

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**Session 2017**

**Legislative Fiscal Note**

**BILL NUMBER:** House Bill 717 (Fourth Edition)

**SHORT TITLE:** Judicial Redistricting & Investment Act.

**SPONSOR(S):** Representatives Burr, Stone, Destin Hall, and Millis

<b>FISCAL IMPACT</b>					
	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> No Estimate Available		
<b>State Impact</b>	<b>FY 2018-19</b>	<b>FY 2019-20</b>	<b>FY 2020-21</b>	<b>FY 2021-22</b>	<b>FY 2022-23</b>
General Fund Revenues:					
General Fund Expenditures:	\$2,647,858	\$5,101,890	\$7,026,971	\$8,717,709	\$9,067,335
State Positions:	36.00	36.00	54.50	54.50	56.00
<b>NET STATE IMPACT</b>	<b>(\$2,647,858)</b>	<b>(\$5,101,890)</b>	<b>(\$7,026,971)</b>	<b>(\$8,717,709)</b>	<b>(\$9,067,335)</b>
<b>PRINCIPAL DEPARTMENT(S) &amp; PROGRAM(S) AFFECTED:</b>					
Administrative Office of the Courts					
<b>EFFECTIVE DATE:</b> January 1, 2019					
<b>TECHNICAL CONSIDERATIONS:</b>					
None					

**BILL SUMMARY:**

H.B. 717 repeals the current configurations of district court, superior court, and prosecutorial districts and recreates 40 superior court districts, 40 district court districts, and 43 prosecutorial districts. The current eight superior court divisions are replaced with five superior court divisions. The bill also creates 9.0 FTE superior court judges, 15.0 FTE district court judges, and 23.0 FTE assistant district attorneys.

**ASSUMPTIONS AND METHODOLOGY:**

H.B. 717 revises superior court, district court, and prosecutorial districts. The bill adds 8.0 full-time equivalent (FTE) superior court judges effective January 1, 2021 and 1.0 FTE superior court judge effective January 1, 2023. The bill reduces the number of superior court districts from 49 to 40, which means nine senior resident superior court judge positions will become regular superior court judge positions. It also creates 10.0 FTE district court judges effective January 1, 2019 and 5.0 FTE district court judges effective January 1, 2021. Finally, the bill creates 23.0 FTE assistant district attorneys effective January 1, 2019.

Estimates for the costs related to positions were calculated using FY 2018-19 position costs as provided by the Administrative Office of the Courts in March, 2017. Those costs were adjusted to reflect FY 2018-19 salary and benefit changes included in S.L. 2017-57, and then increased based on inflation rates from Moody's economy.com (January 2017).

The chart below shows the estimate for each type of position affected by the bill. Detailed information about the individual position calculations can be found after the chart.

<b>Cost Estimate for Positions Created by H.B. 717</b>						
<b>Title</b>	<b>FTE</b>	<b>FY 2018-19</b>	<b>FY 2019-20</b>	<b>FY 2020-21</b>	<b>FY 2021-22</b>	<b>FY 2022-23</b>
Superior Court Judge (SCJ)	9.00	\$0	\$0	\$997,305	\$1,916,795	\$2,089,800
Reduction to Resident SCJ		(\$47,142)	(\$47,142)	(\$47,142)	(\$47,142)	(\$47,142)
District Court Judge	15.00	\$1,073,935	\$2,008,944	\$2,629,804	\$3,151,735	\$3,222,649
Judicial Assistants	9.00	\$114,507	\$214,917	\$444,316	\$636,883	\$673,752
Assistant District Attorneys	23.00	\$1,506,558	\$2,925,171	\$3,002,688	\$3,059,438	\$3,128,276
<b>Totals</b>	<b>56.00</b>	<b>\$2,647,858</b>	<b>\$5,101,890</b>	<b>\$7,026,971</b>	<b>\$8,717,709</b>	<b>\$9,067,335</b>
<i>New position amounts have been adjusted for inflation based on rates from Moody's economy.com (Jan. 2017)</i>						

#### *Superior Court Districts*

The bill reduces the number of superior court divisions from eight to five. Superior court judges are constitutionally required to rotate within their division, so the increased size of the divisions may increase the travel required of the judges. Costs may be increased if judges have to drive farther and/or stay in a hotel during the week for their rotation. The management of the rotation – to where and how often judges must rotate – is left to the Administrative Office of the Courts (AOC). At this time, AOC does not have a plan for rotation in the larger divisions and so cannot estimate what, if any, increase in travel costs may arise as a result of this change.

The bill reduces the number of Superior Court Districts from 49 to 40. The reduction in the number of Superior Court Districts will result in nine fewer superior court judges being designated as senior resident superior court judges. (The senior resident superior court judge is the lead superior court judge for the district.) The difference in cost between a senior resident superior court judge and a regular superior court judge is \$5,238, for a total savings of \$47,142 (nine times \$5,238).

The bill adds 8.0 FTE superior court judges effective January 1, 2021 and 1.0 FTE superior court judge effective January 1, 2023. The total position cost for 1.0 FTE superior court judge in FY 2018-19 is \$222,455 recurring and \$6,703 nonrecurring. Adjusting for inflation, the total cost for 8.0 FTE new superior court judges effective January 1, 2021 is \$940,620 recurring and \$56,685 nonrecurring. The annualized total cost for these positions in FY 2021-22 will be \$1,916,795 recurring. The total cost for 1.0 FTE new superior court judge effective January 1, 2023 is \$122,495 recurring and \$7,382 nonrecurring.

#### *District Court Districts*

The bill adds 10.0 FTE district court judges effective January 1, 2019 and 5.0 FTE district court judges effective January 1, 2021. The total position cost for 1.0 FTE district court judge in FY 2018-19 is \$195,081 recurring and \$9,853 nonrecurring. The total cost for 10.0 FTE district court

judges effective January 1, 2019 is \$975,405 recurring and \$98,530 nonrecurring. Adjusting for inflation, the annualized total cost for these positions in FY 2019-20 will be \$2,008,944 recurring. The total cost for 5.0 FTE district court judges effective January 1, 2021 is \$515,545 recurring and \$52,078 nonrecurring. The annualized total cost for these positions in FY 2021-22 will be \$1,050,578 recurring.

*Judicial Assistants*

The Administrative Office of the Courts (AOC) staffing models recommend one judicial assistant for every two superior court judges and one judicial assistant for every three district court judges. Based on these staffing levels, this bill will require 3.0 FTE judicial assistants beginning January 1, 2019, 5.5 FTE judicial assistants beginning January 1, 2021; and an additional 0.5 FTE beginning January 1, 2023. The total cost for 1.0 FTE judicial assistant position in FY 2018-19 is \$69,566 recurring and \$3,386 nonrecurring. The total cost for 3.0 FTE judicial assistants positions effective January 1, 2019 is \$104,349 recurring and \$10,158 nonrecurring. Adjusting for inflation, the annualized total cost for these positions in FY 2019-20 will be \$214,917. The total cost for 5.5 FTE judicial assistants effective January 1, 2021 is \$202,228 recurring and \$21,476 nonrecurring. The annualized total cost for these positions in FY 2021-22 will be \$412,100 recurring. The total cost for 0.5 FTE judicial assistant effective January 1, 2023 is \$19,153 recurring and \$3,386 nonrecurring.

*Assistant District Attorneys*

The bill adds 23.0 FTE assistant district attorney positions effective January 1, 2019. The total position cost for 1.0 FTE assistant district attorney position in FY 2018-19 is \$123,501 recurring and \$3,752 nonrecurring. The total cost for 23.0 FTE assistant district attorneys effective January 1, 2019 is \$1,420,262 recurring and \$86,296 nonrecurring. Adjusting for inflation, the annualized total cost for these positions in FY 2019-20 will be \$2,925,171 recurring.

**SOURCES OF DATA:** Administrative Office of the Courts

**TECHNICAL CONSIDERATIONS:** None

**FISCAL RESEARCH DIVISION:** (919) 733-4910

**PREPARED BY:** Kristine Leggett

**APPROVED BY:**

Mark Trogon, Director  
**Fiscal Research Division**

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