA - additional judicial position in Greene County</u>	(\$346,669)	(\$346,669)	(\$346,669)	(\$346,669)
FTE Change - Greene County Circuit	2 FTE	2 FTE	2 FTE	2 FTE
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b><u>(\$693,338)</u></b>	<b><u>(\$1,040,007)</u></b>	<b><u>(\$1,386,676)</u></b>	<b><u>(\$2,080,014)</u></b>
Estimated Net FTE Change for General Revenue	4 FTE	6 FTE	8 FTE	12 FTE
 <u>FISCAL IMPACT - Local Government</u>	 FY 2017 (10 Mo.)	 FY 2018	 FY 2019	 Fully Implemented (FY 2021)
	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

FISCAL IMPACT - Small Business

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

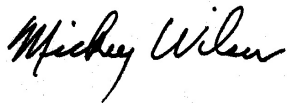
FISCAL DESCRIPTION

This act provides that when an annual judicial performance report indicates for three consecutive years that a judicial circuit with a population of one hundred thousand people or more is in need of four or more full-time judicial positions then, subject to appropriations, there shall be one additional circuit judge position authorized in that circuit. The act also repeals sections of law referencing the appointment of a janitor-messenger in the circuit court of the City of St. Louis.

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 the State Courts Administrator



Mickey Wilson, CPA  
Director  
January 23, 2016

Ross Strobe  
Assistant Director  
January 23, 2016