

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 Park DATE TYPED 2/7/05 HB 655

SHORT TITLE Second District Court Family Counselor SB \_\_\_\_\_

ANALYST McSherry

### APPROPRIATION

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

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

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

### SUMMARY

#### Synopsis of Bill

House Bill 655 appropriates \$63.0 thousand from the general fund to the Second District Judicial District Court for the purpose of funding a full-time family counselor in the District’s Children’s Court.

#### Significant Issues

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 recommendation.

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**

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).

## **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 levels of counselor use increasing?

EM/yr/njw