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## FISCAL IMPACT REPORT

SPONSOR Campos DATE TYPED 2/4/04 HB \_\_\_\_\_

SHORT TITLE Additional 4<sup>th</sup> District Judge SB 338

ANALYST Koplik

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
	\$264.3			Recurring	General Fund
	\$35.7			Non-Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to

HB 130 – Additional Judge in 13<sup>th</sup> District

HB 176 - Additional Judgeships

HB 285 - Additional Santa Fe Magistrate Judge

Relates to Appropriation in the General Appropriation Act

### SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts

### SUMMARY

#### Synopsis of Bill

Senate Bill 338 appropriates \$300 thousand from the general fund to the 4<sup>th</sup> Judicial District Court for an additional judge.

The additional judgeship shall be filled by appointment by the governor pursuant to the provisions of Article 6 of the Constitution of New Mexico. The bill amends NMSA 1978, §34-6-7 to add an additional judge in the Fourth Judicial District, for a total of three district judges.

#### Significant Issues

The Administrative Office of the Courts states that although the Weighted Caseload Study indi-

cates that the 4<sup>th</sup> Judicial District needs an additional judge, the court does not have the space to house an additional judge at this time. The two judges of the district are working with San Miguel County to obtain approximately \$1 million in capital outlay funds to build additional space and renovate the courthouse. It is the intent of the 4<sup>th</sup> Judicial District to request an additional judge in FY 2006, if the capital outlay project for the county courthouse is approved.

Furthermore, the Administrative Office of the Courts states that the Chief Judges Council reviewed all district, metropolitan, and magistrate judgeship requests statewide and considered both the need as determined by the Weighted Caseload Study as well as additional narrative and testimonial information. The Council voted to support three district court judgeships in the 9<sup>th</sup>, 11<sup>th</sup>, and 13<sup>th</sup> Judicial Districts, one Bernalillo County Metropolitan Court judgeship and one magistrate court judgeship in Santa Fe County. The funding request for an additional judge for the Fourth Judicial District is not within the unified judgeship package.

### **FISCAL IMPLICATIONS**

The appropriation contained in this bill is a recurring expense of \$264.3 thousand and a non-recurring expense of \$35.7 to the general fund. Any unexpended or unencumbered balance remaining at the end of FY 2005 shall revert to the general fund.

No appropriations have been made for the expense of an additional district attorney or public defender.

### **ADMINISTRATIVE IMPLICATIONS**

The court administration will need to work with the county to find space for this additional judge.

**SK/yr**