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OHIO LEGISLATIVE SERVICE COMMISSION

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H.B. 518
134th General Assembly

Fiscal Note & Local Impact Statement

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Version: As Introduced

Primary Sponsor: Rep. Hoops

Local Impact Statement Procedure Required: No

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Highlights

- Beginning January 1, 2024, the bill's elimination of the Fulton County County Court and creation of the Fulton County Municipal Court will result in an annual net savings of nearly \$23,000 plus commensurate fringe benefits on the state and county salary obligations. These savings are the result of the elimination of two part-time judgeships and the creation of a single judgeship.

Detailed Analysis

The bill: (1) eliminates the Fulton County County Court, with two part-time judges, (2) establishes the Fulton County Municipal Court, with a single full-time judge, and (3) provides that the full-time judge will be seated in Wauseon with a branch office established in Swanton, which mirrors the current geographic organization for the county court.

This change will result in a savings for the county and the state in terms of certain compensation costs for the judges, as shown below.¹ Beginning in January 2024 (the year that the new municipal court will begin operation), these changes are expected to save the state \$14,652 annually plus accompanying fringe benefits on expenditures related to the state share of judgeship salary costs. Fulton County will net an expenditure savings of \$8,250 annually plus accompanying fringe benefits for its local share of those costs. It should be noted that some of these savings will begin to occur earlier than January 2024, as one of the current part-time judges

¹ Compensation is set by statute and split between the state (Ohio Supreme Court) and the local jurisdiction. Certain fringe benefits are also split, for example OPERS (Ohio Public Employees Retirement System).

in the Fulton County County Court is retiring and the seat will be left vacant until January 2024. That judge is anticipating retiring in December 2023.

Judicial compensation-related costs

The bill will eliminate the two part-time judges serving in the Fulton County County Court and abolishes that court effective January 2024. The newly established Fulton County Municipal Court will have one full-time judge seated in Wauseon with a branch office in Swanton. Under the current court, Fulton County has two divisions with one judge sitting in Wauseon and one sitting in Swanton. This existing structure will be maintained, so no additional capital or office space costs are anticipated.

The table below compares the costs between two part-time county court judges and a single full-time municipal court judge and the breakdown between the local and state share. Salaries are set in statute with a part-time judge expected to earn \$87,140 per year (in 2024) plus benefits and a municipal court judge earning \$151,378. While there may be some incidental administrative costs related to the transition (i.e., updates to stationary, signage, and the court's website), these are not expected to be significant and will be more than offset by the salary savings.

| Base Salary Costs for Two County Court Judges versus One Municipal Court Judge, CY 2024 | | | |
|---|-----------------------------------|-------------------------------------|--------------------|
| Cost | Two Part-Time County Court Judges | One Full-Time Municipal Court Judge | Net Annual Savings |
| Local Share | \$70,000 | \$61,750 | \$8,250 |
| State Share | \$104,280 | \$89,628 | \$14,652 |
| Total | \$174,280 | \$151,378 | \$22,902 |

Special deputy clerk

Currently, in Fulton County, there is a court clerk for each of the county court divisions. For each compensation is set by the county legislative authority and paid from the county treasury. Fulton County has a population of less than 100,000 people, so, under continuing law, the municipal court established by the bill will require one clerk to be appointed by the court with compensation set by the presiding judge and paid from the county treasury. The bill additionally requires a special deputy clerk to be appointed for the branch office in Swanton. Compensation for a special deputy clerk is set by the payroll administrator and paid by the county. Given the county court already has two clerks, and the bill requires the appointment of a special deputy clerk, it is likely that the Fulton County Municipal Court will continue this arrangement.²

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² Under continuing law, the clerk of the court of common pleas may act as the clerk for the municipal court. In such a case, the clerk would receive a supplement of \$14,716 in 2024 for a county with a population of less than 55,000. This option is available to Fulton County, but seems unlikely to be pursued.