

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

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 6088**  
**BILL NUMBER: SB 121**

**NOTE PREPARED: Sep 23, 2010**  
**BILL AMENDED:**

**SUBJECT:** Allen Circuit Court.

**FIRST AUTHOR:** Sen. Kruse  
**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

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

**IMPACT:** State & Local

**Summary of Legislation:** This bill allows the judge of the Allen Circuit Court to appoint a second full-time magistrate. It removes the judge's authority to appoint a hearing officer: (1) who has the powers of a magistrate; and (2) whose salary is paid by the county.

**Effective Date:** July 1, 2011.

**Explanation of State Expenditures:** This bill will add an estimated \$134,201 in General Fund expenditures. A magistrate's salary is 80% of the salary of a circuit and superior court judge.

**Background Information-** The salary of circuit and superior court judges can be adjusted each year by one of two methods:

- The General Assembly could increase the amount specified in statute.
- If the General Assembly does not increase the salary of judges by a nominal amount, then under IC 33-38-5-8.1, salaries of judicial officers can be adjusted by the amount that executive staff salaries in the same salary level are increased.

State expenditures associated with these new court officers also depend on the costs of fringe benefits for state employees. While most of the benefits are based on a percentage of the salaries of the employee, the costs of medical insurance for these persons will depend on future decisions of the executive branch. The extent to which the state would pass along any increase in health insurance costs to employees is unknown.

The following table shows estimates of the total compensation (base salary and fringe benefits) of magistrates during FY 2011. Future salary increases will depend on legislative or administrative actions (see IC 33-38-5-8.1).

<b>Salaries and Benefits for Magistrates</b>	
<b>Benefits</b>	
Salary	\$100,518
Life Insurance	\$362
Indiana Judicial Conference	\$1,000
Social Security	\$7,690
Retirement	\$9,348
Disability Insurance	\$2,292
Health, Dental, and Vision (blended rate)	\$12,991
<b>Total Cost Per Judicial Officer</b>	<b>\$134,201</b>

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** Allen County would save an estimated \$20,780 in CY 2011 and \$41,560 in each subsequent year based on current salaries of magistrates. Allen County currently pays a hearing officer the same salary that magistrates receive, with a different mix of benefits. Consequently, Allen County will be relieved of paying for both the salary and the fringe benefits of a hearing officer.

Allen County is also reimbursed for 66% of the salary of the hearing officer from federal Title IV-D monies for child support enforcement.

The following shows Allen County’s savings if Allen County no longer pays the hearing officer.

	<b>CY 2011</b>	<b>CY 2012</b>	<b>CY 2013</b>
Salary	\$50,259	\$100,518	\$100,518
County Supplement	\$2,000	\$4,000	\$4,000
FICA	\$3,998	\$7,996	\$7,996
PERF*	\$4,860	\$9,720	\$9,720
<b>Total Costs</b>	<b>\$61,117</b>	<b>\$122,234</b>	<b>\$122,234</b>
Reimbursement at 66%	\$40,337	\$80,675	\$80,675
<b>Net cost to Allen County</b>	<b>\$20,780</b>	<b>\$41,560</b>	<b>\$41,560</b>

\*Source: Allen Circuit Court

**Explanation of Local Revenues:**

**State Agencies Affected:** Indiana Judicial Center.

**Local Agencies Affected:** Allen County.

**Information Sources:** Tim Miller, Allen Circuit Court.

**Fiscal Analyst:** Mark Goodpaster, 317-232-9852.