



# OHIO LEGISLATIVE SERVICE COMMISSION

Robert Meeker

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## Fiscal Note & Local Impact Statement

**Bill:** H.B. 174 of the 132nd G.A.

**Status:** As Reported by Senate Judiciary

**Sponsor:** Reps. Hughes and Lanese

**Local Impact Statement Procedure Required:** Yes

**Subject:** Adds two judges to the Domestic Relations Division of the Franklin County Court of Common Pleas

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### State & Local Fiscal Highlights

- Beginning January 2019, the creation of the first of two common pleas court judgeships will: (1) increase the amount of GRF funding that the Supreme Court of Ohio disburses in the form of state support for judgeships by an estimated \$157,007 annually, and (2) increase the amount of Franklin County's judicial compensation-related expenditures by an estimated \$41,989 annually. Beginning January 2021, the creation of the second common pleas court judgeship will double those annual compensation-related expenditures to the state and Franklin County to an estimated \$314,013 and \$83,978, respectively.
- For Franklin County, the annual cost of additional court personnel and miscellaneous other expenses are estimated at \$390,000, or \$195,000 per judge. One-time courtroom renovations are estimated at \$330,000, or \$165,000 per courtroom.

### Detailed Fiscal Analysis

The bill adds two judges to current law's five judges of the Domestic Relations Division of the Franklin County Court of Common Pleas, with one term beginning in January 2019 and one term beginning in January 2021, and declares an emergency.

#### Judicial compensation-related costs

##### Base salary

The annual salary of a common pleas court judge is statutorily set at \$147,600 for calendar year (CY) 2019 and annually thereafter, and consists of a local and state share determined as follows:

- The *local share* of \$14,000 per judge is formulated at \$0.18 per capita with a cap at \$14,000. Based on 2010 census data, the population of Franklin County is 1,163,414 which results in an amount for the local share ( $1,163,414 \times \$0.18$ ) of \$209,415 which is well above the statutory \$14,000 cap.

- The *state share* of \$133,600 per judge is equal to the annual salary minus the local share (\$147,600 minus \$14,000).

Starting with CY 2019, the addition of one domestic relations judge will cost Franklin County and the Supreme Court of Ohio \$14,000 and \$133,600, respectively, to cover their annual shares of the \$147,600 base salary. Those annual amounts will double to \$28,000 and \$267,200, respectively, with the addition of a second domestic relations judge in CY 2021.

### **Retirement**

State and local elected officials are exempt from membership in the Public Employees Retirement System (PERS), unless they choose to become members. As most elected officials do accept membership in PERS, this analysis includes PERS payments.

The state and Franklin County contribute at the rate of 14% of their share amounts, respectively. Under that PERS contribution formula, Franklin County will expend an additional \$1,960 annually beginning in CY 2019 with a total annual increase of \$3,920 beginning in CY 2021 when the term of the second judge begins. The state will expend an additional \$18,704 annually beginning in CY 2019 with a total annual increase of \$37,408 beginning in CY 2021 when the term of the second judge begins.

### **Payroll-related charges**

The state and Franklin County also pay for other payroll-related charges, as detailed below.

The state pays for a total of 3.52% in payroll-related charges as follows: 1.45% of gross salary for Medicare for all employees hired after April 1986, 0.10% for workers' compensation, 0.30% for the Department of Administrative Services' payroll services, 0.27% for Office of Budget and Management services, 0.01% to the Equal Employment Opportunity Commission, 0.69% for Office of Information Technology services, 0.46% to the Ohio Administrative Knowledge System, and 0.24% for group life insurance. These miscellaneous annual contributions will increase state expenses by \$4,702.50 annually beginning in CY 2019 with a total annual increase of \$9,405 beginning in CY 2021 when the term of the second judge begins.

Franklin County pays 1.45% of gross salary for Medicare, 0.9% for workers' compensation, and an estimated \$25,700 for health insurance.<sup>1</sup> The increase of these miscellaneous contributions will cost the county an additional \$26,029 annually beginning in CY 2019 with a total annual increase of \$52,058 beginning in CY 2021 when the term of the second judge begins.

### **Additional Franklin County expenses**

The cost of additional court personnel, including one judicial assistant, one bailiff, and one staff attorney, is estimated by the Franklin County Court of Common

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<sup>1</sup> Insurance cost based on CY 2017 rate of \$847 paid biweekly and an annual projected cost increase of 8.0% per year.

Pleas at \$189,905 per year per judge, or \$379,810 annually for two judges. Miscellaneous other annual expenses, including robes and various memberships, are estimated at \$5,200 per judge, or \$10,400 annually for two judges.

The total one-time cost to perform necessary building renovations is estimated at \$330,196, including technology and furniture, for two courtrooms, or \$165,098 per courtroom.

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