

Local Fiscal Highlights

LOCAL GOVERNMENT	FY 2000	FY 2001	FUTURE YEARS
Fifth District Court of Appeals*			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	- 0 -	Increase of approximately \$57,300, one-time startup costs	Increase of approximately \$12,800, annual operating costs
Eleventh District Court of Appeals*			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	- 0 -	Increase of approximately \$37,300, one-time startup costs	Increase of approximately \$12,800, annual operating costs
Summit County			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	- 0 -	Increase of approximately \$262,720 or more	Increase of approximately \$262,720 - \$525,440 or more

Note: For most local governments, the fiscal year is the calendar year. The school district fiscal year is July 1 through June 30.

(*Fifth District Court of Appeals is comprised of the following counties: Ashland, Coshocton, Delaware, Fairfield, Guernsey, Holmes, Knox, Licking, Morgan, Morrow, Muskingum, Perry, Richland, Stark and Tuscarawas.)

(*Eleventh District Court of Appeals is comprised of the following counties: Ashtabula, Geauga, Lake, Portage and Trumbull.)

- Counties do not provide for the salary of Appellate Court Judges, but do provide and maintain the books, supplies and facilities of the court and the salaries of other court employees.
- Instead of paying a varying amount, Summit County would pay the base share prescribed to Common Pleas Court Judges. The above shows the judicial salary expenditures faced by Summit County, including the contribution for PERS (at 13.55 percent of gross local salary).
- Summit County will potentially experience an additional demand for prosecutors and indigent defense.

Detailed Fiscal Analysis

Court of Appeals

The salaries for State Appellate Court Judges are paid entirely by the state. The new judges in the Fifth and Eleventh Districts will each receive \$112,550 in annual salary. The six-year terms of both judges begin on February 11, 2001. The level of compensation is the final amount prescribed in the Ohio Revised Code following six straight years of incremental raises. Currently, State Appellate Court Judges are paid \$106,050 a year. The state also provides for the salaries of the court reporters, law clerks, secretaries and any other employee that the court considers necessary for its efficient operation. In general, judicial and staff salaries are provided by the state, whereas the counties within the court's jurisdiction provide for books, supplies and facilities to maintain the operation of the court. However, there are a few exceptions to this rule. Counties provide compensation for any constables appointed to preserve order, attend the assignment of cases or to discharge such other duties, as the court requires. And, the Clerk of the District Court of Appeals is also the Clerk of the Court of Common Pleas in the county where the Appeals Court has its principal location. For this added duty, the clerk is provided with a sum equal to one-eighth of the annual compensation received for being Clerk of the Court of Common Pleas. This additional amount is payable from the state treasury, whereas the remainder, seven-eighths, of the salary comes from the principal county's general fund.

The court administrator for the Fifth District Court of Appeals anticipates hiring 2 staff attorneys and 1 secretary or administrative assistant to meet the support staff needs of the new judge. The staff attorneys would annually make approximately \$52,000 each. The staff assistant or judicial secretary would have an annual salary of slightly less than \$38,000. The salaries listed here do not include expenses for benefits or withholding for retirement services. The salaries, plus benefits, are state costs and are included within the above state fiscal highlights table.

The Fifth District Court of Appeals is seated in Stark County. The current court facility, located in Canton, Ohio, has space into which the court could expand with minor renovation. Current court estimates have placed the initial startup costs at \$57,300, with ongoing annual operating costs of \$12,800. These costs would be borne by the counties that make up the Fifth District. The following table shows how these costs would be allocated based upon the most recent census.

County	1990 Population	% of Total Population	First Year Cost	Following Years Cost
Ashland	47,507	3.85%	\$2,205	\$493
Coshocton	35,427	2.87%	\$1,645	\$367
Delaware	66,929	5.42%	\$3,107	\$694
Fairfield	103,461	8.38%	\$4,803	\$1,073
Guernsey	39,024	3.16%	\$1,812	\$405
Holmes	32,849	2.66%	\$1,525	\$341
Knox	47,473	3.85%	\$2,204	\$492
Licking	128,300	10.39%	\$5,956	\$1,330
Morgan	14,194	1.15%	\$659	\$147
Morrow	27,749	2.25%	\$1,288	\$288

Muskingum	82,068	6.65%	\$3,810	\$851
Perry	31,557	2.56%	\$1,465	\$327
Richland	126,137	10.22%	\$5,855	\$1,308
Stark	367,585	29.78%	\$17,064	\$3,812
Tuscarawas	84,090	6.81%	\$3,904	\$872
Total	1,234,350	100.00%	\$57,300	\$12,800

In the Eleventh District, the court administrator expects to hire 2 judicial law clerks and 1 judicial secretary. The law clerks would make approximately a little over \$39,000. The judicial secretary would make between \$32,000 - \$37,000 annually. A breakdown of the local costs per county has yet to be decided, but total costs should be comparable to those of the Fifth District, excluding costs associated with office renovation. The court is seated in Trumbull County where a new facility is being constructed that will house the appellate court. The new court facility was designed with the additional judge in mind. The removal of this expense reflects the \$20,000 difference in the one-time startup costs listed in the local fiscal highlights table. The table below indicates the population of the counties included in the Eleventh District and the percentage of the local costs that each will be responsible for providing.

County	1990 Population	% of Total Population
Ashtabula	99,821	13.02%
Geauga	81,129	10.58%
Lake	215,499	28.10%
Portage	142,585	18.59%
Trumbull	227,813	29.71%
Total	766,847	100.00%

Common Pleas Court

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 or more than \$14,000. The state share is equal to the total salary minus the local contribution. Amended Substitute House Bill 438 of the 121st General Assembly established common pleas court judges' salaries at \$103,500 for 2001 and beyond. In the 1990 census, Summit County had a population of 514,990. Thus, under the just described per capita formula, Summit County would provide \$14,000, the maximum total contribution towards each judge's salary. The state will provide each a salary of \$89,500. It is unlikely that the year 2000 census would alter the local contribution provided by Summit County since this could only occur if the population dropped by over 430,000 in the current decade.

Additional Local Costs

In Summit County, the addition of two common pleas court judges will create additional costs for the county in staffing, equipment, and supplies necessary to serve the needs of the court. The local court administrator has estimated that these local costs would total \$456,839, not

including the local portion of the judges' salaries. Ninety-four percent of the costs to the local court is made up of personnel and equipment expenses. Courtroom and staff space does not seem to be a current concern. The first of two judges will take the bench in January of 2001 and will utilize an existing chamber used for visiting judges. Long term changes regarding the use of space in the court facility will take into consideration the space needs for the judge taking office in 2003. The above estimate for local costs does not reflect that the first of two judges will be sitting alone for the first two years. As such, the local court costs will be approximately only \$228,420 for fiscal years 2001 and 2002. Furthermore, as a result of the addition of the two judges, the Summit County Common Pleas Court should experience an increased number of cases adjudicated each year. Therefore, the county could find it necessary to increase expenditures in order to fund additional prosecutors and public defenders to handle increased caseloads. At present, LBO is unable to specifically identify the amount of such additional costs.

PERS Estimates

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 two Appellate Court Judges and the Summit County Common Pleas Court Judges join 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.

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