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FISCAL IMPACT REPORT

SPONSOR: Miera DATE TYPED: 02/02/01 HB 182
 SHORT TITLE: Second Judicial Children’s Court Hearing Officer SB _____
 ANALYST: Hayes

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
	\$ 146.8			Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC files
 Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of Bill

House Bills 182 appropriates \$146.8 from the general fund to the Second Judicial District Court for the purpose of funding a hearing officer and legal assistant for its children’s court. Funding will provide for salaries and benefits, supplies, furniture and equipment.

Significant Issues

The expedited detention hearing officer would review the status of children in the juvenile Detention center and ensure that these children are in a suitable environment before adjudication. Usually children are detained for the maximum legal time until their situation is reviewed. A majority of these children would be released much quicker if a sufficient number of personnel existed to expedite the release process.

The legal assistant would work with the public on pro se matters relating to children’s issues. These include adoptions, delinquency, and abuse and neglect cases. The amount of pro se litigants is consistently on the rise, and the Juvenile Justice Center does not have the staff to assist pro se litigants. Pro se cases can extend for a longer period of time because a litigant is not sufficiently prepared or does not understand the process. According to the AOC, a legal assistant is needed at the Juvenile Justice Center in order to expedite these cases.

FISCAL IMPLICATIONS

The appropriation of \$146.8 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2002 shall revert to the general fund.

If a portion of the appropriation is for capital outlay, that amount would generally be considered non-recurring; it would be a one-time appropriation. It is unknown how much of the appropriation in this bill is for capital outlay.

ADMINISTRATIVE IMPLICATIONS

According to the AOC, cases in children's court will be delayed without an additional hearing officer and legal assistant requested in this bill. (No caseload data was provided by the AOC in its bill analysis.)

OTHER SUBSTANTIVE ISSUES

Recurring funds requested in HB182 replaces a federal grant received by the Second District from the Juvenile Accountability Incentive Block Grant (JAIBG) which terminates in March 2001. That grant has funded one term hearing officer position for children's court for approximately one year. The grant did not provide funding for a legal assistant.

CMH/njw