

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

301 State House  
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**FISCAL IMPACT STATEMENT**

**LS 6310**  
**BILL NUMBER: SB 600**

**DATE PREPARED:** Apr 9, 1999  
**BILL AMENDED:** Apr 8, 1999

**SUBJECT:** Court-related program funding

**FISCAL ANALYST:** Susan Preble  
**PHONE NUMBER:** 232-9867

**FUNDS AFFECTED:**  **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** State

**Summary of Legislation:** (Amended) This bill specifies that a judge or a prosecuting attorney is not required to provide on the annual statement of economic interest the names of close relatives from whom gifts valued at over \$100 have been received. It provides that a close relative is a person related to a person in a certain degree by blood, adoption, half-blood, marriage, or remarriage.

It allows a state legislator who is a party to an administrative adjudication to obtain a continuance from the presiding agency during the pendency of a session of the Indiana General Assembly.

It removes limitations on the amount of funds that may be used by the Division of State Court Administration for the Office of Guardian Ad Litem and Court Appointed Special Advocate Services.

It indicates that the General Assembly may supplement the amount appropriated by statute to the Indiana Conference for Legal Education Opportunities (CLEO) and the Public Defense Fund.

It also indicates that the General Assembly may set a per diem for senior judges that is higher than the per diem set by statute. (The introduced version of this bill was prepared by the Commission on Courts.)

**Effective Date:** July 1, 1999.

**Explanation of State Expenditures:** (Revised) This bill eliminates the limitation on the amount of funds that can be used by the Division of State Court Administration for the Office of Guardian Ad Litem (GAL) and Court Appointed Special Advocate (CASA) services. The current statutory limit is \$75,000 per year. Funding for the GAL and CASA services comes from money the Division receives from the State General Fund. For any amount appropriated by the General Assembly to fund GAL and CASA services, the Division must provide matching funds to counties to implement and administer GAL and CASA services at the local level. This bill allows the Division to dedicate more funds to GAL and CASA services. If the General

Assembly chooses to appropriate more funds to the services, state expenditures will increase.

Current law requires \$550,000 to be appropriated each year from the State General Fund to the Division of State Court Administration to be used for the CLEO Program. This bill would allow the General Assembly to appropriate additional funds to the program at its discretion. If it chooses to do so, state expenditures will increase.

This bill would allow the General Assembly to appropriate additional funds to the Public Defense Fund at its discretion. If it chooses to do so, state expenditures will increase. Under current law, \$1,200,000 is transferred from the State General Fund to the Public Defense Fund twice a year. The balance of the Fund is approximately \$2,000,000. Currently, there are 20 counties that are eligible for reimbursement for public defense expenditures. In fiscal year 1997-1998, the total reimbursement amount from the Fund to eligible counties for capital and non-capital public defense expenditures was \$1,850,000. In fiscal year 1998-1999, the Council projects that the total reimbursement amount will be \$2,923,000. The Public Defender Council estimates that a total of 30 counties will be eligible for the next biennium and projects that total reimbursement from the Fund will be \$4,100,000 in the first year of the biennium, and \$5,200,000 in the second year.

This bill also allows the General Assembly to increase the per diem rate paid to senior judges. Currently, 66 individuals are certified as senior judges, and in 1998, 59 senior judges were appointed by the Supreme Court to serve in trial courts statewide. The Division of State Court Administration pays approximately \$80,000 - \$100,000 in senior judge per diems per year. In addition to the \$50 per diem, the state also pays benefits for appointed senior judges. The Division estimates that it pays approximately \$300,000 - \$400,000 per year for the senior judge program (includes per diem and benefits). It also estimates that senior judges serve a total of 1,800 days a year. The usage of the senior judge program increases each year.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** Division of State Court Administration; Public Defender Council.

**Local Agencies Affected:**

**Information Sources:** Jack Stark, Division of State Court Administration, (317) 232-2542; Larry Landis, Public Defender Council, (317) 232-2490.