

BILL: **Am. H.B. 105**

DATE: **April 21, 1999**

STATUS: **As Enacted – Effective July 29, 1999**

SPONSOR: **Rep. Bateman**

LOCAL IMPACT STATEMENT REQUIRED: **Yes**

CONTENTS: **Creates one additional full-time judgeship in the Clermont County Municipal Court beginning on January 1, 2000**

State Fiscal Highlights

STATE FUND	FY 1999	FY 2000	FUTURE YEARS
General Revenue Fund			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	- 0 -	\$18,890 increase	\$39,429 increase in FY 2001; \$41,077 increase annually thereafter

Note: The state fiscal year is July 1 through June 30. For example, FY 2000 is July 1, 1999 – June 30, 2000.

- Currently, the state has statutorily prescribed pay increases for municipal court judges through calendar year 2001. The \$18,890 state share of the judicial salary in FY 2000 reflects \$32,650 in annual salary, plus 13.31 percent, or \$4,345, for PERS (Public Employees Retirement System), and 2.4 percent, or \$784, for other administrative costs. Since the judgeship begins at the halfway point in the fiscal year, the above FY 2000 amount represents only the last six months of the state's fiscal year. The amounts in subsequent fiscal years reflect an entire 12-month period, including a scheduled January 1, 2001 judicial pay raise.

Local Fiscal Highlights

LOCAL GOVERNMENT	FY 1999	FY 2000	FUTURE YEARS
Clermont County			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	- 0 -	\$70,117 increase, plus an additional minimal increase for staff	\$70,117 increase, plus an additional minimal increase for staff

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

- The annual salary and benefits for a full-time municipal court judge will cost Clermont County \$70,117, which reflects \$61,750 in annual base salary, plus 13.55 percent, or \$8,367, for PERS.
- Currently, the municipal court administrator expects only to hire one additional secretary and to utilize existing judicial staff to meet any additional burdens. The creation of this judgeship is not expected to create

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the need for any additional staff related to prosecution or indigent defense. In addition, the county has enough courtroom space, but is planning to begin construction in the year 2000 of a new municipal court building that can accommodate all municipal court functions in one location.

Detailed Fiscal Analysis

Full-time Judges

The salary for a full-time municipal court judge consists of two components: a fixed annual base share of \$61,750 (paid entirely by Clermont County) and a supplemental amount (paid by the state) and subject to legislatively prescribed annual increases. The board of county commissioners of a county in which a county-operated municipal court is located pays all of the local costs of operating the municipal court, including the local base share of salary. The state paid share is currently set at \$32,650 for calendar year 2000 and will rise to \$35,500 in calendar year 2001, pursuant to section 141.04 of the Revised Code. This Clermont County municipal court judge will run for election in November of 1999 and will be seated on January 1, 2000.

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 Clermont County Municipal Court Judge joins PERS. The state contributes at the rate of 13.31 percent of its supplemental salary amount, while the county pays 13.55 percent on its base share amount. The county will pay \$8,367 towards PERS, while the state will contribute \$4,345 in calendar year 2000 and \$4,725 in calendar year 2001. In addition to PERS, the state also makes contributions for other purposes: 1.45 percent of gross salary for Medicare for all employees hired after April 1986, 0.67 percent for worker's compensation, and 0.28 percent for the administration of the Central Accounting System. These costs have also been included in the State and Local Fiscal Highlights section as appropriate. Total expenditures are summarized below in Table 1.

Table 1

	<i>Total State Expenditure</i>	<i>Total County Expenditure</i>	<i>TOTAL</i>
FY 1999	\$0	\$0	\$0
FY 2000	\$18,890	\$70,117	\$89,007
FY 2001	\$39,429	\$70,117	\$109,546
FY2002	\$41,077	\$70,117	\$111,194

Additional Local Costs

An additional full-time judge may create some additional costs for the county in increased staff and/or equipment. LBO contacted the current Clermont County Municipal Court Administrator and one of the sitting judges and was informed that there would be minor additional costs for the court directly related to the staffing of the additional judge. The court anticipates hiring one additional secretary, but believes that no other employees will be immediately necessary. The current number of bailiffs should be

able to accommodate the additional judge. The additional judge is in response to an already high caseload being handled in the court. For this reason, there are no anticipated additional expenses related to either prosecution or public defense. There are three courtrooms, in two separate buildings, currently available that can accommodate the two sitting judges and this additional judge. Construction of a new municipal court facility is scheduled to be started in calendar year 2000 and was planned prior to the decision to seek an additional judgeship.

□ *LBO staff: Joseph W. Rogers, Budget/Policy Analyst*
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