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## FISCAL IMPACT REPORT

**SPONSOR** Payne **ORIGINAL DATE** 01/31/07  
**LAST UPDATED** \_\_\_\_\_ **HB** \_\_\_\_\_

**SHORT TITLE** Expand NM Judicial Education Center **SB** 567

**ANALYST** Williams

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
	\$200.0	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates HB 576

Relates to Appropriation in the General Appropriation Act

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Higher Education Department (HED)

Administrative Office of the Courts (AOC)

### SUMMARY

#### Synopsis of Bill

Senate Bill 567 appropriates \$200.0 thousand from the general fund to the board of regents of the University of New Mexico for the judicial education center.

### FISCAL IMPLICATIONS

The appropriation of \$200 thousand contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2008 shall revert to the general fund.

## **SIGNIFICANT ISSUES**

AOC notes the doubling of judicial education fees in 2003 did not produce a doubling of total revenue to the judicial education fund. AOC notes the judicial education center is facing a fiscal shortfall. AOC identifies drivers of the shortfall as unexpectedly low collection of judicial education fees, increases costs of meeting facilities and sleeping rooms for conferences, increased costs of travel to conferences along with staffing salary increases funded by sources other than general fund.

HED notes the appropriation was not included in the request of the University of New Mexico for consideration in the HED recommendation.

## **PERFORMANCE IMPLICATIONS**

AOC notes education is a component of oversight and accountability.

## **OTHER SUBSTANTIVE ISSUES**

HED notes:

JEC provides training programs to the New Mexico judiciary from court staff, administrators, and operations to magistrates, court attorneys, and judges. In 1993 the Legislature established the JEC and provided recurrent funding to support professional training programs, reference materials, such as bench books, handbooks, and other training guides, and resources for specific court personnel. Some of the programs that JEC is offering include Sexual Assault Education Programs, Magistrate Court Education, Metro Court Staff Training, Navajo Interpreter Training and Certification Program, New Magistrate Judge Orientation and Mentor program, and Training for New Municipal Judges. Additional programs include various seminars on the Appellate Court and for Court Mediators. Conferences are organized for Magistrate Clerks, Metropolitan Court Employees, Municipal Court Clerks, Municipal Judges, and the Judicial Conclave for appellate, district, metropolitan court, tribal judges, domestic violence commissioners, hearing officers, and staff attorneys with the courts. JEC also conducts online training, online posting of civil and criminal summaries of recently released Supreme Court and Court of Appeals opinions, and specific law case summaries.

AOC notes:

With an increase in funding, the judicial education center would:

- Provide more comprehensive, integrated and on-going education for judges and court personnel in each type of court using a variety of instructional mediums.
- Provide greater in-depth initial training for new municipal and magistrate judges.
- Offer more programming on topics of special concern in New Mexico, including water rights litigation, DWI and other crimes of violence.
- Extend the scope of programming to more fully include tribal courts.
- Provide stable financial support for the Navajo Interpreter Certification Program.

**POSSIBLE QUESTIONS**

1. What are the underlying drivers of the weak revenue collections noted by AOC?
2. What detailed historical and projected data is available to determine the adequacy of revenues and drivers of expenditure increases?
3. What performance indicators are collected for the judicial education center? Is the center meeting performance targets?

AW/nt