

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

## FISCAL IMPACT REPORT

ORIGINAL DATE 1/26/08

SPONSOR Martinez, R. LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE AOC Municipal Court Support Division SB 213

ANALYST C. Sanchez

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY08	FY09		
	\$500.0	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY08	FY09	FY10	3 Year Total Cost	Recurring or Non- Rec	Fund Affected
<b>Total</b>			Indeterminable		Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Administrative Office of the Courts (AOC)

### SUMMARY

#### Synopsis of Bill

Senate Bill 89 appropriates \$500,000 from the general fund to the administrative office of the courts (AOC) for expenditure in FY 2009 to form a municipal court support division within the AOC. Any unexpended or unencumbered balance at the end of FY 09 shall revert to the general fund.

**FISCAL IMPLICATIONS**

The proposed budget of the municipal court support division is:

Municipal Court Division Director (attorney)	123,700
Salary for 3 Auditors	241,845
Administrative Assistant	60,286
Administrative costs	59,169
Contractual	15,000
Total Budget:	500,000

LFC expects the proposed division’s budget to rise by over 3 percent a year. The proposed division would also impact the AOC’s budget which has grown an average of 3.5 percent a year since 2002.

**SIGNIFICANT ISSUES**

The appropriation will be used to hire an attorney to serve as director, three auditors and an administrative assistant to provide support for all municipal judges throughout the state. Funding is also requested for administrative costs (primarily and for contractual expenses. The Supreme Court has superintending control over all courts within the State of New Mexico and is seeking to create this division within the AOC to assist the court in assuring that all municipal judges are aware of and are following proper rules and procedures, as well as sound fiscal and human resources practices. The request is expanded from last year to include a division director and a staff attorney in recognition of the variety of legal issues faced by municipal judges.

**PERFORMANCE IMPLICATIONS**

The courts are participating in performance-based budgeting. It is unknown if enactment of this bill would impact performance measures as they relate to judicial budgeting.

**ADMINISTRATIVE IMPLICATIONS**

The enactment of this bill will enable the AOC to provide assistance to municipal courts statewide in administrative operations within these courts.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

If this bill is not enacted, the Supreme Court will be limited in its ability to provide support for municipal courts.

CS/nt