

LEGISLATIVE FISCAL OFFICE

Fiscal Note



Fiscal Note On: **SB 216** SLS 14RS 110
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

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Dept./Agy.: Judiciary		Analyst: Matthew LaBruyere
Subject: Judicial Vacancies		

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 Provides relative to courts and vacancies in the office of a judge.(2/3-CA13s1(A))

Proposed constitutional amendment provides that a judgeship newly created by the legislature shall be filled by special election within 12 months after the day on which the judgeship is established. Until the special election, the supreme court shall appoint a person to serve at its pleasure. The appointee shall be ineligible as a candidate at the election to fill the newly-created judicial office. Proposed constitutional amendment further provides that not later than 60 days after a vacancy in the office of a judge, the supreme court shall determine whether the vacancy should be filled without change, whether the vacant judicial office should be reallocated to another court due to need and filled, or whether the vacant judicial office should be abolished by law. The supreme court shall advise the governor and legislature of its determination. Proposed constitutional amendment provides for when to call an election for the vacated judgeship, appointment to the vacant judgeship, and abolishment of the judgeship. Proposed constitutional amendment provides that the legislature may change the number of judges in any judicial district by law. A companion bill (SB 217) is the enabling legislation.

EXPENDITURES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

REVENUES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

The proposed legislation allows the LA Supreme Court, when a vacancy arises, the option to fill the vacancy, reallocate the judgeship to another district, or abolish the judgeship. Whatever the court decides will determine if this bill could result in an overall net decrease or no change in expenditures.

For example, the proposed legislation may result in an increase in local fund expenditures if a judgeship is reallocated to another court of jurisdiction. The potential increase in expenditures would include the operating expenses of the judgeship and any staff the judgeship may need. Inversely, local fund expenditures in the original district of the judgeship would decrease as a result of the judgeship no longer located in the district.

To the extent the LA Supreme Court recommends abolishment and the legislature does abolish the judgeship, a decrease in state general fund expenditures will result. For each judgeship that is abolished, SGF expenditures would reduce by \$224,133. This amount includes the district court judge's salary of \$146,262 and related benefits of \$77,871.

Local fund expenditures will also decrease if a vacant judgeship is abolished. The local fund savings will depend on the judicial district in which the abolished judgeship is located. The size of the staff for each judge varies from district to district. Potentially each division of a court may have at least one of the following: secretary, law clerk, court reporter, docket clerk, minute clerk, bailiff, and receptionist. To the extent a judgeship is abolished, local expenditures will be decreased as a result of not paying for the expenses of the positions that were associated with the judgeship and operating costs of the judgeship. It should be noted that the cost associated with staff in judicial districts vary and the exact potential local fund expenditures is unknown.

The proposed constitutional amendment will be considered by voters at the statewide election to be held on November 4, 2014. The Secretary of State may incur minimal ballot printing costs associated with this measure. However, as a regular practice, the Secretary of State typically budgets for up to 10 constitutional amendments for the fall statewide elections.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

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| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} | | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & S} | |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} | | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} | |

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