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## FISCAL IMPACT REPORT



SPONSOR: Snyder DATE TYPED: 01/28/02 HB \_\_\_\_\_

SHORT TITLE: Chief Judges' Salaries SB 36

ANALYST: Hayes

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
	\$32.4			Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to HB63

### SOURCES OF INFORMATION

Administrative Office of the Courts (AOC)  
 Judiciary Branch Unified Budget document  
 LFC files

### SUMMARY

#### Synopsis of Bill

Senate Bill 36 amends Section 34-1-9 NMSA 1978 regarding salaries of justices, judges and magistrates and appropriates \$32.4 from the general fund to the Administrative Office of the Courts (AOC) the purpose of providing a minimal salary increase to those judges who serve as chief judge at their respective district court or to the chief judge at Bernalillo County Metropolitan Court. The presiding judge in magistrate courts with three or more judges would also be entitled to such an increase. (Currently, this is applicable only to Dona Ana and Santa Fe magistrate courts.)

The effective date of this bill is July 1, 2002.

#### Significant Issues

1. Currently, under Section 34-1-9, the Chief Justice of the Supreme Court and the Chief Judge of the Court of Appeals receive an additional salary stipend (\$2,000 per year for the Chief Justice; 95% of \$2,000 for the Chief Judge of the Court of Appeals) because of the additional responsibili-

ties required of a chief justice or judge. Since chief judges and presiding judges are also charged with additional administrative duties, the amending language would provide for an additional annual compensation based on the formula outlined above.

### **FISCAL IMPLICATIONS**

The appropriation of \$32.4 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY03 shall revert to the general fund.

### **ADMINISTRATIVE IMPLICATIONS**

Chief judges perform many duties and activities beyond their daily court caseload. For example:

- Serve as the appointing or administrative authority on all personnel matter
- Be responsible for court scheduling and assignment of dockets and duties to the other judges in the court or district
- Be responsible for all court budget, audit, and budget submissions
- May serve on the Chief Judges Council or may serve on subcommittees and be required to travel to Albuquerque, Santa Fe or other parts of the state to attend meetings
- Attend legislative hearings and committee meetings
- Over all matters related to court facilities and security
- Coordinate with local law enforcement, jails, district attorneys, and public and private defenders to assure proper flow of cases through the court

Approval of this bill will create parity among all levels of chief judges throughout the state.

### **RELATIONSHIP**

House Bill 63 appropriates \$737,860 from the general fund to the Administrative Office of the Courts (AOC) for the purpose of providing a 4.5 percent salary increase to justices, judges, magistrates, special commissioners and hearing officers to make up for past instances, in 1997 and 1998, when they did not receive the same salary increase appropriated for other state employees.

### **POSSIBLE QUESTIONS**

1. When a justice or judge is no longer the chief, are their salaries decreased accordingly ?

CMH/njw