

MINUTES OF THE SENATE JUDICIARY COMMITTEE.

The meeting was called to order by Acting Chairperson Ed Pugh at 9:42 a.m. on January 10, 2001 in Room 123-S of the Capitol.

All members were present except: Senator Umbarger (excused)
Senator Vratil (excused)

Committee staff present:

Gordon Self, Revisor
Mary Blair, Secretary

Conferees appearing before the committee:

Tim Madden, Department of Corrections (DOC)
Kyle Smith, Kansas Bureau of Investigation (KBI)
Kathy Porter, Office of Judicial Administration (OJA)

Others attending: see attached list

The minutes of January 9, 2001 were approved on a motion by Senator Adkins, seconded by Senator Schmidt. Carried.

Conferee Madden requested introduction of a bill which would make procedural changes in current legislation relating to the admission of offenders in the DOC's custody. (attachment 1) Following his summary and discussion by Committee, Senator Goodwin moved to introduce the bill, Senator Oleen seconded. Carried. Conferee Madden further requested introduction of an amendment clarifying current law relating to asset seizure and forfeiture in correctional facilities. (attachment 2) Following his summary and discussion by Committee, Senator Oleen moved to introduce the bill, Senator Donovan seconded. Carried.

Conferee Smith requested introduction of a bill which would update statutes dealing with DNA evidence by: providing for the use of post conviction DNA testing; setting the limitation for sexual assaults at one year after a DNA "hit" is made; and adding burglary to the convictions that require DNA sampling. (attachment 3) Following his summary and discussion by Committee, Senator Adkins moved to introduce the bill, Senator Schmidt seconded. Carried. Conferee Smith further requested introduction of a bill which would "enhance" the offender registration database currently maintained by the KBI. (attachment 4) Following his summary and discussion by Committee, Senator Adkins moved to introduce the bill, Senator Oleen seconded. Carried.

Conferee Porter requested introduction of four bills relating to the following topics: contested elections; supreme court and district court judicial nominating commission statutes; age 75 judicial retirement provision; and recommendation to submit the judicial branch budget directly to the legislature. (attachment 5) Following her summary of each topic and discussion by Committee, Senator Oleen moved to introduce the four bills, Senator Donovan seconded. Carried. Conferee Porter also presented a review of the Implementation of the Nonjudicial Salary Initiative (NJSI) Plan and Proposed Docket Fee Increases which she stated will be introduced in Senate Ways and Means Committee. (attachment 6)

The meeting adjourned at 10:30 a.m. The next scheduled meeting is January 11, 2001.



DEPARTMENT OF CORRECTIONS
OFFICE OF THE SECRETARY
Landon State Office Building
900 S.W. Jackson — Suite 400-N
Topeka, Kansas 66612-1284
(785) 296-3317

Bill Graves
Governor

Charles E. Simmons
Secretary

MEMORANDUM

DATE: January 10, 2001
TO: Senate Judiciary Committee
FROM: Charles E. Simmons
Secretary of Corrections
RE: Request for Bill Introduction

The Department of Corrections respectfully requests introduction by the Senate Judiciary Committee of the attached bill draft. A summary of the proposed bill is presented below.

Admission of Offenders into the Department's Custody

K.S.A. 75-5220 would be amended to require that whenever the physical custody of an offender sentenced to KDOC is transferred by a sheriff to a jurisdiction other than KDOC, the sheriff shall notify both the department and the other jurisdiction that a sentence to be executed by KDOC has been imposed. Furthermore, the sheriff would be required to notify KDOC as to where the offender was taken.

Additionally, the proposal would specify that offenders sentenced to the department be transported to the appropriate correctional facility regardless of whether the prison portion of the sentence has been served. This is necessary so that appropriate intake procedures can be completed.

I appreciate your consideration of our request, and would be pleased to answer any questions you might have.

CES/TGM/cj

w/attachment

cc: Legislation file w/attachment

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att. 1

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RE: Request for Bill Introduction

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Asset Seizure and Forfeiture in Correctional Facilities

K.S.A. 60-4123 would be amended to clarify that the Kansas Standard Asset Seizure and Forfeiture Act does not preclude the seizure and forfeiture of contraband property pursuant to the department's administrative regulations pertaining to inmate disciplinary procedures.

I appreciate your consideration of our request, and would be pleased to answer any questions you might have.

CES/TGM/cj

w/attachment

cc: Legislation file w/attachment

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Kansas Bureau of Investigation

Larry Welch
Director

Carla J. Stovall
Attorney General

Bill Request
Before the Senate Judiciary Committee
Kyle G. Smith
Kansas Bureau of Investigation
January 10, 2001

Chairman Vratil and members of the Committee,

I am pleased to appear today on behalf of the KBI and request that this committee introduce legislation updating our statutes dealing with DNA evidence to reflect modern advances in that area of forensic science.

First, there has been considerable attention focused on the use of "post conviction" DNA testing to clear innocent individuals who were convicted of rape before DNA testing was available. Those of us in law enforcement are sworn to seek justice and that includes freeing the innocent as well as incarcerating the guilty. Director Larry Welch of the KBI would request legislation be introduced that would allow the KBI to conduct DNA analysis in those cases where persons were convicted in Kansas of murder and rape and useable evidence still exists, but no DNA analysis was conducted at the time of trial.

Second, other states are wrestling with the tragedy where a rapist is identified through DNA samples or the DNA database but the statute of limitations has run on the offense, so a known rapist goes free. Florida recently repealed the statute of limitations for rape and California passed a bill last year to set the limitation for sexual assaults at one year *after* a DNA hit is made. The KBI would request legislation mimicking the California legislation.

Third, statistics have shown that convicted rapists have an alarming number of previous convictions for burglary. In other words, they progress in their offenses or sometimes are burglars who commit rape when the opportunity occurs. Kansas has a DNA databank wherein persons convicted of certain sexual and violent crimes are required to provide DNA samples. This data bank aids in identifying suspects as well as providing considerable deterrence. We would like to add burglary to the convictions that required DNA sampling.

I would be happy to address any questions. Thank you for your consideration.

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S. Jud
1-10-01
att 4

Kansas Bureau of Investigation

Larry Welch
Director

Carla J. Stovall
Attorney General

Bill Request
Before the Senate Judiciary Committee
Kyle G. Smith
Kansas Bureau of Investigation
January 10, 2001

Chairman Vratil and members of the Committee,

I am pleased to appear today on behalf of the KBI and request that this committee introduce legislation enhancing the offender registration database (K.S.A. 22-4901 *et seq.*) currently maintained by the KBI. As most of you are aware, the offender registration act requires persons convicted of certain violent and sexually oriented offenses to register with the sheriff of their county of residence.

These amendments would require persons in Kansas, who have been convicted of child molesting, rape, murder and other serious offenses, but are currently not covered by the statute, to register with the state. Primarily, the amendments that we are proposing would add to the list of required registrants non-resident workers employed in Kansas, non-resident students attending college in Kansas, those persons convicted in military courts and new residents who were required to register in their previous state of residence. There would also be a separate definition of "sexually violent predator", for use in the offender registration act, to distinguish it from the civil commitment of sexually violent predators.

Draft copies of the amendments have been attached to the original and a set given to the revisor and I would be happy to provide them to anyone who has a particular interest. I would be happy to address any questions.

Thank you for your consideration.

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State of Kansas
Office of Judicial Administration
Kansas Judicial Center
301 SW 10th
Topeka, Kansas 66612-1507

(785) 296-2256

January 9, 2001

Senator John Vratil
Chairperson, Senate Judiciary Committee
State Capitol, Room 120-S
Topeka, Kansas 66612

Dear Senator Vratil:

The Kansas Judicial Branch respectfully requests the introduction of four bills. Attached are summaries of the bills. If any additional information would be helpful to you, please let me know.

Sincerely,

A handwritten signature in cursive that reads "Kathy Porter".

Kathy Porter
Executive Asst. to Judicial Administrator

KP:mr

Attachment

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Bill Requested by the Kansas Association of Court Clerks and Administrators

Contested Elections Bill. The Kansas Association of District Court Clerks and Administrators requests the introduction of a bill amending K.S.A. 25-308, which concerns election objections. Under current law, if an objection is made in the case of nominations for county, township, city, and school officers, objections are to be filed with the county election officer and considered by the county election officer, the clerk of the district court, and the county or district attorney.

The KADCCA Legislative Committee's objective is to have "clerk of the district court" deleted as a party considering the objection. Although they have suggested "an elected official of the county whose position is not involved in the controversy who shall be designated by the county election officer," they are open to other alternatives.

Apart from not wanting to be placed in the center of an uncomfortable controversy, the clerks point out that, when this statute was first enacted, clerks were elected county officials. Clerks have not been elected officials since the time of court unification.

Supreme Court and District Court Judicial Nominating Commission Statutes

Statute Update. 1996 House Bill 2506 would have clarified and updated several provisions relating to district court judicial nominating commissions. Other provisions were amended into the bill, and it was not enacted into law. The Clerk of the Supreme Court requests the introduction of a bill including the provisions of 1996 HB 2506 and amending corresponding statutes regarding the Supreme Court Nominating Commission.

Additional Bills to Be Introduced

Age 75 Retirement Provision. As introduced, 2000 House Bill 2372 would have amended the retirement age for judges to age 75 from the current age 70, or the end of the term during which the judge attains the age of 70. The House Judiciary Committee amended the age 75 provision to apply only to appellate justices and judges. During the last few days of the session, the bill made it out of the Judiciary Conference Committee, but the provision adding Court of Appeals judges had been amended in. Conference committee members also reported that the Governor had some objections to the provision.

After the 2000 legislative session, the Governor met with members of the Supreme Court Nominating Commission and other invited advisers. The Governor has stated that he no longer objects to the retirement provision.

Submitting the Judicial Branch Budget Directly to the Legislature. 2000 House Bill 2450 would have allowed the Judicial Branch to submit its budget for inclusion in the Governor's Budget Report, but not for inclusion in the Governor's budget. In other words, the budget would have been submitted intact to the Legislature, without the budget cuts usually made by the Division of the Budget. A House Judiciary Committee amendment clarified that the Director of the Budget would not revise the Judicial Branch budget estimate. The bill was recommended favorably by the House Judiciary Committee, but was defeated on the House floor.



State of Kansas
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Senate Judiciary Committee

January 10, 2001

Kathy Porter, Office of Judicial Administration

Implementation of the Nonjudicial Salary Initiative (NJSI) Plan, and Proposed Docket Fee Increases

The NJSI plan was implemented to give salary increases to Judicial Branch nonjudicial employees in exactly the manner explained to the 2000 Legislature.

The nonjudicial salary increases contemplated by 2000 Senate Substitute for House Bill 2027 became effective on July 23, 2000, and were seen by Judicial Branch employees in their August 18 paychecks. In anticipation of the pay plan's enactment, Office of Judicial Administration staff began preparing for conversion to the new pay plan prior to the end of the 2000 Legislative Session. Conversion to the new plan was somewhat labor-intensive, because some of the work could not be done through Department of Administration Division of Personnel Services computer programming and had to be done on an employee by employee basis.

The July 23 implementation date was beneficial to the NJSI Fund, in that the 2000 Legislature made clear that revenue generated from the docket fee increases included in 2000 Senate Substitute for House Bill 2027 was to finance the future ongoing cost of the pay increases implemented this year. The delay in implementation meant that less money was drawn from the fund to implement the plan's first year.

The plan's impact can be seen by noting the increase in starting salaries. Trial Court Clerk II positions make up the largest class of Judicial Branch employees, with 464.5 FTE positions. The starting salary for this job class went from \$8.06 per hour (\$16,765 annually) to \$9.12 per hour (\$18,970 annually).

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As explained to the 2000 Legislature, court services officers were first upgraded one salary grade to give them parity with Department of Corrections parole officers. They were then placed on the NJSI pay plan.

**Has the plan helped to attract qualified new employees
and to retain valued, experienced employees?**

Judicial Branch managers statewide have commented on their ability to attract qualified applicants, and have related numerous anecdotes about their ability to now attract an adequate number of applicants, most of whom are qualified, for job openings that one year ago had attracted few or no qualified applicants.

Although many positive results have been achieved statewide, including Johnson County, there is still some concern as to whether starting salaries have increased sufficiently to allow the courts to attract and retain qualified applicants in the Johnson County job market.

The approximate three-month time period since the implementation date has not been a sufficient period of time to provide meaningful data about employee retention. Employees leave jobs for a variety of reasons other than pay, and Judicial Branch employees are no exception. While fewer Judicial Branch employees have left in the past three months than had been the norm in recent years, the three-month time period is again an insufficient period of time from which to draw any major conclusions. However, the Judicial Branch salaries and wages turnover rate for the current year is significantly lower than the budgeted rate.

What is left to be done on the NJSI plan?

The NJSI committee continues its work of designing a new employee evaluation process that will provide each employee with a clear statement of what is expected for that employee to perform required job duties in a successful manner. This evaluation tool will be used in a pay for performance pilot program that will begin with Judicial Branch managerial employees.

Pay for performance is intended to reward those employees who perform in an exceptional manner, to provide an incentive and a climate for change to those employees who are capable of exceptional performance, and to identify those employees not performing as required. The evaluation tool is intended to provide, to the extent possible, objective and specific evaluation criteria that will be helpful to both the supervisor evaluating the employee and to the employee. Training on the employee evaluations will be presented at the December 8, 2000, chief judges meeting.

Another area on which the NJSI Committee is focusing is the need to reclassify some existing positions. With the increasing use of technology, a number of positions and classifications have evolved in the state system. The NJSI is currently working to ensure that the Judicial Branch's current classifications are appropriate, and to ensure that its classifications are internally consistent. Once this is completed, other employers will be surveyed to see if Judicial Branch salaries are appropriate or whether they need to be modified.

The cornerstone of the NJSI pay plan is a meaningful annual cost of living increase. As you have heard throughout the presentations today, without an annual meaningful COLA, the pay plan will not reflect the cost of hiring, and the pay plan will again slip behind. The Judicial Branch has included a request for a meaningful COLA in its FY 2002 budget request, to be funded from the State General Fund. This request is based on the increase in the Employment Cost Index as reported by the Bureau of Labor Statistics.

Would the docket fee increases recommended by the Judicial Council be easily implemented and collected?

The Judicial Council's proposed fee increases were distributed to court administrators and clerks of the district court for comment. The comments from clerks and administrators state repeatedly that a simple fee schedule is best for the clerks, and it is their feeling that litigants would agree.

The current Kansas docket fee schedule fits easily on one sheet of paper, with one additional sheet for other costs and fees (the lien filing fees). Earlier this summer, the Office of Judicial Administration collected docket fee schedules from other states. Compared to many, the current Kansas docket fee schedule is elegant in its simplicity.

All of the Judicial Council's recommended fee increases could be implemented. Implementation would require training for clerks and attorneys, but the increases could be accommodated.

How much revenue would be generated by the Judicial Council's proposed docket fee increases?

A separate document entitled "Fee Increase Analysis" provides detailed information on both revenue increase estimates and the method in which the estimates were calculated.

The revenue generated from docket fee increases included in 2000 Senate Substitute for House Bill 2027 could be easily calculated by multiplying the amount of the increase by the number of cases historically filed in each of the major docket fee categories. The fee increases recommended here cannot, in some instances, be estimated with much certainty. They include items for which the Judicial Branch's statistics system is not capable of keeping statistics, such as motions filed within cases, the number of garnishments filed, some types of probate filings, and other items.

Are there other docket fees that could be increased?

One docket fee that was not increased last year was the fee for appeals from other courts. That fee is listed in K.S.A. 1999 Supp. 28-172a, and the current docket fee is \$62.50. One example of when this fee would be charged is for appeals from municipal court to the district court.

Special Committee on Judiciary
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Historically, this fee had been level with the Chapter 60 docket fee in some years, but it appeared to have been overlooked in recent years when the Chapter 60 docket fee increased. Making this fee consistent with the \$101 Chapter 60 docket fee would both provide some additional revenue and would provide some uniformity for the clerks.

There are, of course, other possibilities. Revenue estimates for any recommendations the committee might make could be generated for your consideration.

JUDICIAL COUNCIL DOCKET FEE RECOMMENDATIONS

CIVIL

<u>Description</u>	<u>Current Fee</u>	<u>Judicial Council Recommendation</u>
<p>In Chapter 60, at the time plaintiff files a response to a request for statement of damages, or at the pretrial conference, whichever first occurs, and if plaintiff seeks a specific amount in excess of \$75,000, then the clerk will assess an additional filing fee based on the following schedule:</p>		
\$75,000 or less: No additional fee	\$101.00	\$101.00
\$75,001 - \$500,000: Additional fee of \$49	\$101.00	\$150.00
\$500,001 - \$1 million: Additional fee of \$99	\$101.00	\$200.00
\$1,000,001 - \$5 million: Additional fee of \$199	\$101.00	\$300.00
Excess of \$5 million: Additional fee of \$299	\$101.00	\$400.00
<p>This graduated scale could be adjusted based on an analysis of the number of cases in each category, and the likely revenue to be derived therefrom. However, the logic is to make the bigger, more complex cases pay for themselves.</p>		
Fee for registration of foreign judgments	\$0.00	\$101.00
In the alternative: that the filing fee for Limited Actions cases (\$500 or less) be increased to the amount the Judicial Branch recommended to the 2000 Legislature	\$26.00	\$45.00
OR		
a fee be imposed for garnishments:		
Regular	\$0.00	\$10.00
Continuing	\$0.00	\$25.00
Fee for hearings in aid of execution	\$0.00	\$10.00

CRIMINAL

<u>Description</u>	<u>Current Fee</u>	<u>Judicial Council Recommendation</u>
Adopt a fee for expungements equal to the amount of the general civil filing fee	\$0.00	\$101.00
Adopt a monthly criminal probation fee of \$20.00 per month for felonies and \$10.00 for misdemeanors		
Felony	\$50.00/one time	\$20.00/month
Misdemeanor	\$25.00/one time	\$10.00/month

Provided: The fee be subject to constitutional limitations and judges' discretion and a cap amount shall be determined at sentencing.

DOMESTIC

<u>Description</u>	<u>Current Fee</u>	<u>Judicial Council Recommendation</u>
Post Divorce Motion	\$20.00	\$40.00
Modification on agreed order	\$0.00	\$40.00

PROBATE

<u>Description</u>	<u>Current Fee</u>	<u>Judicial Council Recommendation</u>
Treatment of Mentally Ill	\$24.50	\$30.00
Treatment of Alcohol or Drug Abuse	\$24.50	\$30.00
Determination of Descent of Property	\$39.50	\$150.00
Terminate Life Estate	\$39.50	\$50.00
Terminate Joint Tenancy	\$39.50	\$50.00

Refusal to Grant Letters of Administration	\$39.50	\$50.00
Adoption		
Step Parent Adoption	\$39.50	\$50.00
Adult Adoption	\$39.50	\$50.00
SRS Adoption	\$39.50	\$50.00
Agency Adoption	\$39.50	\$250.00
Independent Adoption	\$39.50	\$250.00
International Adoption (59-2144)	\$39.50	\$250.00
Filing a Will And Affidavit under KSA 59-618a	\$39.50	\$50.00
Guardianship	\$59.50	\$75.00
Conservatorship	\$59.50	\$75.00
Guardianship and Conservatorship	\$59.50	\$150.00
Annual Reports	\$0.00	\$10.00
Annual Accounting of Conservatorship Minor or Adult under \$10,000 (may be waived)	\$0.00	\$10.00
Annual Accounting of Conservatorship Minor or Adult over \$10,000 (may be waived)	\$0.00	\$50.00
Termination of Guardianship of Minor Attaining the Age of 18	\$0.00	\$0.00
Termination of Adult Guardianship by Restoration or Death	\$0.00	\$0.00
Closing Conservatorship of Minor or Adult under \$10,000	\$0.00	\$10.00
Closing Conservatorship of Minor or Adult over \$10,000	\$0.00	\$50.00
Trusteeship	\$59.50	\$100.00
Certified Probate Proceedings under KSA 59-213	\$14.50	\$15.00

Decrees in Probate from another State	\$99.50	\$100.00
Probate of an Estate or a Will	\$99.50	\$150.00
Civil Commitment under KSA 59-29a01 et. seq.	\$24.50	\$30.00

OTHER COSTS AND FEES

<u>Description</u>	<u>Current Fee</u>	<u>Judicial Council Recommendation</u>
Copying and Certifying (K.S.A. 28-1)	Set by Local Rule	No recommendation
Performance Bonds (Contractors, etc.) (K.S.A. 16-113, 60-305, 60-306, 60-1110, 60-1111, and 28-170)	\$5.00	\$20.00
Employment Security Tax Warrant (K.S.A. 28-170)	\$15.00	\$20.00
Sales and Compensating Tax Warrant (K.S.A. 28-170)	\$15.00	\$20.00
State Tax Warrant (K.S.A. 28-170)	\$15.00	\$20.00
Delinquent Personal Property Tax Judgment (K.S.A. 28-170)	\$5.00	\$20.00
Hospital Lien (K.S.A. 65-409)	\$5.00	\$20.00
Intent to Perform (K.S.A. 60-1103[b] and 28-170)	\$5.00	\$20.00
Mechanic's Lien (K.S.A. 28-170)	\$5.00	\$20.00
Oil and Gas Mechanic's Lien (K.S.A. 28-170)	\$5.00	\$20.00
Motor Carrier Tax Lien (K.S.A. 28-170)	\$15.00	\$20.00

Pending Action Lien (K.S.A. 60-2203[a])	\$5.00	\$20.00
Transcriptionist fees		
Electronic Recordings (Supreme Court Rule 366: for each additional page)	\$2.75	No recommendation
For each copied page	\$.50	No recommendation

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Fee Increase Analysis

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Civil

Chapter 60:

There were 22,040 regular civil case filings in FY00.
This translates into the following breakdown:

- 9,257 cases at the recommended \$101.00 fee
- 7,273 cases at the recommended \$150.00 fee
- 4,188 cases at the recommended \$200.00 fee
- 1,102 cases at the recommended \$300.00 fee
- 220 cases at the recommended \$400.00 fee

An estimated 25% of the increase will be collected the first year of implementation.
This results in a first year increase of **\$264,039**. The estimated increase for FY02 is \$1,056,067.

Registration of foreign judgments: No change

Limited Action:

There were 125,531 limited action case filings in FY00. Approximately 55% of these filings would experience an increase to the proposed \$45 filing fee. Applying a collection rate of 98% results in an increase of **\$1,285,563**.

OR

Maintain the \$26 fee and establish a fee schedule on garnishments as follows:
Assume 60% of limited action cases filed eventually lead to garnishment, with 60% of these being continuing garnishments.

Regular garnishment 30,127 cases at \$10.00 = \$301,270
Continuing garnishment 45,191 cases at \$25.00 = \$1,129,775

When the estimated collection rate of 98% is applied, the increase is **\$1,402,436**.

Fee for hearings in aid of execution:

6-9

Estimate 5% of limited action judgments result in hearing. This generates an increase of **\$43,940**.

Criminal

Expungements: Estimate 500 statewide at \$101 fee generates an increase of **\$50,500**.

Criminal probation fee:

Due to the effective date of this increase, **no additional fees** are expected the first year.

The increase after the first year is as follows:

Estimate 13,000 felony probation fees at \$20.00/mo and collection rate of 20% = \$624,000.

Subtracting the \$130,000 collected under the \$50 one-time fee nets an increase of \$494,000.

Estimate 14,500 misdemeanor probation fees at \$10.00/mo and collection rate of 35% = \$609,000.

Subtracting the \$126,875 collected under the \$25 one-time fee nets an increase of \$482,125.

Domestic

Post Decree Motion:

Estimate 1.0 motion per decree applied to a caseload of 11,732 generates an increase of **\$234,640**.

Probate:

Treatment of Mentally Ill

Treatment of Alcohol or Drug Abuse:

Estimate collection on 25% of the combined 2,068 FY00 cases. The increase is **\$2,844**.

Determination of Descent of Property

Terminate Life Estate

Terminate Joint Tenancy

Refusal to Grant Letters of Administration:

Estimate collection on 98% of these cases. The increase on 1,373 cases is **\$148,682**.

Probate:

Adoption:

Estimate 91% of the 2,024 adoption filings in FY00 are step parent, adult, or SRS adoptions. The collection rate for these types will vary generating an estimated increase of **\$13,070**.

Estimate 9% of adoption filings are agency, independent or international adoptions. The estimated increase for these types of adoptions is **\$38,344**.

Filing a Will and Affidavit: A modest increase in both case filings and fees collected is expected.

Guardianship

Conservatorship

Guardianship and Conservatorship:

The fee increase is determined by taking the number of filings for these three case types and applying collection rate factors of 40% for guardianship cases, 60% for conservatorships, and 50% for guardianship and conservatorship cases. The resultant increase is **\$58,017**.

Annual Reports:

Estimate fee increase based upon 7,800 total requests to be **\$78,000**.

Annual Accounting of Conservatorship

under \$10,000

over \$10,000

These annual accounting requests are estimated to number 3,500. A collection rate of 30% is applied resulting in a fee increase of **\$52,500**.

Termination of Guardianship of Minor Attaining the Age of 18: No change, \$0.00.

Termination of Adult Guardianship by Restoration or Death: No change, \$0,00.

Closing Conservatorship

under \$10,000

over \$10,000:

There are an estimated 2,000 closings per year. This will result in an increase of **\$60,000**.

Probate:

Trusteeship:

The collection rate is estimated at 98% on the 146 cases. The increase is **\$5,795**.

Certified Probate Proceedings: No significant change.

Decrees in Probate from another State: modest increase.

Probate of an Estate or a Will:

This fee increase of \$50.50 applied to 4,187 cases results in an increase of **\$211,444**.

Civil Commitment: modest increase..

Other Costs and Fees:

Fees changing from \$5.00 to \$20.00:

Estimate that the \$20 fee will be collected 3,435 times resulting in an increase of **\$51,525**.

Fees changing from \$15.00 to \$20.00:

Estimate that the \$20 fee will be collected 4,812 times resulting in an increase of **\$24,060**.

Total Fee Increase:

The total increase in fee collection will be between **\$2,622,963** and **\$2,739,836** the first year.

The higher total uses limited actions garnishments.

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