

# Fiscal Note & Local Impact Statement

122<sup>nd</sup> General Assembly of Ohio

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BILL: Am. H.B. 602 DATE: December 1, 1998  
STATUS: As Passed by the House SPONSOR: Rep. Callendar  
LOCAL IMPACT STATEMENT REQUIRED: Yes  
CONTENTS: Adds one General Division judge to the Court of Common Pleas of Lake County effective January 1, 2001

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## State Fiscal Highlights

STATE FUND	FY 1998 - 2000	FY 2001	FUTURE YEARS
<b>General Revenue Fund</b>			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	- 0 -	\$51,780 increase	\$103,560 increase

- Amended Substitute House Bill 438 of the 121<sup>st</sup> G.A. established a uniform pay scale for common pleas court judges that sets the state portion of salaries at the total salary minus a local contribution based upon county population as determined by the decennial census.
- Thus, the state would contribute the above new sums, which include the contribution for PERS (at 13.31 percent of gross state salary) and other administrative costs (at 2.4 percent of gross state salary). Currently, a pay increase is scheduled to occur on January 1, 2001.

## Local Fiscal Highlights

LOCAL GOVERNMENT	FY 1998 - 2000	FY 2001	FUTURE YEARS
<b>Counties</b>			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	Possible capital expenditure to modify a facility as a courtroom	\$15,897 increase plus operating expenses of approximately \$350,000	\$15,897 increase plus operating expenses of approximately \$350,000

- Instead of paying a varying amount, Lake County would pay the base share prescribed for common pleas court judges. The above shows the judicial salary expenditures faced by Lake County, including the contribution for PERS (at 13.55 percent of gross local salary).
- The Lake County Finance Office has no official budget projections for an additional judgeship that would occur so far into the future. However, evidence indicates a likely increase in annual operating costs of over \$350,000 with additional capital expenses to create a new courtroom. The Lake County Commissioners have passed a resolution expressing their commitment to funding the local needs of the additional judgeship.



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## ***Detailed Fiscal Analysis***

### ***Common Pleas Court Judges***

Salaries for common pleas court judges consist of a state share and a local share paid by the county. The local contribution varies slightly depending on a county's population as determined by the decennial census. This local amount is based on eighteen cents per capita in the county, but may not be less than \$3,500 nor more than \$14,000. The state share is equal to the total salary minus the local contribution. Am. Sub. H.B. 438 of the 121<sup>st</sup> General Assembly established common pleas court judges salaries at \$103,500 for 2001 and beyond. (However, these amounts may be adjusted as recent studies have indicated that Ohio's judicial salaries continue to lack behind those of judges in neighboring states).

In the 1990 census, Lake County had a population of 215,499. The county will provide \$14,000 towards the judge's salary in 2001. The year 2000 census may alter the local contribution for 2002 and beyond. However, it is unlikely that Lake County would lose enough population to affect the local salary share. Under current law, the state will provide a salary of \$44,750 in FY 2001.

### ***PERS estimate***

State and local elected officials are exempt from membership in PERS (Public Employees Retirement System), unless they choose to become members. However, most do. Therefore, this analysis includes PERS payments assuming that the Lake County Common Pleas Court Judge joins PERS. The state contributes at the rate of 13.31 percent of gross state salary, while the county pays 13.55 percent based upon the local contribution. In addition to PERS, the state also makes contributions for other purposes: 1.45 percent of gross state salary for Medicare for all employees hired after April 1986, 0.67 percent for worker's comp and 0.28 percent for the administration of the Central Accounting System. These costs have also been included in the State Fiscal Highlights section.

### ***Additional Local Costs***

The addition of a common pleas court judge will create additional costs for the county in staffing, equipment, and physical space necessary to serve the needs of the court. Furthermore, as a result of the addition of the judge, the Lake County Common Pleas Court should experience an increase in the speed of cases adjudicated. Therefore, the county could find it necessary to increase expenditures in order to fund additional prosecutors and public defenders to handle the speedier caseload. At present however, LBO is unable to specifically identify the amount of such additional costs. The Lake County Office of Finance presently considers \$300,000 the amount needed for administrative costs per common pleas judge. The Lake County Clerk of Courts has also indicated that resources of up to \$50,000 may be allocated for additional staff. Also, the additional courtroom may be included under a current capital construction project