

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

301 State House
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FISCAL IMPACT STATEMENT

LS 8110
BILL NUMBER: HB 2032

DATE PREPARED: Jan 20, 1999
BILL AMENDED:

SUBJECT: St. Joseph County courts

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**FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL**

IMPACT: State & Local

STATE IMPACT	FY 1999	FY 2000	FY 2001
State Revenues			
State Expenditures		181,870	246,178
Net Increase (Decrease)		(181,870)	(246,178)

Summary of Legislation: This bill has the following provisions:

- (1) Requires the election of judges for the St. Joseph Superior Court;
- (2) Eliminates the St. Joseph County Judicial Nominating Commission and the St. Joseph County Judicial Qualifications Commission;
- (3) Adds one judge to the St. Joseph superior court to: (1) be elected at the November 5, 2000, general election; and (2) take office January 1, 2001;
- (4) Divides the St. Joseph superior court into divisions that each have one judge and specifies the jurisdiction of the divisions;
- (5) Adds: (1) one full-time magistrate to the St. Joseph circuit court; and (2) one full-time magistrate to the St. Joseph probate court;
- (6) Requires the judges of the St. Joseph superior court to designate by rule one of the judges as chief judge before September 1, 1999;
- (7) Makes the chief judge responsible for the efficient operation and conduct of the court; and
- (8) Repeals a provision that requires the judges of the St. Joseph superior court to designate a presiding judge.

Effective Date: July 1, 1999; January 1, 2001.

Explanation of State Expenditures: The annual cost of to add two magistrates is estimated to be \$181,870 [\$90,935 x 2]. This figure reflects the estimated cost to fund two additional magistrates should the St. Joseph Circuit and Probate Courts choose to appoint one additional magistrate each, and the cost to add one superior court.

The per magistrate cost of \$90,935 includes: \$72,000 for annual salary, \$14,083 for fringe benefits [this includes the contribution for the Public Employees' Retirement Fund (PERF), of which magistrates are members], \$4,852 for health/dental/vision insurance and \$800 for costs incurred by the Indiana Judicial Conference for training, publications, and conferences.

Passage of this bill would also add one new judge to the state payroll beginning in January of FY 2001. The annual cost for one additional judge is \$128,616. This figure includes (1) base salary of \$90,000; (2) fringe benefits of \$8,964 (calculated at 9.96% of the base salary); (3) health, dental and vision insurance expenses of \$4,852; (4) state general fund contribution to the Judges Retirement Fund of \$24,000; and (5)\$800 in additional training, mailing, and travel reimbursement expenses incurred by the Indiana Judicial Center. The total cost is divided in half to reflect the fact that the first fiscal impact would not occur until January of FY 2001 [$\$128,616/2 = \$64,308$].

Explanation of State Revenues: Adding two magistrates and one superior court may result in an increase of the number of cases processed in the St. Joseph Circuit, Superior and Probate Courts 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: County expenditures may increase due to administrative costs associated with the hiring of support staff and the provision of office space for the additional magistrates and court.

Explanation of Local Revenues: Adding two magistrates and one superior court may result in an increase of the number of cases processed in the St. Joseph Circuit, Superior and Probate 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: St. Joseph County courts.

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