



Legislative Fiscal Office  
 82<sup>nd</sup> Oregon Legislative Assembly  
 2024 Regular Session

Prepared by: Emily Coates  
 Reviewed by: Amanda Beitel, John Borden, Paul Siebert  
 Date: February 6, 2024

**Bill Title:** Relating to judicial positions; prescribing an effective date.

**Government Unit(s) Affected:** Counties, Judicial Department, Secretary of State

**Summary of Fiscal Impact**

2023-25 Biennium	General Fund	Lottery Funds	Other Funds	Federal Funds	Total Funds	Positions	FTE
Oregon Judicial Department	\$ 1,911,049	\$ -	\$ -	\$ -	\$ 1,911,049	14	6.00
<b>Total Fiscal Impact</b>	<b>\$ 1,911,049</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,911,049</b>	<b>14</b>	<b>6.00</b>

2025-27 Biennium	General Fund	Lottery Funds	Other Funds	Federal Funds	Total Funds	Positions	FTE
Oregon Judicial Department	\$ 4,708,857	\$ -	\$ -	\$ -	\$ 4,708,857	15	15.00
<b>Total Fiscal Impact</b>	<b>\$ 4,708,857</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 4,708,857</b>	<b>15</b>	<b>15.00</b>

**Measure Description**

The measure increases the number of statutory circuit court judgeships by three in the following three judicial districts. Statewide, the total number of statutory circuit court judgeships under the measure would increase from 179 to 182 positions. Under this measure, statutory circuit court judgeships would be added to:

- First Judicial District (Jackson County) - increases the number of judgeships from ten to eleven (1); effective July 1, 2024.
- Twentieth Judicial District (Washington County) - increases the number of judgeships from fifteen to sixteen (1); effective July 1, 2024.
- Fifth Judicial District (Clackamas County) - increases the number of judgeships from eleven to twelve (1); effective July 1, 2025.

The fiscal impact associated with establishing a statutory circuit court judgeship may include: (a) the cost of the judgeship position; (b) circuit court support staff; (c) county courthouse and/or facility costs for judge chambers, court staff, and potentially an additional courtroom; and (d) election cost.

**Fiscal Analysis**

The total fiscal impact is estimated to be \$1.9 million General Fund, 14 positions (6.00 FTE) for the 2023-25 biennium and \$4.7 million General Fund, 15 positions (15.00 FTE) for the 2025-27 biennium.

Oregon Judicial Department

The fiscal impact of the measure on the Oregon Judicial Department (OJD) is \$1.9 million General Fund, 14 positions (6.00 FTE) for the 2023-25 biennium and \$4.7 million General Fund, 15 positions (15.00 FTE) for the 2025-27 biennium.

For Jackson and Washington Circuit Courts, the fiscal impact includes two judgeships (1.00 FTE), two Courtroom Clerks (1.17 FTE), four Court Operations Specialists (2.33 FTE), and two Analyst 2 positions (1.17 FTE) for the 2023-25 biennium. Funding for these two judgeships is based on a July 1, 2024 start date and court staff funding is based on a May 1, 2024 start date. For the Clackamas Circuit Court, the 2023-25 fiscal impact includes four court staff, based on a May 1, 2025 start date with the judgeship becoming effective on July 1, 2025 or at the beginning of the 2025-27 biennium. The Clackamas Circuit Court positions include two Court Operation Specialists (0.17 FTE), one Courtroom Clerk (0.08 FTE), and one Analyst 2 (0.08 FTE). Each judgeship position has four court support staff to provide clerical and function support. The estimated cost for the 2025-27 biennium totals \$4.7 million General Fund and 15 positions (15.00 FTE).

The Legislative Fiscal Office (LFO) notes judicial salaries, as with most other elected official salaries, are set in statute. Since 2015, state law has required that judicial salaries be adjusted on an ongoing basis to match the cost-of-living adjustments awarded to management service employees in the executive branch. Amounts beyond the cost-of-living adjustments require legislative action. If the measure becomes law, the anticipated 2023-25 biennium costs will increase by 6.55% for the second COLA that will be effective either January or February 2025.

#### Secretary of State

The judges of the circuit courts are elected by voters in nonpartisan judicial district elections for six-year terms. The agency is responsible for providing each judge slot a position number for election purposes and reports no fiscal impact associated with this measure.

#### Counties

By law, counties are responsible to provide suitable and sufficient court facilities for the statewide operation of the circuit courts. Newly established statutory circuit judgeships and associated circuit court staff require county courthouse and/or court facilities for judge chambers, court staff, and potentially an additional courtroom. LFO believes this measure may have a fiscal impact on counties due to these costs; however, LFO has not received fiscal impact information from counties. In absence of this information, the fiscal impact for counties is indeterminate. If fiscal impact information is provided by counties, LFO will issue a revised fiscal impact statement. County government cost may also include local election costs, but those costs are assumed to be de minimis.

#### **Relevant Dates**

The measure takes effect on July 1, 2024, with an operative date for the Jackson and Washington Circuit Court judgeships being July 1, 2024 and the Clackamas Circuit Court judgeship being July 1, 2025.