

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

301 State House  
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**FISCAL IMPACT STATEMENT**

**LS 7050**  
**BILL NUMBER: SB 636**

**DATE PREPARED:** Feb 8, 1999  
**BILL AMENDED:**

**SUBJECT:** Courts in Elkhart County.

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

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

**IMPACT:** State & Local

STATE IMPACT	FY 1999	FY 2000	FY 2001
State Revenues			
State Expenditures		72,624	156,043
Net Increase (Decrease)		(72,624)	(156,043)

**Summary of Legislation:** This bill adds one superior court judge and one magistrate in Elkhart County.

**Effective Date:** July 1, 1999; September 15, 1999.

**Explanation of State Expenditures:** (Revised)The annual cost of this bill in FY 2000 is estimated to be \$72,624 [(\$91,735/12) x 9.5 months]. This figure reflects the cost to fund an additional magistrate for nine and one-half months in FY 2000. The annual cost of this bill in FY 2001 is estimated to be \$156,043 [\$128,616/2 + \$91,735]. This figure reflects the cost to fund an additional judge for half of FY 2001 and an additional magistrate for all of FY 2001.

The annual cost for an additional magistrate is \$91,735 which 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 an additional judge is \$128,616 which 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.

**Explanation of State Revenues:** Adding a magistrate and a judge 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 the additional magistrate and judge.

**Explanation of Local Revenues:** Adding a magistrate and a judge 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 Elkhart County.

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