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FISCAL IMPACT REPORT

SPONSOR HJC DATE TYPED 03/11/05 HB 376/HJCS

SHORT TITLE Second District Teen Court Program SB _____

ANALYST McSherry

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	\$32.0			Recurring	General Fund
	\$32.0			Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files
 Public Defender (PD)
 Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of Bill

House Bill 376 appropriates \$64 thousand from the general fund in fiscal year 2006: \$32 thousand to the 2nd Judicial District Court and \$32 thousand to the 3rd Judicial District Court for the purpose of operating “teen courts.”

Significant Issues

Currently there is not a teen court program in the Second Judicial District. The bill is not specific about how the appropriation is to be used. According to the AOC, the proposal of \$32.0 thousand to the third judicial district is not within the unified budget.

PERFORMANCE IMPLICATIONS

The Administrative Office of the Courts (AOC) reports that although there are approximately 20 teen courts in New Mexico, there are currently no standard operation guidelines for running a teen court and no performance measures available by which to measure the performance of a teen court.

FISCAL IMPLICATIONS

The appropriation of \$64 thousand proposed in House Bill 376 is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2006 shall revert to the general fund. The expenses related to the teen court would be recurring in order to continue the programs. As is described below, AOC projects costs greater than \$32 thousand to run a teen court program.

ADMINISTRATIVE IMPLICATIONS

According to the Administrative Office of the Courts, the appropriation proposed in HB376 is not sufficient to support two teen courts. AOC maintains that the Second District Court would need three staff: a program director, a probation officer 2, and an administrative assistant in order to begin a teen court. The estimated actual cost of a teen court as described by AOC is \$175.9 for personnel, \$6.3 thousand for operational security costs, and \$31.5 for the three personnel support costs, a total of \$213.7 thousand per court.

ALTERNATIVES

AOC suggests that standards and guidelines be contemplated for operating teen courts in NM.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

Funding will not be appropriated to the 2nd District Judicial Court for the purpose of operating a teen court.

POSSIBLE QUESTIONS

For what specific use are the requested funds to be used? Are part-time personnel or contractual services a part of the Court's plan?

Is the funding level requested enough to run a teen court program for an entire year?

Is the funding level requested enough to run the program during future years, or is the amount considered a seed-program level of funding?

EM/sb:rs:yr