

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

FISCAL IMPACT REPORT

SPONSOR Saavedra **ORIGINAL DATE** 1/26/12 **LAST UPDATED** _____ **HB** 186

SHORT TITLE Create Additional Judgeships **SB** _____

ANALYST Jorgensen

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY12	FY13		
	\$459.2	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of Bill

House Bill 186 would create one additional judgeship in both the second and thirteenth judicial district court and one additional judgeship in Bernalillo County Metropolitan Court. The additional judge in the thirteenth judicial district will be housed in Sandoval County. The bill includes an appropriation of \$459,188 to support the salary of the additional judges and related staff, supplies, and furnishings in the second and thirteenth judicial district courts. The effective date of the bill is January 1, 2013.

FISCAL IMPLICATIONS

The bill appropriates \$459,188 from the general fund for the latter half of fiscal year 13. Beginning FY14, the total annual recurring cost to the general fund will be \$773,974.

Funds to support the additional judgeship in the Bernalillo County Metropolitan Court will come from the base budget in fiscal year 13.

SIGNIFICANT ISSUES

According to the Administrative Office of the Courts, The New Mexico Sentencing Commission

House Bill 186 - Page 2

with the assistance of the National Center for State Courts conducted a workload assessment study for the judiciary, and, based on FY11 case filings, the study's workload calculation indicates the judiciary needs an additional 32 judges statewide. The largest judge shortages were in the Second Judicial District, which the study indicates needs an additional 7.7 judges; the Thirteenth Judicial District, which needs an additional 4.2 judges; and in Bernalillo County Metropolitan Court, which needs an additional 3.6 judges.

Each of these courts are handling increasing caseloads and are in dire need of the additional judges, or they risk failing to meet their constitutional and statutory duties. All three courts have sufficient courtrooms and office space for a new judge.

The Chief Judges Council reviewed all district, metropolitan, and magistrate judgeship requests statewide and considered both the need as determined by the workload assessment, as well as cost, additional narrative and testimonial information. Despite the need for more than 32 judges in courts statewide, the Judiciary is seeking to add only the three most critical judgeships in FY 2013, as specified above.

PERFORMANCE IMPLICATIONS

The additional judgeships will allow the courts to better keep up with case filings.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

NCJ/amm