



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2025 Biennium

Bill information:	
SB0224 - Require court report on district court case numbers and substitutions (Hertz, Greg)	
Status:	As Amended in House Committee

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Significant Local Gov Impact | <input checked="" type="checkbox"/> Needs to be included in HB 2 | <input checked="" type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2024</u> <u>Difference</u>	<u>FY 2025</u> <u>Difference</u>	<u>FY 2026</u> <u>Difference</u>	<u>FY 2027</u> <u>Difference</u>
Expenditures:				
General Fund	\$52,000	\$0	\$0	\$0
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	(\$52,000)	\$0	\$0	\$0

Description of fiscal impact: SB 224 establishes reporting requirements related to district court judge case numbers and substitutions. The reporting requirements established in this bill will require modifications to the Judicial Branch case management system.

FISCAL ANALYSIS

Assumptions:
Judicial Branch

1. Subsection 2(e) requires the Office of the Court Administrator (OCA) to report the name of each attorney and the name of the attorney's law firm or employer who requests a substitution of a judge. The attorney's law firm is not a required field and may not be routinely updated in the case management system. The case management system vendor would have to make the data field mandatory by case as attorneys switch or move firms, which is estimated to take 60 hours of work at \$200 per hour for a cost of \$12,000.
2. Subsection 2(f) requires the OCA to report on the number of continuances granted by each judge and who requested the continuance in family law cases and child abuse and neglect cases. This is currently a free text field and is not reportable unless calculated by hand. The vendor would be required to add this field to make

it reportable. This is a complex addition which will take an estimated 150 hours at \$200 per hour for a cost of \$30,000. It is estimated that it will take between 12 and 15 months to complete this modification.

3. The OCA would work with the vendor to develop a report for each requested field. It will take the vendor approximately 50 hours to develop the report at \$200 per hour for a cost of \$10,000.
4. Total one-time cost to be incurred in FY 2024 is \$52,000.

	<u>FY 2024</u> <u>Difference</u>	<u>FY 2025</u> <u>Difference</u>	<u>FY 2026</u> <u>Difference</u>	<u>FY 2027</u> <u>Difference</u>
<u>Fiscal Impact:</u>				
<u>Expenditures:</u>				
Operating Expenses	\$52,000	\$0	\$0	\$0
TOTAL Expenditures	<u>\$52,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>Funding of Expenditures:</u>				
General Fund (01)	\$52,000	\$0	\$0	\$0
TOTAL Funding of Exp.	<u>\$52,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>Revenues:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
TOTAL Revenues	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	(\$52,000)	\$0	\$0	\$0

Effect on County or Other Local Revenues or Expenditures:

1. County clerks of court are responsible for entering data that is reported by the OCA. Additional training will be required for clerks. Local governments may incur additional costs to enter the information.

Technical Notes:

1. New section 2 (c) requires the OCA to report the reason for a substitution. Section 3-1-801, MCA allows for one substitution per party without reason or cause. The OCA would be required to ask attorneys why a judge was substituted and attorneys would not be obligated to answer under 3-1-801, MCA.

NO SPONSOR SIGNATURE

Sponsor's Initials

2/20/23
Date


Budget Director's Initials

2-17-23
Date