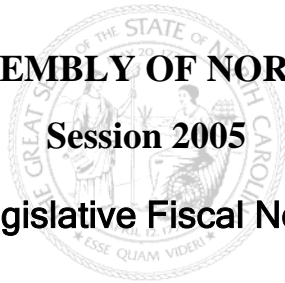


GENERAL ASSEMBLY OF NORTH CAROLINA



Session 2005

Legislative Fiscal Note

BILL NUMBER: House Bill 1066 (First Edition)

SHORT TITLE: Durham Judicial Personnel Funds.

SPONSOR(S): Representatives Luebke, Michaux, Miller, and Wilkins

FISCAL IMPACT					
	Yes (x)	No ()	No Estimate Available ()		
	<u>FY 2005-06</u>	<u>FY 2006-07</u>	<u>FY 2007-08</u>	<u>FY 2008-09</u>	<u>FY 2009-10</u>
REVENUES:					
EXPENDITURES:	\$612,494	\$627,997	\$627,997	\$627,997	\$627,997
POSITIONS (cumulative):	12	12	12	12	12
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: Judicial Branch					
EFFECTIVE DATE: Section 8 - July 1, 2005; the rest of the bill on October 1, 2005.					

BILL SUMMARY:

Amends GS 7A-133(a) to increase from 6 to 8 the number of judges in District Court District 14. Provides that the Governor will appoint the additional district court judges for District 14, and those judges' successors will be elected in the 2006 general election for four-year terms beginning the first Monday in December 2006. Amends GS 7A-60(a1) to increase from 13 to 16 the number of full-time assistant district attorneys in Prosecutorial District 14. Amends GS 7A-133(c) to increase from 13 to 14 the maximum number of magistrates in Durham County. Appropriates \$213,576 for 2005-06 and \$253,892 for 2006-07 from General Fund to Judicial Department to establish the two new district court judges for District Court District 14. Appropriates \$189,054 for 2005-06 and \$232,776 for 2006-07 from General Fund to Judicial Department to establish the three new assistant district attorneys for District Court District 14. Appropriates \$167,286 for 2005-06 and \$201,276 for 2006-07 from General Fund to Judicial Department to establish six deputy clerk positions for District Court District 14. Appropriates \$33,053 for 2005-06 and \$38,100 for 2006-07 from General Fund to Judicial Department to establish a new magistrate for Durham County. Appropriates \$70,000 for 2005-06 and \$70,000 for 2006-07 from General Fund to Judicial Department to fund the Youth Treatment Court in Durham County, which has

previously been funded through grants. Appropriation to establish a new magistrate becomes effective July 1, 2005; all other provisions become effective October 1, 2005

Source: Bill Digest H.B. 1066 (03/31/0200).

ASSUMPTIONS AND METHODOLOGY:

This bill adds a number of new judicial positions in District 14, comprising Durham County. The position cost from which the impact is drawn is displayed in the table below.

Position	Recurring Base	Non-Recurring	Number	Total
District Court Judge	\$96,504	\$10,284	2	\$213,576
Assistant District Attorney	\$58,357	\$4,661	3	\$189,054
Deputy Clerk	\$25,303	\$2,578	6	\$167,286
Magistrate	\$38,100	\$4,478	1	\$42,578
Total	\$218,264	\$22,001	12	\$612,494

In addition to these funds, the bill also appropriates \$70,000 to continue the operation of the district's youth drug treatment court program.

SOURCES OF DATA: Administrative Office of the Courts.

TECHNICAL CONSIDERATIONS: The figures for the magistrate are for a whole year, but the amount of money in the bill is the cost for a magistrate for nine months, starting October 1, 2005, like the other sections of the bill. The bill needs to be amended either to raise the amount appropriated for the magistrate from \$33,053 to \$42,578, or to make Section 8 of the bill effective on October 1 like the rest of the bill.

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DATE: May 12, 2005

Signed Copy Located in the NCGA Principal Clerk's Offices