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FISCAL IMPACT REPORT

DATE

SPONSOR Martinez TYPED 1/26/04 HB 128

SHORT TITLE Judicial Salary Increases SB _____

ANALYST Wilson

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
	\$1,957.7			Recurring	General Fund

Relates to Appropriation for judicial salaries in the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)

Attorney General's Office (AGO)

Juvenile Parole Board (JPB)

SUMMARY

Synopsis of Bill

House Bill 128 appropriates \$1,957,660 from the general fund to the Department of Finance and Administration (DFA) to provide justices of the supreme court with a salary increase to \$110,000. Salary increases will also be provided to the chief justice of the supreme court, the chief judge of the court of appeals, the judges of the court of appeals, district court judges, metropolitan court judges, magistrate judges, child support hearing officers and special commissioners. The salary increases will be effective the first full pay period after July 1, 2004. The bill represents an 11 percent increase for all judges.

Significant Issues

Judicial salaries nationwide are constantly changing, yet New Mexico judicial salaries are consistently listed as one of the lowest in the nation. New Mexico currently ranks 54th when compared to judges in other state courts and judges in the District of Columbia, Guam, Puerto Rico,

the Northern Mariana Islands and the Virgin Islands.

The following charts illustrate the salaries of the highest courts in seven southwest states, regional averages, and salaries of federal judges and territorial judges:

SALARIES OF HIGHEST COURT OF THE SEVEN STATES SOUTHWEST REGION		
State	Salary*	Date of Last Change
Arizona	\$ 126,525	1/1/2001
California	\$ 170,319	7/1/2002
Colorado	\$ 113,637	7/1/2002
Hawaii	\$ 115,547	7/1/2000
New Mexico	\$ 99,170	1/1/2004
Nevada	\$ 170,800	1/6/2003
Utah	\$ 114,050	7/1/2001
*Salary of an Associate Justice		

Region Average (excluding NM)		\$ 135,146
Region Average (including NM)		\$ 129,595
National Average (excluding NM)		\$ 125,015
National average (including NM)		\$ 124,441
Federal System:	\$ 190,100	
District of Columbia:	\$ 164,100	
Guam:	\$ 126,000	
Puerto Rico:	\$ 120,000	
Northern Mariana Island:	\$ 126,000	
Virgin Islands:	\$ 135,000	

If the salary increase is implemented, New Mexico's ranking would move to approximately 40th within the 50 state region. The AOC reports that in order to attract and retain the most qualified individuals to serve on the New Mexico bench, it is essential to pay them an appropriate salary.

FISCAL IMPLICATIONS

The appropriation of \$1,957.7 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2005.

The following chart illustrates the total fiscal impact of this bill:

	Current Salary	Proposed Salary
Supreme Court Chief Justice	\$101,170	\$112,000
Supreme Court Justice	\$99,170	\$110,000
Ct. of Appeals Chief Judge	\$96,112	\$106,400
Court of Appeals Judge	\$94,212	\$104,500
District Court Judge	\$89,501	\$99,275
Metropolitan Court Judge	\$80,551	\$89,348
Magistrate Judge	\$60,413	\$67,011
Hearing Officers/Special Comm.	\$71,601	\$79,420

Court	No. of Judges	Cost of Increase
New Mexico Supreme Court	5	63,870
New Mexico Court of Appeals	10	121,347
District Courts	75	864,632
Bernalillo County Metro Court	16	166,017
Magistrate Courts	62	482,505
Total		1,698,371
Hearing Officers/ Special Commissioners	15.5	259,289
GRAND TOTAL		1,957,660

ADMINISTRATIVE IMPLICATIONS

DFA can implement the salary increases in this bill with existing staff.

DW/yr:lg