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FISCAL IMPACT REPORT

ORIGINAL DATE 1/29/07

SPONSOR Campos LAST UPDATED _____ HB _____

SHORT TITLE Create Additional 4th District Judgeship SB 417

ANALYST Sanchez

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
\$0.0	\$151.3	Recurring	General Fund
	\$149.7	Non-Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Duplicates

HB 291

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of Bill

Senate Bill 417 creates and provides for an appropriation of \$300.0 to the Fourth Judicial District Court for salaries, benefits, furniture, supplies, and equipment for an additional district judge and support staff for the judge. Any unexpended or unencumbered balance remaining at the end of the fiscal year 2008 shall revert to the general fund.

The additional judgeship shall be filled by appointment by the governor pursuant to the provisions of Article 6 of the Constitution of New Mexico. The bill amends NMSA 1978, §34-6-7 to add an additional judge in the Fourth Judicial District, for a total of three district judges.

The effective date of this Act is July 1, 2007.

FISCAL IMPLICATIONS

According to LFC the 4th Judicial District Court only needs \$181,700, not \$300,000, for salaries, benefits, furniture, supplies and equipment for an additional district judge and support staff for the judge to start on July 1, 2007. There will be recurring costs of \$151,389.

The actual costs for the fourth judicial district court judgeship are consistent with the amount established by the Judiciary for a new judgeship package (\$331,239). However, the fourth district will lessen the overall fiscal impact (\$181,700) to the state by eliminating a number of existing positions (one full-time hearing officer position and domestic violence commissioner contract) and their related personnel costs in order to acquire the new judgeship. The fourth judicial district court will utilize approximately \$149,500 of its existing recurring budget to offset the cost of the new judgeship (\$331,239).

SIGNIFICANT ISSUES

The 4th Judicial District Court only needs \$181,700, not \$300,000, for salaries, benefits, furniture, supplies and equipment for an additional district judge and support staff for the judge to start on July 1, 2007.

PERFORMANCE IMPLICATIONS

The courts are participating in performance based budgeting. This bill may have an impact on the measures of the district in the following areas:

- cases disposed as a percent of cases filed (district and magistrate)
- percent change in case filings by case type (district)

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Currently, the 4th Judicial District Court to which a judge is proposed to be added is experiencing significant delays in hearing and disposition of the cases.

CS/nt