

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

301 State House
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FISCAL IMPACT STATEMENT

LS 6411
BILL NUMBER: SB 27

DATE PREPARED: Nov 19, 1998
BILL AMENDED:

SUBJECT: Court officers.

FISCAL ANALYST: Susan Preble
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FUNDS AFFECTED: **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

STATE IMPACT	FY 1999	FY 2000	FY 2001
State Revenues			
State Expenditures		3,411,158	3,411,158
Net Increase (Decrease)		(3,411,158)	(3,411,158)

Summary of Legislation: This bill adds the following magistrates and judges to the respective counties:

- (A) three full-time magistrates in Allen County;
- (B) one full-time magistrate in Clark County;
- (C) one judge in Elkhart County;
- (D) one full-time magistrate in Floyd County;
- (E) three full-time magistrates and three judges in Lake County;
- (F) one full-time magistrate in LaPorte County;
- (G) four judges and ten full-time magistrates in Marion County;
- (H) four full-time magistrates in St. Joseph County; and
- (I) three full-time magistrates in Vanderburgh County.

The bill converts the county courts in Dearborn County and Noble County to superior courts. It also repeals a provision applicable to the Tippecanoe county court and relocates the provision within the same chapter of the Indiana Code. (The introduced version of this bill was prepared by the Commission on Courts.)

Effective Date: July 1, 1999.

Explanation of State Expenditures: The total annual cost of this bill is estimated to be \$3,411,158. This figure reflects the estimated cost to fund an additional twenty-six (26) magistrates and eight (8) courts

statewide [\$2,385,110 + \$1,026,048].

The per magistrate cost of \$91,735 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. The annual cost for twenty-six (26) magistrates is \$2,385, 110 [\$91,735 x 26].

The per judge cost of \$128,256 includes: \$90,000 for annual salary, \$8,604 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 annual cost for eight (8) additional judges is \$1,026,048 [\$128,256 x 8].

The requests to convert the Dearborn and Noble County courts to superior courts have no measurable fiscal impact.

Explanation of State Revenues: Adding twenty-six (26) magistrates and eight (8) judges 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: County expenditures may increase due to administrative costs associated with the hiring of support staff and the provision of office space for additional magistrates and judges.

The requests to convert the Dearborn and Noble County courts to superior courts have no measurable fiscal impact.

Explanation of Local Revenues: Adding twenty-six (26) magistrates and eight (8) judges 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: Trial courts of Allen, Clark, Dearborn, Elkhart, Floyd, Lake, LaPorte, Marion, Noble, St. Joseph, and Vanderburgh Counties.

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