

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 235

82nd Oregon Legislative Assembly – 2023 Regular Session

Legislative Fiscal Office

Only Impacts on Original or Engrossed Versions are Considered Official

Prepared by: Emily Coates
Reviewed by: Amanda Beitel, John Borden, Paul Siebert
Date: 2/2/2023

Measure Description:

Increases number of circuit court judges in certain judicial districts.

Government Unit(s) Affected:

Judicial Department, Secretary of State, Counties

Summary of Fiscal Impact:

Costs related to the measure may require budgetary action - See analysis.

Analysis:

The measure increases the number of statutory circuit court judgeships by seven in the following six judicial districts. Statewide, the total number of statutory circuit court judgeships under the measure would increase from 179 to 186 positions. The measure takes effective October 1, 2023.

Under this measure, statutory circuit court judgeships would be added to:

- First Judicial District (Jackson County) - increases the number of judgeships from ten to eleven (1);
- Second Judicial District (Lane County) - increases the number of judgeships from fifteen to sixteen (1);
- Fifth Judicial District (Clackamas County) - increases the number of judgeships from eleven to twelve (1);
- Fourteenth Judicial District (Josephine County) - increases the number of judgeships from five to six (1);
- Sixteenth Judicial District (Douglas County) - increases the number of judgeships from five to six (1); and
- Twentieth Judicial District (Washington County) - increases the number of judgeships from fifteen to seventeen (2).

The fiscal impact associated with establishing a statutory circuit court judgeship may include: (a) the cost of the judgeship position; (b) circuit court support staff; (c) county courthouse and/or facility costs for judge chambers, court staff, and potentially an additional courtroom; and (d) election cost.

Oregon Judicial Department (OJD)

OJD anticipates the fiscal impact of the measure to be \$6.6 million General Fund and 28 positions (24.50 FTE) for 18 months of the 2023-25 biennium and \$7.5 million General Fund and 28 positions (28.00 FTE) for 24 months of the 2025-27 biennium. The 2023-25 Chief Justice's Recommended Budget includes Policy Package #108 associated with this measure.

The fiscal impact includes seven judgeships (6.13 FTE) and 21 Judicial Services Specialist 3 positions (18.38 FTE). Judgeships and staff position funding is based on an October 1, 2023 start date. Each circuit court judgeship position includes three Judicial Services Specialist 3 positions to provide administrative support to judges, perform scheduling duties, oversee courtroom operations and administration duties, and case processing. The estimated personal services and services and supplies costs for each judgeship and three additional support staff is \$1.1 million General Fund for 24 months of the 2025-27 biennium.

Of note, if SB 233 becomes law, the measure would provide for two ten-percent salary increases for judgeships; one in July 2023 and another in January 2024. The impact of SB 233 is not included in fiscal impact for this

measure.

Secretary of State

The judges of the circuit courts are elected by voters in nonpartisan judicial district elections for six-year terms. The agency reports no fiscal impact associated with this measure.

Counties

Counties are by law responsible to provide suitable and sufficient court facilities for the statewide operation of the circuit courts. Newly established statutory circuit judgeships and associated circuit court staff require county courthouse and/or court facilities for judge chambers, court staff, and potentially an additional courtroom. The Legislative Fiscal Office (LFO) believes this measure may have a fiscal impact on counties due to these costs, however, LFO has not received fiscal impact information from counties. In absence of this information, the fiscal impact for counties is indeterminate. If fiscal impact information is provided by counties, LFO will issue a revised fiscal impact statement.

County government cost may also include local election costs, but those costs are assumed to be de minimis.

This measure has a subsequent referral to the Joint Committee on Ways and Means for consideration of its budgetary impact on the State's General Fund.