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FISCAL IMPACT REPORT

SPONSOR: Cisneros DATE TYPED: 02/19/01 HB _____
 SHORT TITLE: Taos County Teen Court Program SB 372
 ANALYST: Hayes

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
	\$ 55.0			Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Duplicates Appropriation in The General Appropriation Act to the Eighth Judicial District Court in HB2, committee substitute. It also duplicates HB493.

SOURCES OF INFORMATION

LFC files

Administrative Office of the Courts (AOC)

Taos County Board of Commissioners 2001 New Mexico Legislative Request document

SUMMARY

Synopsis of Bill

This bill appropriates \$55.0 from the general fund to the Eighth Judicial District Court to operate the Taos county teen court.

No effective date was specified.

Significant Issues

The Teen Court of Taos County was established to add a new concept of diversion and accountability to the juvenile justice system. The court is directed toward juvenile misdemeanor offenses and encouraging young people to take responsibility for their actions. Ultimately, the goal is to reduce their likelihood of repeated involvement with the law.

Teen court is also a way for first-time offenders to keep their records clean. A jury, composed of local teens, does not decide innocence or guilt of an offender, but assesses the sentence of the offender. The youth going before the teen jury must openly admit commission of a delinquent act

(with parents or guardian's consent). If the offender admits to a delinquent act, accepts the "sentence" of the teen jury and successfully completes it, then the delinquent act is dismissed and the offender pays no fine.

The Eighth Judicial District Court has jurisdiction within Taos county. However, the Eighth Judicial District court presently has no direct financial or oversight connection with the Taos County teen court; this program is currently operated by Taos county as noted above.

FISCAL IMPLICATIONS

The appropriation of \$55.0 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.

The Taos County Board of Commissioners 2001 New Mexico Legislative Request document states that "Taos county will maintain fiscal and programmatic control of this program. The overall responsibility will be transferred to the Taos County DWI/Teen Court Program through the Office of Community Development." It is unclear why the appropriation is being made to the Eighth Judicial District Court. No information is provided in the bill itself or by the courts.

ADMINISTRATIVE IMPLICATIONS

If the Eighth Judicial District is asked to administer these funds, the AOC states that the court will expend resources and incur costs for the administration of these funds which are not part of the appropriation request. This additional cost can be avoided by providing the funding directly to Taos County who is presently running this teen court project. According to the Administrative Office of the Courts, monies designated in this bill are better directed to Taos County for administration, not the court. Besides, the Eighth Judicial District Court is occupied with developing and expanding its juvenile and adult drug courts.

DUPLICATION

The HAFC committee substitute of HB2 recommends funding totaling \$55.0 to the Eighth Judicial District Court for teen court.

SB372 duplicates HB493.

TECHNICAL ISSUES

Effective date of the bill needs to be stated.

POSSIBLE QUESTIONS

1. Why is this appropriation being requested for the Eighth Judicial District Court if the teen court program is a county-sponsored program? Is Taos County no longer funding this program?
2. Is the \$55.0 replacing federal grant monies that are terminating?
3. What statistics can be provided regarding the Taos Teen Court? How many youths have appeared in front of teen court? What is the percentage of teens completing their "sentences?" How many of these teens have subsequently been repeat offenders? What is your success rate?