

Department of Legislative Services

Maryland General Assembly

2001 Session

FISCAL NOTE**Revised**

Senate Bill 659

(Chairman, Judicial Proceedings Committee)

(Maryland Judicial Conference)

Judicial Proceedings

Judiciary

Juvenile Court - Montgomery County

This bill transfers jurisdiction over juvenile causes in Montgomery County from the District Court to the circuit court effective March 1, 2002. District Court personnel, other than judges who are currently assigned to the juvenile court, shall be transferred to the Office of the Clerk of the Circuit Court without any loss of compensation or benefits.

The bill also creates three new circuit court judgeships and eliminates two District Court judgeships for Montgomery County by attrition.

The bill takes effect March 1, 2002.

Fiscal Summary

State Effect: General fund expenditures would increase by an estimated \$496,800 in FY 2002, which reflects a 90-day start-up delay. These costs are included in the FY 2002 budget, contingent on the enactment of this bill. Out-year expenditures reflect annualization and inflation. These amounts do not include additional costs that would be incurred by the Public Defender's Office for staffing increases. Costs would be partially offset by the elimination of two District Court judgeships at an unknown time in the future.

(in dollars)	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	496,800	671,100	688,500	706,700	725,900
Net Effect	(\$496,800)	(\$671,100)	(\$688,500)	(\$706,700)	(\$725,900)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: Montgomery County expenditures would increase by approximately \$696,900 in FY 2002 and by approximately \$1,167,100 annually thereafter.

Small Business Effect: None.

Analysis

Current Law: The juvenile court is a division of the circuit court in every county but Montgomery County, where the juvenile court is a part of the District Court.

Seventeen resident judges are statutorily authorized for the Circuit Court for Montgomery County. Thirteen associate judges are authorized for the District Court in Montgomery County.

State Expenditures: General fund expenditures for the Judiciary would increase by an estimated \$496,833 in fiscal 2002, which reflects a 90-day start-up delay from the July 1, 2002 effective date for the new judgeships. This estimate includes salaries and fringe benefits for three circuit court judges and three courtroom clerks.

Judicial Salaries	\$263,926
Courtroom Clerk Salaries	56,360
Fringe Benefits	175,962
Supplies	<u>585</u>
Total FY 2002 Expenditures	\$496,833

Future year expenditures reflect: (1) full salaries for the courtroom clerks with a 6.5% increase in fiscal 2003 and a 4.5% increase each year thereafter; (2) full salaries for the judges with a 4% cost-of-living increase in fiscal 2003 and a 2% increase each year thereafter; (3) 3% employee turnover; and (4) 1% annual increases in ongoing operating expenses. Judicial salary increases (other than cost-of-living) are not included because they are determined by the Judicial Compensation Commission and the General Assembly.

The fiscal 2002 budget includes \$2,161,647 for new judgeships, contingent on the enactment of this bill and SB 519/HB 658 (which sought to create a number of circuit court and District Court judgeships but failed).

General fund expenditures for the Office of the Public Defender would increase for staff expansions necessitated by the new judgeships. The precise amount of such expenditures cannot be estimated at this time. It is expected that staff expansions would be phased in gradually by the Office of the Public Defender as the new judgeships reach full operating capacity.

Costs would be partially offset by the elimination of the two District Court judgeships. It is not known when these judgeships would actually be eliminated, however. The Maryland Constitution provides that the mandatory retirement age for a judge in the State is 70. The Administrative Office of the Courts did not provide information about the projected retirement dates of Montgomery County District Court judges. The current salary of a District Court judge is approximately \$109,350.

Local Expenditures: Montgomery County advises that, as a result of the bill, it would incur costs of \$1,167,145 on an annualized basis. These amounts are composed of salary and benefits for a secretary and a law clerk for each of the new judges; salary and benefits for a family court coordinator, paralegal, and computer systems coordinator; health insurance for the judges; 2.5 sheriff's deputies for each new courtroom; one new assistant State's attorney and office services manager for the State's Attorney's Office; one new assistant county attorney; and operating expenses. Montgomery County further reports that one-time equipment and supplies costs would be \$180,830 in fiscal 2002.

Additional Information

Prior Introductions: None.

Cross File: HB 766 (Chairman, Judiciary Committee) – Judiciary.

Information Source(s): Judiciary (Administrative Office of the Courts), Montgomery County, Department of Legislative Services

Fiscal Note History: First Reader – March 5, 2001
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