

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
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FISCAL IMPACT STATEMENT

LS 7115
BILL NUMBER: HB 1540

DATE PREPARED: Feb 23, 1999
BILL AMENDED: Feb 22, 1999

SUBJECT: Courts.

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FUNDS AFFECTED: **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

STATE IMPACT	FY 1999	FY 2000	FY 2001
State Revenues			
State Expenditures			128,616
Net Increase (Decrease)			(128,616)

Summary of Legislation: (Amended) This bill eliminates two county courts in Tippecanoe County. It adds three superior courts in Tippecanoe County and gives each court a small claims and misdemeanor division. It abolishes the position of magistrate for the county court and allows the new superior courts to appoint one full-time magistrate. The bill adds one judge to the Elkhart Superior Court. It requires that a person elected as judge of the Avon town court to be an attorney in good standing and exempts from the requirement the person elected as judge of the Avon town court in the 1999 general election.

Effective Date: (Amended) Upon passage; July 1, 1999; January 1, 2001.

Explanation of State Expenditures: (Revised) The total annual cost of this bill is estimated to be \$257,232 [\$128,616 x 2]. This figure reflects the estimated cost to fund one additional superior court in Tippecanoe County and one additional court in Elkhart County. Because these costs will be incurred beginning January 1, 2001, the first year of impact will be FY 2001. The amount will be one-half of the annual impact.

The cost for an additional judge is \$128,616 and includes: \$90,000 for annual salary, \$8,964 for fringe benefits, \$4,852 for health/dental/vision insurance, \$24,000 for the annual State General Fund contribution to the Judges Retirement Fund (trial court judges are not members of PERF); and \$800 for additional training, mailing, and travel reimbursement expenses incurred by the Indiana Judicial Center.

The conversion of the two county courts to superior courts, and the conversion of the county court magistrate to a superior court magistrate have no measurable fiscal impact.

Explanation of State Revenues: (Revised) Adding two courts may result in an increase of the number of cases processed in courts of record and speed up the collection of court costs, a percentage of which are deposited into the state General Fund.

When court costs are collected by a court of record, 70% goes to the State General Fund, 27% goes to the county general fund, and 3% goes to the local municipal fund (but only if the city or town maintains a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record).

Explanation of Local Expenditures: (Revised) County expenditures may increase due to administrative costs associated with the hiring of support staff and the provision of office space for the additional judges.

The conversion of the two county courts to superior courts and the conversion of the county court magistrate to a superior court magistrate have no measurable fiscal impact.

Explanation of Local Revenues: (Revised) Adding two courts may result in an increase of the number of cases processed and speed up the collection of court costs, a percentage of which are deposited into the county general fund and local municipal fund.

State Agencies Affected: Indiana Judicial Conference.

Local Agencies Affected: County and superior courts of Tippecanoe County and Elkhart County; Hendricks County (Avon town court).

Information Sources: Division of State Court Administration; IC 33-4-7-9.1; State Budget Agency; Indiana Judicial Conference; 1997 Indiana Judicial Report