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FISCAL IMPACT REPORT

SPONSOR Lopez DATE TYPED 2/4/04 HB _____

SHORT TITLE Child Abuse & Neglect Citizens Review Boards SB 128/aSPAC

ANALYST Maloy

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
	\$400.0		See Narrative	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Response Received From
Administrative Offices of the Courts

No Response Received From
Children, Youth and Families Department

SUMMARY

Synopsis of SPAC Amendment

The Senate Public Affairs Committee amended SB 128 to address the concern raised by the administrative offices of the courts (AOC) in its analysis. The amendment reinstates the department of finance and administration as the entity to provide the fiscal oversight for the review board.

The courts expressed concern that they have not, in the past, been the fiscal agent responsible for supporting the child abuse and neglect citizen review board. The courts stated the administrative impact would be significant. The courts identified the department of finance and administration as the entity having provided the fiscal oversight in the past.

Synopsis of Original Bill

This bill appropriates \$400 thousand in FY05 to the administrative office of the courts (AOC) to support the child abuse and neglect citizen review board program statewide. The appropriation is intended to help the program keep up with an increasing caseload, allowing the board the opportunity to review cases and make sound recommendations.

Significant Issues

Placing this responsibility with the courts should result in greater consistency in the handling of child abuse cases and should allow attorneys and judges across the districts to build and share expertise in preparing abuse cases, going to trial, developing effective plea agreements and treatment plans that allow families to remain intact, and the like.

According to AOC, the courts do not currently oversee or provide administrative support for the operation of the statewide citizen review board program. Funding for the operation of the citizen review board program is currently appropriated to the department of finance and administration.

AOC may be a better “fit” to provide guidance and support to this board since they have subject matter expertise and involvement that the department of finance and administration may not.

FISCAL IMPLICATIONS

The bill appropriates \$400.0 in general fund. The costs associated with this board are recurring for the state. Any unexpended or unencumbered balance remaining at the end of FY05 shall revert to the general fund.

AOC notes chief judges’ council agreed to support a unified judicial budget request for specific prioritized needs for the judiciary. This request for \$400 thousand is not part of the unified budget request.

ADMINISTRATIVE IMPLICATIONS

AOC states the administrative impact would be substantial in staff time and operational resources.

While AOC time and resources will be expended, AOC is likely the agency best positioned to promote consistency and to effect needed change throughout the comprehensive legal system.

ALTERNATIVES

AOC recommends the responsibilities that arise from administering the appropriation in this bill remain with the department of finance and administration rather than with the AOC.

AMENDMENTS

The citizen’s review board director has informed AOC the appropriation was intended to be \$100 thousand, not \$400 thousand.

SJM/lg:yr