

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1793-01
Bill No.: SB 437
Subject: Venue shall be in the most convenient forum with jurisdiction.
Type: Original
Date: February 26, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator (CTS)**, in response to a similar proposal in a previous session, assume the proposed legislation would provide a means for shifting venue to a more appropriate court. CTS expects no real change in the number of civil cases; however, there may be a small increase in motion and hearing activity. CTS does not expect the increased workload to be significant.

Officials from the **Office of the State Public Defender (SPD)**, in response to a similar proposal in a previous session, assume the proposed legislation will not create any new cases; however, it may cause the expenses of the SPD to increase. Should the State move to relocate a case to a "more convenient" jurisdiction, travel costs may increase if that location is more distant from the SPD's district office. SPD further assumes the proposed legislation affects only the post-conviction cases as the legislation is pointed at civil cases, not criminal. **Oversight** assumes that a case might as often be relocated to a location closer to the SPD's district office, and that the net effect would be minimal.

Officials from the **Office of Prosecution Services** and the **Office of the Attorney General**, in response to a similar proposal in a previous session, assume the proposed legislation would have no impact on their agencies.

Oversight assumes the proposal would have minimal fiscal impact and could be absorbed with existing resources.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<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

This proposal would require each court of this state to decline to exercise jurisdiction of any cause of action accruing outside the circuit in which the court is located, if there is another forum with jurisdiction of the parties in which the trial can be more conveniently held.

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

NOT RESPONDING

Office of State Courts Administrator

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is written in a cursive style with a large initial "J".

Jeanne Jarrett, CPA
Director
February 26, 2001