

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. NO.: 4570-02  
BILL NO.: SB 1045  
SUBJECT: Courts; Judges  
TYPE: Original  
DATE: February 29, 2000

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
General Revenue	(\$414,851)	(\$503,904)	(\$516,515)
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>(\$414,851)</b>	<b>(\$503,904)</b>	<b>(\$516,515)</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
<b>Local Government</b>	(Unknown)	(Unknown)	(Unknown)

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 4 pages.

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**FISCAL ANALYSIS**

**ASSUMPTION**

Officials from the **Office of Prosecution Services** assume the proposed legislation would have no fiscal impact on their agency.

Officials from the **Office of the State Courts Administrator** assume the proposed legislation would split the 17<sup>th</sup> Judicial Circuit into two circuits. The circuit currently consists of Cass and Johnson counties. Per the legislation, as of August 28, 2000, the 17<sup>th</sup> circuit would consist of only Cass County and a new 46<sup>th</sup> Judicial Circuit would be created consisting of Johnson County. There are currently two circuit judges in the 17<sup>th</sup> circuit. The proposed legislation would move one of these judges to a new 46<sup>th</sup> circuit, and would add a new circuit judge to the 17<sup>th</sup> circuit at a fiscal year 2001 salary of \$111,000. Since there would be a new circuit, there would also be a new presiding judge. Per 485.010 RSMo 1994, presiding judges are allowed to hire a secretary to assist them in their administrative duties. The marketplace rate for a presiding judge's secretary is \$29,184. In addition, the new circuit judge in the 17<sup>th</sup> circuit would be allowed to appoint an official court reporter per 485.040 RSMo 1994, at a current statutory rate of \$46,706. Cass and Johnson counties currently each have two associate circuit judges. The proposed legislation would add an additional associate judge to Cass County. Associate judges are traditionally entitled to a Court Clerk III. Fiscal year 2001 salary for an associate circuit judge will be \$99,000 and the current market rate for a court clerk is \$25,440. The creation of a new circuit would also require the creation of a new juvenile office. At the very least, a new Juvenile Officer III position would be created, at a current salary of \$42,288. Local costs will depend upon availability of facilities, equipment, and operating costs.

In a response to a similar proposal, officials from the **Office of the State Public Defender (SPD)** indicated the proposal would result in added pressure for assistant public defenders to be in multiple places at one time. SPD realizes that their caseload would not increase due to one additional judge in Cass County; however, their current caseload would be expedited. SPD assumes they would require 0.5 FTE Assistant Public Defender (\$33,360 per year), plus fringe benefits, equipment, and operating expenses to carry out the provisions of this proposal with an estimated cost of approximately \$25,000 annually.

Officials from the **Circuit Clerk of Cass County** assume the proposed legislation would result in additional costs to the county for office space, operating expenses, and equipment. The amount of these costs is unknown.

Officials from the **Office of the Circuit Clerk of Johnson County** assume the proposed legislation would have no fiscal impact on their office.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
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**GENERAL REVENUE FUND**

<u>Cost - State Courts Administrator (CTS)</u>			
Personal Service (6 FTE)	(\$297,674)	(\$366,138)	(\$375,292)
Fringe Benefits	(\$91,535)	(\$112,588)	(\$115,402)
Total Cost - CTS	<u>(\$389,209)</u>	<u>(\$478,726)</u>	<u>(\$490,694)</u>

<u>Cost - State Public Defender (SPD)</u>			
Personal Service (.5 FTE)	(\$14,248)	(\$17,524)	(\$17,963)
Fringe Benefits	(\$4,381)	(\$5,388)	(\$5,524)
Expense and Equipment	(\$7,013)	(\$2,266)	(\$2,334)
Total Cost - SPD	<u>(\$25,642)</u>	<u>(\$25,178)</u>	<u>(\$25,821)</u>

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>	<b><u>(\$414,851)</u></b>	<b><u>(\$503,904)</u></b>	<b><u>(\$516,515)</u></b>
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<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
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<u>Cost - Cass County</u>	(Unknown)	(Unknown)	(Unknown)
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FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

The proposed legislation divides the 17<sup>th</sup> Judicial Circuit into two circuits. The 17<sup>th</sup> Judicial Circuit shall consist of the county of Cass and the 46<sup>th</sup> Judicial Circuit shall consist of the county of Johnson. The circuit court judge who sat in division two of the 17<sup>th</sup> Judicial Circuit shall be the circuit judge for the 46<sup>th</sup> Judicial Circuit. The circuit judge in division two of the 17<sup>th</sup> Judicial Circuit shall be elected in 2002. One additional associate circuit judge is to be elected in Cass county (17<sup>th</sup> Judicial Circuit) in 2002.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

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Office of State Courts Administrator  
Office of Prosecution Services  
State Public Defender  
Office of the Circuit Clerk of Cass County  
Office of the Circuit Clerk of Johnson County

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is written in a cursive style with a large initial "J".

Jeanne Jarrett, CPA  
Director  
February 29, 2000