

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 6340-01
Bill No.: HB 2085
Subject: Courts; Judges; Counties
Type: Original
Date: April 1, 2014

Bill Summary: This proposal changes the associate circuit judge positions awarded to the Circuit Court of St. Louis County and the 38th Judicial Circuit based on the 2014 judicial weighted workload model.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
General Revenue	\$92,572	\$185,145	\$185,145
Total Estimated Net Effect on General Revenue Fund	\$92,572	\$185,145	\$185,145

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 8 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
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 2015	FY 2016	FY 2017
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials at **Christian County** currently do not have space available for additional judges. To implement this change, the sheriff would relocate to another facility. The existing space would be used to accommodate the Prosecuting Attorney. Then the Prosecuting Attorney's space would be remodeled into a courtroom. As a result, both current spaces would have to be remodeled.

The following is a itemized cost analysis based on the information provided to us:

One-Time Cost for Renovation

Approximately 9,000 square feet of renovation	
@ \$150 per square feet based on prevailing wage	\$1,350,000
Moving expense and technology for Sheriff	<u>\$ 100,000</u>
Total of One Time Costs	\$1,450,000

Continued Costs

Monthly lease for Sheriff's Administration	\$ 96,000
Circuit Clerk's office expense and additional jurors	<u>\$ 50,000</u>
Total Continued Costs	\$ 146,000

Oversight assumes Christian County would incur their expenses whether they get a new Circuit Judge or a new Associate Circuit Judge. Therefore, this bill would not have an impact to them and Oversight will show the local political subdivisions as \$0 impact.

Officials at the **Office of the State Courts Administrator** assume the proposed legislation substitutes additional circuit judges and an associate circuit judge in lieu of associate circuit judges that could be awarded under section 478.320 RSMo in 2014 to St. Louis County and the 38th Circuit. The cost of the positions is as follows:

Circuit Judge	\$145,343	fringe \$111,037
Associate Circuit Judge	\$133,716	fringe \$103,348
Court Reporter	\$ 56,612	fringe \$ 24,640
Court Clerk III	\$ 32,300	fringe \$ 17,439

ASSUMPTION (continued)

Under Section 478.320.2 RSMo, the 21st Circuit qualifies for three additional associate circuit judges in the fiscal 2015 budget. The Judiciary has submitted a request for three associate circuit judges and three court clerk III positions to start January 1, 2015 for a cost in FY15 of \$249,024 plus fringe. Funding for a full year will be \$498,048 plus fringe. This legislation would substitute one circuit judge and one court reporter for two associate circuit judges and two court clerk III. The cost of one circuit judge and one court reporter is \$201,955 plus fringes. This cost would be offset by the savings of two associate circuit judges and two court clerk III totaling \$332,032 plus fringes resulting in an annual savings of \$130,077 plus fringe.

Under section 478.320.2 RSMo, the 38th Circuit qualifies for one additional associate circuit judge in the fiscal 2015 budget. The Judiciary has submitted a request for one associate circuit judge and one court clerk III position to start January 1, 2015 for a cost in fiscal 2015 of \$83,008 plus fringes. Funding for a full year will be \$166,016 plus fringes. This legislation would substitute one circuit judge and one court reporter for one associate circuit judge and one court clerk III. The cost of one circuit judge and one court reporter is \$201,955 plus fringes. This cost would be offset by the savings of one associate circuit judge and one court clerk III totaling \$166,016 plus fringe, resulting in an annual increase of \$35,939 plus fringes. The total savings of this legislation is potentially \$94,138 plus fringes. (Please see the chart listed below).

ASSUMPTION (continued)

21st Judicial Circuit currently qualifies for the following:

	Salary	Fringe	FTEs	Total
Associate Circuit Judge	\$ 133,716	\$ 103,348	3	\$ 711,192
Court Clerk III	\$ 32,300	\$ 17,439	3	\$ 149,217
Total				\$ 860,409

HB 2085 proposal to replace 2 Associate Circuit Judge and 2 Court Clerk III positions with 1 Circuit Judge and 1 Court Reporter:

	Salary	Fringe	FTEs	Total
Associate Circuit Judge	\$ 133,716	\$ 103,348	1	\$ 237,064
Court Clerk III	\$ 32,300	\$ 17,439	1	\$ 49,739
Circuit Judge	\$ 145,343	\$ 111,037	1	\$ 256,380
Court Reporter	\$ 56,612	\$ 24,640	1	\$ 81,252
				\$ 624,435

Savings realized from this proposal **\$ 235,974**

38th Judicial Circuit currently qualifies for the following:

	Salary	Fringe	FTEs	Total
Associate Circuit Judge	\$ 133,716	\$ 103,348	1	\$ 237,064
Court Clerk III	\$ 32,300	\$ 17,439	1	\$ 49,739
Total				\$ 286,803

HB 2085 proposal to replace 1 Associate Circuit Judge and 1 Court Clerk III positions with 1 Circuit Judge and 1 Court Reporter

	Salary	Fringe	FTEs	Total
Circuit Judge	\$ 145,343	\$ 111,037	1	\$ 256,380
Court Reporter	\$ 56,612	\$ 24,640	1	\$ 81,252
				\$ 337,632

Cost realized from this proposal **\$ (50,829)**

Grand Total realized from this proposal **\$ 185,145**

ASSUMPTION (continued)

Officials at the **Office of Prosecution Services** assume no fiscal impact from this proposal.

Officials at **St. Louis County** assume no fiscal impact from this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2015 (6 Mo.)	FY 2016	FY 2017
GENERAL REVENUE			
<u>Savings</u> - 21st Judicial Circuit - from proposal to replace positions as described on page 5	\$117,987	\$235,974	\$235,974
<u>Costs</u> - 38th Judicial Circuit - from proposal to replace positions as described on page 5	<u>(\$25,415)</u>	<u>(\$50,829)</u>	<u>(\$50,829)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>\$92,572</u>	<u>\$185,145</u>	<u>\$185,145</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
	<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.

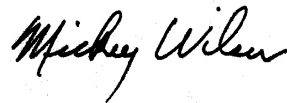
FISCAL DESCRIPTION

This bill specifies that if the circuit court of St. Louis County is awarded additional associate circuit judge positions in 2014 based on the annual judicial weighted workload model, there must be one additional associate circuit judge position and one additional circuit judge position in lieu of the additional associate circuit judge positions awarded under Section 478.320, RSMo. If the 38th Judicial Circuit is awarded an additional associate circuit judge position in 2014 based on the model, there must be one additional circuit judge position in lieu of the additional associate circuit judge position. The additional circuit judge position must be in addition to the number of circuit judge and associate judge positions in existence in the 38th Judicial Circuit on the effective date of this provision with at least one circuit judge appointed for Taney County and at least one circuit judge appointed for Christian County.

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 Prosecution Services
St. Louis County
Christian County
Office of the State Courts Administrator



Mickey Wilson, CPA
Director
April 1, 2014

Ross Strobe
Assistant Director
April 1, 2014

L.R. No. 6340-01
Bill No. HB 2085
Page 8 of 8
April 1, 2014

NM:LR:OD