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FISCAL IMPACT REPORT

SPONSOR: Sharer DATE TYPED: 02/08/01 HB _____
 SHORT TITLE: Create 14th Judicial District SB 300
 ANALYST: Dotson

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
	\$ 90.0		\$ 372.3	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

Administrative Office of the Courts

SUMMARY

Synopsis of Bill

SB 300 appropriates \$90.0 from the general fund to Administrative Office of the Courts for the purpose of salaries, benefits, office supplies, materials and other costs associated with the creation of a Fourteenth Judicial District in the county of San Juan.

Significant Issues

The Administrative Office of the Courts reports there is a constitutional problem because of the effective date. The six judges of the current Eleventh Judicial District were elected in 1996 to six-year terms by voters in both McKinley and San Juan counties. As written, the bill would change the judicial district in the middle of the terms of the duly-elected judges. The next election for district judges is in 2002. The judges of divisions one, three, four, and six of the Eleventh Judicial District are already required by statute to reside and maintain their principal offices in the county of San Juan. The effective date of the bill should be January 1, 2003. Language should be included in the Bill to outline the election procedures for the election to occur in 2002.

FISCAL IMPLICATIONS

The appropriation of \$90.0 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of 2002 shall revert to the general fund.

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According to the Administrative Office of the Courts, the Bill as written is significantly underfunded. The bill appropriates \$90.0 and this is \$372.3 less than needed. The recurring cost for court staff would be \$430.3.

According to the Administrative Office of the Courts, the creation of the Fourteenth Judicial District would make both the Eleventh and the Fourteenth districts one-county districts. Because neither would have a second county to take recusal or excusal cases, it is anticipated that a larger number of cases would go to the Supreme Court for assignment. These cases are often the most controversial and most costly. The cost of increased assignments from the Supreme Court cannot be easily quantified.

ADMINISTRATIVE IMPLICATIONS

According to the Administrative Office of the Courts, the creation of another judicial district will require the establishment of separate office procedures and management of all administrative including budget preparation, fiscal services, and human resource management. Thus, the need for additional personnel.

PD/ar:prr