

February 17, 2014

The Honorable Jeff King, Chairperson
Senate Committee on Judiciary
Statehouse, Room 341-E
Topeka, Kansas 66612

Dear Senator King:

SUBJECT: Fiscal Note for SB 364 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 364 is respectfully submitted to your committee.

SB 364 would modify the method in which budgets are allocated and managed within the Kansas Judicial Branch beginning July 1, 2015. The bill would require the Chief Justice of the Supreme Court to establish a separate budget for each judicial district, but authorize the chief judge of each district to oversee that budget. Each chief judge would be responsible for preparing the budget; submitting the budget to the Chief Justice for approval; determining the compensation to be paid district court personnel, with the exception of salaries mandated by law; and hiring, demoting, suspending, and dismissing personnel.

Under the bill, the Judicial Administrator would be required to approve all lawful claims submitted by the chief judge within the approved budget. A departmental justice would have no authority to make or change any budget decision rendered by a chief judge. The Judicial Personnel Classification System would apply only to personnel who are not subject to the authority of the chief judge. The Supreme Court would no longer be required to consider compensation amounts in the Executive Branch and in court systems of comparable states when establishing compensation under the Judicial Personnel Classification System. The bill would provide that the duties assigned to personnel by a chief judge and the new authority given to chief judges under SB 364 would not be subject to Supreme Court rules.

The Office of Judicial Administration (OJA) indicates that the provisions of SB 364 would require a new district court administrator in each of the 31 judicial districts to establish and maintain a compensation and classification plan in each district. The OJA estimates the cost to add a court administrator to the 13 judicial districts which currently operate without one would increase expenditures for the Judicial Branch by \$1,032,174 from the State General Fund in FY 2016 and each subsequent year. OJA also estimates additional costs of \$1,251,774 from the State General Fund in FY 2016 and each subsequent year to add a court program analyst to each

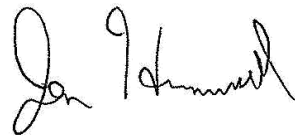
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of the 18 judicial districts that currently have court administrators, but would require additional assistance. Since it remains unclear how many court administrators would be able to support the newly developed personnel system and stay up to date on changing requirements in the area of employment law, the OJA anticipates continued dependence on its office to manage payroll and personnel processes for the district courts resulting in the need for more personnel. However, until the courts have had an opportunity to operate with the provisions of SB 364 in place, a precise fiscal effect on the expenditure by the Judicial Branch cannot be given.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Hummell". The signature is written in a cursive, flowing style.

Jon Hummell,
Interim Director of the Budget

cc: Mary Rinehart, Judiciary