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 also be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

| SPONSOR | Martinez | DATE TYPED | 1/29/04 | HB | 130 |
|------------|------------------------|---------------|---------|----|-----|
| SHORT TITI | LE Additional Judge in | 13th District | | SB | |

ANALYST Koplik

APPROPRIATION

| Appropriation Contained | | Estimated Additional Impact | | Recurring | Fund |
|-------------------------|---------|-----------------------------|---------------|---|--------------|
| FY04 | FY05 | FY04 | FY05 | or Non-Rec | Affected |
| | \$300.0 | | | \$264.3 Recurring \$35.7 Non-Recurring | General Fund |
| | | | See Narrative | Recurring | General Fund |

(Parenthesis () Indicate Expenditure Decreases)

Conflicts with HB 176 Relates to Appropriation in the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

Response Received From Administrative Office of the Courts

SUMMARY

Synopsis of Bill

House Bill 130 appropriates \$300 thousand from the general fund to the Thirteenth Judicial District Court for the purpose of an additional judgeship for Family Court.

Significant Issues

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, §34-6-16 to add an additional judge in the Thirteenth Judicial District, for a total of seven district judges. The seventh judge shall reside and maintain his/her principal office in Sandoval County.

Records indicate that the Thirteenth Judicial District's caseload (new and reopened) is

House Bill 130 -- Page 2

growing at an average rate of 5.1%. The Thirteenth Judicial District is the fastest growing district, in particular, Sandoval County. The Bureau of Business and Economic Research, University of New Mexico, projects the average annual population growth rate (2000-2010) for Sandoval County at 2.95%.

FISCAL IMPLICATIONS

The bill appropriates \$300.0 in general fund. \$264.3 of this appropriation is a recurring expense to the general fund, while \$35.7 is non-recurring. Any unexpended or unencumbered balance remaining at the end of FY 2005 shall revert to the general fund.

There is no appropriation in this bill for adding staff to either the District Attorney's Office or the Public Defender. In order to meet the additional requirements of an additional judgeship, the 13th DA's Office would need approximately \$93,000 for two FTEs, an Assistant DA, and a secretary, as well as furniture and supplies. The Public Defender Department did not provide the costs associated with an additional judge.

CONFLICT

House Bill 176

RLG/lg:dm