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FISCAL IMPACT REPORT

SPONSOR Sanchez, M DATE TYPED 2/14/04 HB _____

SHORT TITLE Additional Judge in 13th District SB 271/aSFC

ANALYST Koplik

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
			See Narrative		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates HB 130
Relates to Appropriation in the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts
Administrative Office of the District Attorneys

SUMMARY

Synopsis of SFC Amendment

The amendment approved by Senate Finance Committee strikes the appropriation of \$300 thousand, creating four positions, a judge, trial court administrative assistant, court reporter and bailiff, without a funding mechanism. If this bill is signed into law, the Thirteenth Judicial District will need a supplemental appropriation of \$300 thousand to fulfill this mandate.

Synopsis of Original Bill

Senate Bill 271 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 a principal office in Sandoval County.

Records indicate that the Thirteenth Judicial District's caseload (new and reopened) is 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. These expenses would total \$186,100. The 13th DA's Office would need approximately \$93,050 for two FTEs, an Assistant DA, and a secretary, as well as furniture and supplies, while the Public Defender Department would need an equivalent amount to meet the greater requirements of an additional judgeship.

CONFLICT

House Bill 176

SK/yr:lg