

**FISCAL NOTE**

**LEGISLATIVE FISCAL ANALYST ESTIMATE**

Updated for amendments adopted through March 13, 2019.

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)</b>				
	<b>FY 2019-20</b>		<b>FY 2020-21</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
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 increase the number of district court judges in the fourth judicial district (Douglas County) from 16 to 17, beginning on July 1, 2021.

July 1, 2021, is outside the current biennium, so the cost of adding a judge will occur in the next biennium (FY2021-22 and FY2022-23).

The Supreme Court estimates the following costs that will occur in the next biennium:

FY21-22: 310,825 General Fund, 9,900 Cash Fund  
 FY22-23: 315,122 General Fund, 1,500 Cash Fund

This estimate assumes a 2% salary increase annually for the Court Reporter and a 5% health insurance increase annually for both the judge and the Court Reporter.

Douglas County estimates additional costs of \$1.5 million in FY21 and \$1.25 million in FY22. These estimated costs are for additional staff in the Sheriff’s department, a bailiff for the new district court judge, remodeling and tenant displacement costs, additional staff in the offices of the county attorney, public defender, and clerk of the district court, and potential leasing costs due to offices being moved out of the courthouse. See their response attached for additional details not included in this fiscal note.

Certain additional costs can be reasonably expected for a county to incur from the addition of a new district court judge, such as costs for a bailiff and costs to remodel space to accommodate the new judge and the bailiff. However, adding staff in the offices of the county attorney, public defender, and clerk of the district court appears unnecessary.

Presumably, the number of cases will be the same whether a judge is added or not added. Adding a judge should reduce the number of cases per judge. But adding a judge should not increase the total number of cases, all else being equal. Therefore, the caseloads of the staff in the offices of the county attorney, public defender, and clerk of the district court should remain the same. So adding staff in these offices due to the addition of a judge does not appear to be necessary.

There is no basis to disagree with the possible need to add staff in the Sheriff’s Department – District Court Security Division. However, the need to add a sergeant when adding two more deputies appears high due to the fact that they currently have one sergeant and fourteen deputies. Perhaps the Sheriff’s Department has a policy to add another sergeant when the number of deputies has reached sixteen, but this was not explained in the county’s fiscal note response.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
<b>LB: 309</b>	<b>AM: 706</b>	AGENCY/POLT. SUB: <b>Nebraska Supreme Court (005)</b>
REVIEWED BY: Joe Wilcox	DATE: 03/26/2019	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Supreme Court revised estimate of Fiscal Impact to the Agency from AM 706 to LB 309. AM 706 moves the date for the additional District Court Judge to July 1, 2021, which pushes the fiscal impact out to FY 2021-22 and FY 2022-23.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
<b>LB: 309</b>	<b>AM: 706</b>	AGENCY/POLT. SUB: <b>Douglas County</b>
REVIEWED BY: Joe Wilcox	DATE: 03/15/2019	PHONE: (402) 471-4178
COMMENTS: The Douglas County fiscal note for AM 706 to LB 309, pushes the estimated potential fiscal impact to the County out from FY 2019-20 and FY 2020-21 to FY 2020-21 and FY 2021-22. It also reduces the impact overall. The estimates for building remodeling may or may not be excessive.		

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

**2019**

**LB<sup>(1)</sup> 309, AM706**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> 05 Supreme Court

Prepared by: <sup>(3)</sup> Eric Asboe Date Prepared: <sup>(4)</sup> 3/26/19 Phone: <sup>(5)</sup> 1-4138

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

	<u>FY 2019-20</u>		<u>FY 2020-21</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>	<b>=====</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>

**Explanation of Estimate:**

LB309, as amended by AM706, would increase General and Cash Fund expenditures in the 2021-2023 biennium for an additional district court judge and court reporter in Douglas County. Estimated impact:

FY21-22: 310,825 General Fund, 9,900 Cash Fund  
 FY22-23: 315,122 General Fund, 1,500 Cash Fund

Estimate assumes a 2% salary increase annually for the Court Reporter and a 5% health insurance increase annually for both positions.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2019-20</u> <u>EXPENDITURES</u>	<u>2020-21</u> <u>EXPENDITURES</u>
	<u>19-20</u>	<u>20-21</u>		
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
<b>TOTAL.....</b>	<b>_____</b>	<b>_____</b>	<b>_____</b>	<b>_____</b>

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

**2019**

**LB309/AM706<sup>(1)</sup>** Increase the number of district court judges in Douglas County

**FISCAL NOTE**

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

DOUGLAS COUNTY, NEBRASKA

Prepared by: <sup>(3)</sup> MARCOS SAN MARTIN,  
COUNTY ADMINISTRATION

Date Prepared: <sup>(4)</sup> 3/14/19

Phone: <sup>(5)</sup> 402.444.5116

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

	<b>FY 2019-20</b>		<b>FY 2020-21</b>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	<b><u>\$0</u></b>	<b><u>0</u></b>	<b><u>\$1.5M+</u></b>	<b><u>0</u></b>

	<b>FY 2021-22</b>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____
CASH FUNDS	_____	_____
FEDERAL FUNDS	_____	_____
OTHER FUNDS	_____	_____
<b>TOTAL FUNDS</b>	<b><u>\$1.25M+</u></b>	<b><u>0</u></b>

Explanation of Estimate:

**LB309 WILL RESULT IN AN ADDITIONAL DISTRICT COURT JUDGE FOR DOUGLAS COUNTY; AM706 EXTENDS THE TIMEFRAME FOR ADDING A NEW JUDGE TO JULY 2021. AN ADDITIONAL JUDGE WILL CAUSE SIGNIFICANT NEW EXPENSE TO THE COUNTY.**

**ESTIMATED / PROJECTED ADDITIONAL COSTS AND/OR EXPENDITURES TO DOUGLAS COUNTY:**

	<u>2019-2020</u>	<u>2020-2021</u>	<u>2021-2022</u>	<u>EXPLANATION</u>
Sheriff Department	\$0	\$0	\$329,590	ADDITIONAL STAFF AND EQUIPMENT
District Court Admin.	\$0	\$0	\$159,500	ADDITIONAL SUPPORT STAFF & COSTS FOR JUDGE
Public Building Comm'n.	\$0	\$1.5M+	\$500K+	REMODELING AND TENANT DISPLACEMENT COSTS
County Attorney	\$0	\$0	\$75,000	ADDITIONAL STAFF
Public Defender	\$0	\$0	\$90,000	ADDITIONAL STAFF
Clerk of the District Court	\$0	\$0	\$100,000	ADDITIONAL STAFF
Public Properties	UNKNOWN	UNKNOWN	UNKNOWN	LEASE COSTS DUE TO DISPLACEMENT
<b>TOTAL EST. COST:</b>	<b>\$0</b>	<b>\$1.5M+</b>	<b>\$1.25M+</b>	

**EXPLANATION:**

**Sheriff Department Estimate:**

Salaries and benefits for an additional three (2) Deputies and (1) Sergeant assigned to the District Court Security Division. Currently, the District Court Division has a total of 18 sworn and civilian employees; 1 Lieutenant, 1 Sergeant, 14 Deputies, 1 Law Enforcement Technician II, and 1 Elevator Operator. All employees are covered under labor agreements negotiated through collective bargaining. Additional benefits for sworn personnel include uniform allowance and shooting pay. Pay and benefits reflect the contractual pay scales and 3.0% pay increase projections made for 2019-2020 fiscal year. The total amount also reflects an equivalent of 35% for general employee benefits for sworn and civilian employees.

The District Court Division is an extremely busy division responsible for servicing sixteen (16) District Courts, six (6) Juvenile Courts, and two (2) District Court Referees. Also, the Division is responsible for answering all calls for assistance within the Hall of Justice and transporting all inmates to and from various locations.

**District Court Estimate:**

Funds required represent the costs of additional support staff necessary for an additional judge: 1 Bailiff

**Public Building Commission Estimate:**

An estimate of up to \$2.0M in capital expenditures could be incurred in remodeling costs to design and construct a District Court, chambers and administrative space. Additional significant costs may also accrue depending on the coordination of displacing the current tenants in the Hall of Justice and remodeling other office spaces required for increased staffing in support of the 17<sup>th</sup> Judge.

**County Attorney Estimate:**

One additional attorney in the criminal division.

**County Public Defender Estimate:**

An estimate of \$90,000 in cost to include an additional attorney in the Public Defender's Office and an additional support staff member.

**Clerk of the District Court Estimate:**

An estimate of \$100,000 in cost to include two additional "Court Clerk Is" staff members.

**County Public Properties Estimate:**

Displacement of current offices/functions. UNKNOWN costs are associated with the County potentially being forced to lease property externally to house County offices/functions currently located inside the courthouse.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2019-20</u> <u>EXPENDITURES</u>	<u>2020-21</u> <u>EXPENDITURES</u>
	<u>19-20</u>	<u>20-21</u>		
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
<b>TOTAL.....</b>				

SEE EXPLANATIONS ABOVE

## ADDITIONAL INFO – SHERIFF:

### FISCAL YEAR 2021-2022

Salaries and Benefits:

<u>Item</u>	<u>Annual Amount</u>
Deputy (2)	\$145,016
Sergeant (1)	\$88,088
Overtime	\$3,000
Benefits	\$81,586
<b>Total Salary/Benefits</b>	<b>\$317,690</b>

Equipment/Capital Expenditures:

<u>Item</u>	<u>Annual Amount</u>
Handcuffs/restraints	\$900
TASER Guns (3)	\$3000
Personal Protective Equipment	\$2100
Bullet Resistant Vest (5)	\$2300
<b>Total Equipment/Capital Expenditures</b>	<b>\$11,900.00</b>

**2021-2022 Total Expenditures                      \$329,590**

### FISCAL YEAR 2022-23 (estimated 3%increase)

Salaries and Benefits:

<u>Item</u>	<u>Annual Amount</u>
Deputy (2)	\$153,000.00
Sergeant (1)	\$90,088
Overtime	\$3,500
Benefits	\$85,080
Total Salary/Benefits	\$331,668

**2022-23 Total Expenditures                      \$331,668**

## ADDITIONAL INFO – DISTRICT COURT ADMIN:

### FISCAL YEAR 2021-2022

Salaries and Benefits:

<u>Item</u>	<u>Annual Amount</u>
Bailiff (1)	\$112,000.00
<b>Total Salary/Benefits</b>	<b>\$112,000.00</b>

Equipment/Capital Expenditures:

<u>Item</u>	<u>Annual Amount</u>
Software/Office Supplies	\$10,000
Judges Travel	\$4,000
Professional Dues	\$500
Postage	\$3,000
New chambers/office furnishings	\$10,000
New courtroom and jury room furnishings	\$20,000
<b>Total Equipment/Capital Expenditures</b>	<b>\$47,500.00</b>
<b>2021-2022 Total Expenditures</b>	<b>\$159,500.00</b>

### FISCAL YEAR 2022-2023

Salaries and Benefits:

<u>Item</u>	<u>Annual Amount</u>
Bailiff (1)	\$116,000.00

Equipment/Capital Expenditures:

<u>Item</u>	<u>Annual Amount</u>
Software/Office Supplies	\$10,000
Professional Dues	\$500
Postage	\$3000
<b>Total Equipment/Capital Expenditures</b>	<b>\$13,500.00</b>
<b>2022-2023 Total Expenditures</b>	<b>\$129,500.00</b>