



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2009 Biennium

<b>Bill #</b>	HB0229	<b>Title:</b>	Judicial recusal from case where attorney made campaign contribution
<b>Primary Sponsor:</b>	Mendenhall, Scott	<b>Status:</b>	As Introduced

- Significant Local Gov Impact     
 Needs to be included in HB 2     
 Technical Concerns  
 Included in the Executive Budget     
 Significant Long-Term Impacts     
 Dedicated Revenue Form Attached

### FISCAL SUMMARY

	<u>FY 2008 Difference</u>	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>
<b>Expenditures:</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Revenue:</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Net Impact-General Fund Balance</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

### FISCAL ANALYSIS

#### Assumptions:

1. This legislation requires disqualification of a judge from a case when an attorney in the case has made a reportable campaign contribution to the judge.
2. There are 22 Judicial Districts in Montana. Eleven of these districts have only one District Court Judge. The Judicial Branch assumes that this legislation will cause some District Court Judges to be disqualified from hearing cases. This would increase travel time and costs when District Court Judges would be required to travel to other districts to hear cases.
3. The Judicial Branch is unable to estimate how many cases would require disqualification of District Court Judges or the impact on judicial workload and travel costs that would be incurred as a result of this legislation. The cumulative impact of such legislation may over a period of time require additional judicial resources because the court dockets are generally full throughout the state.
4. The fiscal impact of this legislation cannot be measured.

#### Effect on County or Other Local Revenues or Expenditures:

1. This legislation includes requirements to disqualify justices of the peace, municipal court judges or city court judges when an attorney in a case has made a reportable campaign contribution to them. These courts are funded by local governments and may therefore have some fiscal impact from this legislation.

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*Sponsor's Initials*

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*Date*

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*Budget Director's Initials*

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*Date*