

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1810-01  
Bill No.: SB 495  
Subject: Judges; St. Louis County  
Type: Original  
Date: February 26, 2001

**FISCAL SUMMARY**

| <b>ESTIMATED NET EFFECT ON STATE FUNDS</b>                  |                        |                        |                        |
|---|------------------------|------------------------|------------------------|
| FUND AFFECTED   | FY 2002                | FY 2003                | FY 2004                |
| General Revenue   | 0 to (\$81,926)        | 0 to (\$83,975)        | 0 to (\$86,074)        |
| <b>Total Estimated Net Effect on <u>All</u> State Funds</b> | <b>0 to (\$81,926)</b> | <b>0 to (\$83,975)</b> | <b>0 to (\$86,074)</b> |

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

| <b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b> |            |            |            |
|--|------------|------------|------------|
| FUND AFFECTED                              | FY 2002    | FY 2003    | FY 2004    |
| <b>Local Government</b>                    | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 3 pages.

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## FISCAL ANALYSIS

### ASSUMPTION

In response to a similar proposal in the prior session, officials from the **Office of the Attorney General, Office of Prosecution Services,** and the **Office of the St. Louis County Prosecuting Attorney** assume the proposed legislation would have no fiscal impact to their agencies.

In response to a similar proposal in the prior session, officials from the **Office of the Circuit Clerk of St. Louis County** indicated the St. Louis County government would incur expenses for additional space needed for the additional court reporters. The amount of these expenses are indeterminable.

**Oversight** assumes this proposal could result in minimal fiscal impact for the 21<sup>st</sup> Judicial Circuit, as the office space, equipment, and operating costs for the court reporters would be local expenses. However, Oversight assumes these costs would be minimal and could be absorbed with existing resources.

In response to a similar proposal in the prior session, officials from the **Office of State Courts Administrator (CTS)** indicated there are 13 associate circuit judges in St. Louis County, the 21<sup>st</sup> Judicial Circuit.

Officials from the **Office of State Courts Administrator (CTS)** assume the proposed legislation provides that the next five vacancies in associate circuit judgeships occurring after August 28, 2001 would be replaced with circuit judges. Vacancies occur when judges resign, retire, are not retained, or die. Thus, it is difficult to predict when vacancies will occur. CTS would be responsible for the difference in salary (currently \$96,000 for associates and \$108,000 for circuit judges or \$12,000). Since judicial salaries are above the social security cap and there would be no change in health insurance costs, the cost of fringe benefits on judicial salaries will be limited to any incremental retirement costs. CTS would also be responsible for the salary of a court reporter authorized to circuit judges (per Section 485.040) at annual salary of \$48,240 each plus fringe benefits.

**Oversight** assumes it would be conceivable for a vacancy to occur at any time. The first scheduled vacancy in associate circuit judgeships to occur after August 28, 2001, would be in FY 2008 (mandatory retirement at age 70); however, unscheduled vacancies could occur at any time. For purposes of this fiscal note, Oversight has ranged the costs from zero to one vacancy for each fiscal year.

| <u>FISCAL IMPACT - State Government</u>                 | FY 2002<br>(10 Mo.)           | FY 2003                       | FY 2004                       |
|---|-------------------------------|-------------------------------|-------------------------------|
| <b>GENERAL REVENUE FUND</b>                             |                               |                               |                               |
| Cost - State Courts Administrator                       |                               |                               |                               |
| Salaries  | 0 to (\$60,240)               | 0 to (\$61,746)               | 0 to (\$63,290)               |
| Benefits  | 0 to (\$21,686)               | 0 to (\$22,229)               | 0 to (\$22,784)               |
| <b>ESTIMATED NET EFFECT ON<br/>GENERAL REVENUE FUND</b> | <b><u>0 to (\$81,926)</u></b> | <b><u>0 to (\$83,975)</u></b> | <b><u>0 to (\$86,074)</u></b> |
| <u>FISCAL IMPACT - Local Government</u>                 | FY 2002<br>(10 Mo.)           | FY 2003                       | FY 2004                       |
|   | <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.

DESCRIPTION

This proposal would reclassify the next five judicial vacancies in associate circuit judge positions in St. Louis County as circuit judge positions.

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



Jeanne Jarrett, CPA  
Director  
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