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## FISCAL IMPACT REPORT

**SPONSOR** Beffort                      **DATE TYPED** 2/21/05                      **HB** \_\_\_\_\_

**SHORT TITLE** Second Judicial District Family Counselor                      **SB** 769

**ANALYST** McSherry

### APPROPRIATION

| Appropriation Contained |        | Estimated Additional Impact |         | Recurring or Non-Rec | Fund Affected |
|-------------------------|--------|-----------------------------|---------|----------------------|---------------|
| FY05                    | FY06   | FY05                        | FY06    |                      |               |
| NFI                     | \$63.0 | NFI                         | Minimal | Recurring            | General Fund  |

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates HB655.

### SOURCES OF INFORMATION

- LFC Files
- Administrative Office of the Courts (AOC)
- Children Youth and Families Department (CYFD)

### SUMMARY

#### Synopsis of Bill

Senate Bill 769 proposes to appropriate \$63 thousand dollars from the general fund to the 2<sup>nd</sup> Judicial District Court for the purpose of funding a full time family counselor in the District's children's court. Any unencumbered or unexpended funds will revert to the general fund.

#### Significant Issues

According to the Children Youth and Families Department, the proposed counselor position will provide support to families in the Second Judicial District Children's Court and was a need identified by the National Policy Academy for addressing the needs of youth with co-occurring substance abuse disorders and juvenile justice involvement.

The Second Judicial District Court included the family counselor in the agency's budget request. The proposed funding, and associated FTE, are not included in the LFC or executive budget recommendations.

The Judiciary Compensation Plan cites a salary range for a Family Counselor as \$38.2 thousand to \$59.6 thousand; \$47.7 thousand is listed as the position midpoint.

According to the Administrative Office of the Courts, the second judicial district court's request is part of the judiciary's Unified Budget and includes \$58.7 thousand in recurring funds and \$4.3 thousand in one-time costs. AOC asserts that the judiciary identified the family counselor as being critical to the efficient operation of the courts for the second judicial district, along with other positions.

### **PERFORMANCE IMPLICATIONS**

CYFD reports that this bill relates to performance indicators defined in New Mexico plan for the National Policy Academy on juvenile justice issues.

The AOC does not provide examples of what performance measures would improve, nor suggest a performance measure to demonstrate the implications of the new position. However, the AOC asserts that staff changes should improve the approved output performance measures of the court.

### **FISCAL IMPLICATIONS**

The appropriation of \$63.0 thousand contained in this bill is a recurring expense in the amount of \$58.7 thousand and a one-time expense in the amount of \$4.3 thousand to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2006 shall revert to the general fund.

### **ADMINISTRATIVE IMPLICATIONS**

The AOC provides that the proposed counselor would assist in the juvenile drug court wilderness program activity and that the proposed position is necessary for the continuation and success of the second district juvenile drug court program. AOC states that his position would provide individual/family and group session counseling services to the juvenile drug court, "Say No to Abusing Power" program (SNAP), and "Program for the Empowerment of Girls" (PEG).

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

This bill duplicates HB655.

### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?**

According to the AOC, the second judicial district would not have adequate funding to support the current level of court operations. Information regarding what change would disallow the current level of court operations was not provided.

### **POSSIBLE QUESTIONS**

1. What will disallow the Second Judicial District Court to support current level of operations as stated by the AOC? Is a source of funding being lost, or are levels of counselor use increasing?

EM/yr