

**FISCAL NOTE**

**LEGISLATIVE FISCAL ANALYST ESTIMATE**

Updated for amendments adopted through March 8, 2016.

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2016-17</b>		<b>FY 2017-18</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	See Below			
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

**Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.**

This bill, as amended, would change provisions relating to appointment of counsel in juvenile cases. It would provide for an alternative to detention for juveniles. This amended bill would provide requirements relating to confinement of juveniles and provide a duty for the Inspector General of Nebraska Child Welfare. It would also modify jurisdiction of juvenile courts and change provisions relating to temporary custody and disposition of juveniles.

The Supreme Court notes that this bill could result in a minimal General Fund expenditure reduction. See their response for AM1962 for additional details. Additionally, the Supreme Court estimates a one-time cost of \$10,000 for information-gathering and a database of qualified attorneys. Due to the relatively small expenditure impact, no additional appropriation should be required.

The Department of Health and Human Services estimates General Fund expenditures of \$320,306 in FY18 for a 1.5 FTE Child and Family Services Specialist, benefits, operating, and aid. HHS could incur additional costs for complying with the provisions of this bill. However, the HHS amount appears high, especially since the Supreme Court (Probation Administration) is estimating a minimal reduction in expenditures for juvenile services and this is the same population that would be in the custody of HHS under this bill.

Lancaster County estimates \$65,000 to \$75,000 in additional costs to appoint private attorneys for all juveniles in the juvenile court.

Douglas County estimates no fiscal impact from this bill.



**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

State Agency or Political Subdivision Name:(2) Department of Health and Human Services

Prepared by: (3) Pat Weber

Date Prepared:(4) 2-11-16

Phone: (5) 471-6351

	<u>FY 2016-2017</u>		<u>FY 2017-2018</u>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
<b>GENERAL FUNDS</b>				
	\$0		\$320,306	
<b>CASH FUNDS</b>				
<b>FEDERAL FUNDS</b>				
<b>OTHER FUNDS</b>				
<b>TOTAL FUNDS</b>	\$0		\$320,306	

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

**Explanation of Estimate:**

Amendment 1962 of LB894 has a fiscal impact on the Department of Health and Human Services (DHHS) – Division of Children and Family Services (DCFS). The amendment contains provisions that prevent youth under the age of 11 from being adjudicated for misdemeanors, felonies, uncontrollable or traffic violations. These changes would require law enforcement to place these youth in the custody of DHHS when out of home placement is required, instead of turning the youth over to the Office of Probation Administration.

There are currently 16 youth under the age of 11 that are being served by Probation who would become wards of DHHS. This would require DCFS to hire 1.5 FTE Child and Family Services Specialists to provide case management services for 16 wards. The cost of these positions is estimated at \$101,151 for SFY18.

The cost of court-ordered services that this population would incur is estimated at \$219,154 in SFY18. To estimate this cost, this fiscal note uses a sample of 84 wards for which DHHS paid \$282,000 in court-ordered services from July 1, 2014 through September 30, 2014. From this, a per capita monthly cost of \$1,119 was determined. The monthly cost is estimated at \$1,141 per ward after accounting for service provider rate increases that took effect 7/1/2015.

This fiscal note assumes 1) 100% general fund expenditures as these expenses are not expected to qualify for IV-E funding and 2) increased expenditures will begin to be incurred on July 1, 2017.

**MAJOR OBJECTS OF EXPENDITURE**

PERSONAL SERVICES:	NUMBER OF POSITIONS		2016-2017 EXPENDITURES	2017-2018 EXPENDITURES
	16-17	17-18		
Child and Family Services Specialist	0	1.5	\$0	\$57,199
Benefits.....				\$11,988
Operating.....				\$31,964
Travel.....				
Capital Outlay.....				
Aid.....				\$219,154
Capital Improvements.....				
<b>TOTAL.....</b>			<b>\$0</b>	<b>\$320,306</b>

Please complete ALL (5) blanks in the first three lines.

**2016**

**LB<sup>(1)</sup> 894**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Lancaster County

Prepared by: <sup>(3)</sup> Theresa Emmert

Date Prepared: <sup>(4)</sup> 1/19/16

Phone: <sup>(5)</sup> 402-441-5646

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2016-17</u>		<u>FY 2017-18</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	<u>\$65,000-\$75,000</u>	_____	<u>\$65,000-\$75,000</u>	_____

**Explanation of Estimate:**

Based upon the number of filings in Lancaster County Juvenile Court in 2015 and the number of cases the Public Defender's office can take within their caseload limit, we estimate that Lancaster County would need to spend an additional \$65,000 to \$75,000 in private attorney appointments to appoint an attorney for all juveniles in our court.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2016-17</u>	<u>2017-18</u>
	<u>16-17</u>	<u>17-18</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
<b>TOTAL.....</b>	_____	_____	_____	_____

Please complete ALL (5) blanks in the first three lines.

2016

**AM1962  
TO  
LB894<sup>(1)</sup>**

Change provisions relating to appointment of  
counsel in juvenile cases

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> DOUGLAS COUNTY, NEBRASKA

Prepared by: <sup>(3)</sup> MARCOS SAN MARTIN, Date Prepared: <sup>(4)</sup> 3/7/16 Phone: <sup>(5)</sup> 402.444.5116  
DOUGLAS COUNTY  
ADMINISTRATION

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2016-17</u>		<u>FY 2017-18</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

Explanation of Estimate:

AM1962 DOES NOT CAUSE A FISCAL IMPACT TO COUNTY

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2016-17 EXPENDITURES</u>	<u>2017-18 EXPENDITURES</u>
	<u>16-17</u>	<u>17-18</u>		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____