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Honorable Johnnie Caldwell, Jr.
State Representative
612-D Coverdell Legislative Office Building
Atlanta, Georgia 30334

SUBJECT: Revised Fiscal Note
House Bill 5 (LC 29 7171)

Dear Representative Caldwell:

The original fiscal note for LC 29 7171, dated December 5, 2016, has been revised and replaced. The revised fiscal note corrects the number of juvenile court judges in the Atlanta circuit that would be impacted by the bill. According to the Council of Juvenile Court Judges, the circuit would not receive grant funds for its four associate judges.

This bill would change the formula for determining the state grants paid to counties that offset salaries of juvenile court judges, provided for in O.C.G.A. § 15-11-52. The funding would change from a base grant per judicial circuit to a grant for each juvenile court judge in the state. Forty-eight of the state's 49 judicial circuits have appointed juvenile court judges and would be eligible to receive the grant.

Cost to the State

Total state contributions would rise approximately \$3.4 million per year, based on the current count of 95 juvenile court judges. As shown in **Table 1**, the change represents a 65% increase in state spending. This calculation is based on the following considerations:

- **Current Formula** – The base grant for each judicial circuit with one or more juvenile court judges is \$85,000¹. This figure is reduced by a prorated amount if the judges work less than full time, and it is increased by 1/4 of the base grant (\$21,250) for each superior court judge over the base count of four per circuit. These modifications result in grants ranging from \$68,000 to Toombs Circuit, which has one part-time juvenile court judge, to \$425,000 for the Atlanta Circuit, which has 20 Superior Court judges. Despite these extremes, the

¹ According to the Council on Juvenile Court Judges budget staff, a 2008 cost of living adjustment allowed an increase in the grant amount if the local jurisdiction would match the increase. Twenty-eight circuits receive a base grant 4-6% higher than \$85,000.

median grant per circuit is \$88,434, which represents the \$85,000 base plus a 4% cost of living adjustment (see footnote). *Current state contribution*: \$5.2 million.

- **Proposed Formula** – The bill will change the grant to \$110,000 per full-time juvenile court judge. Part-time judges will receive a prorated amount, from \$22,000 annually for working one day per week to \$88,000 for working four days per week. (These amounts represent a 29.4% increase over current proration.) The adjustment based on the number of Superior Court judges will not exist. *Proposed state contribution*: \$8.6 million.

The bill may act as an incentive for additional juvenile court judges, further increasing state costs. Superior court judges have the authority to add juvenile court judges to their circuit. Because the state grant to a circuit does not currently increase when juvenile court judges are added, the addition of judges is impacted by the ability of local governments to fund the positions. Under the bill, state grant funding would increase when a new juvenile court judge position is created, reducing the funding barrier present in some circuits. If ten full-time judge positions are added, the additional cost to the state would be \$1.1 million per year.

Table 1: Costs to the State

Circuit	Full-Time Judges	Part-Time Judges	Current Grant	Proposed Grant	Additional Funding	Percent Change
Alapaha	0	2	\$85,000	\$110,000	\$25,000	29%
Alcovy	2	0	106,250	220,000	113,750	107%
Appalachian	1	0	88,434	110,000	21,566	24%
Atlanta ¹	3	0	425,000	330,000	(95,000)	0%
Atlantic	0	3	85,000	176,000	91,000	107%
Augusta	1	2	170,000	286,000	116,000	68%
Bell-Forsyth	1	0	88,434	110,000	21,566	24%
Blue Ridge	2	0	88,434	220,000	131,566	149%
Brunswick	3	2	106,250	440,000	333,750	314%
Chattahoochee	1	2	148,750	242,000	93,250	63%
Cherokee	1	1	88,434	198,000	109,566	124%
Clayton	3	0	88,434	330,000	241,566	273%
Cobb	4	0	212,500	440,000	227,500	107%
Conasauga	1	0	88,434	110,000	21,566	24%
Cordele	1	0	88,434	110,000	21,566	24%
Coweta	2	2	127,542	308,000	180,458	141%
Dougherty	1	0	88,434	110,000	21,566	24%
Douglas	1	0	88,434	110,000	21,566	24%
Dublin	1	0	88,434	110,000	21,566	24%
Eastern	3	0	132,651	330,000	197,349	149%
Enotah	1	0	85,000	110,000	25,000	29%
Flint	1	0	88,434	110,000	21,566	24%
Griffin	1	0	85,000	110,000	25,000	29%
Gwinnett	3	0	212,500	330,000	117,500	55%
Houston	1	0	88,434	110,000	21,566	24%
Lookout Mountain	2	1	88,434	264,000	175,566	199%
Macon	2	0	110,542	220,000	109,458	99%
Middle	1	0	88,434	110,000	21,566	24%
Mountain	0	2	85,000	110,000	25,000	29%
Northeastern	3	0	88,434	330,000	241,566	273%

Northern	0	2	85,000	110,000	25,000	29%
Ocmulgee ¹	1	0	110,543	110,000	(543)	0%
Oconee	0	2	85,000	88,000	3,000	4%
Pataula	0	2	88,434	110,000	21,566	24%
Paulding	1	0	88,434	110,000	21,566	24%
Piedmont	1	0	88,434	110,000	21,566	24%
Rockdale	1	0	88,434	110,000	21,566	24%
Rome	1	0	88,434	110,000	21,566	24%
South GA	0	2	88,434	110,000	21,566	24%
Southern	0	4	110,543	176,000	65,457	59%
Southwestern	1	0	88,434	110,000	21,566	24%
Stone Mountain	4	0	212,500	440,000	227,500	107%
Tallapoosa	1	0	88,434	110,000	21,566	24%
Tifton	1	0	88,434	110,000	21,566	24%
Toombs	0	1	68,000	88,000	20,000	29%
Towaliga	1	0	85,000	110,000	25,000	29%
Waycross	0	3	85,000	176,000	91,000	107%
Western	1	1	88,434	154,000	65,566	74%
Statewide	65	30	\$5,229,420	\$8,646,000	\$3,416,579	65%

¹ The proposed amount is consistent with the provisions of the bill. However, the Council of Juvenile Court judges stated that it would request the current funding levels for the Atlanta and Ocmulgee circuits until the current judges depart those positions. Article VI, Section VII, Paragraph V of the Georgia Constitution does not allow the salaries of incumbent judges to be reduced. As the judges are replaced, the grant amount would be reduced to the amount stated in the bill.

Note: Numbers may not total due to rounding.

Impact on Local Government

Counties in 41 of 48 circuits provide approximately \$4 million in funding to supplement the current state grant, and the bill would provide state funds to offset those contributions. Of the \$3.4 million in additional state funds resulting from the bill, approximately \$2.8 million would replace funding provided by counties. Other funds would increase salaries for judges whose current salaries are below the proposed grant amounts.

Sincerely,

Greg S. Griffin
State Auditor

Teresa A. MacCartney, Director
Office of Planning and Budget