

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2015-16</b>		<b>FY 2016-17</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

**Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.**

This bill would provide additional powers and duties for guardians ad litem.

The Supreme Court states that the bill will increase court workload, but the fiscal impact is not expected to be significant.

The Foster Care Review Office and the Department of Health and Human Services both estimate no fiscal impact.

The Lancaster County Juvenile Court estimates no fiscal impact from this bill.

The Nebraska Association of County Officials (NACO) states that the requirements of this bill could increase the cost to counties but any increase is indeterminate.

Lancaster County estimates costs of \$100,888 in FY16 (partial year) and \$403,552 in FY17 (full-year) to comply with the requirements of this bill. See their attached response for details.

Douglas County states this bill will have an unknown fiscal impact to the county.

Please complete ALL (5) blanks in the first three lines.

**2015**

**LB<sup>(1)</sup> 15**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup>

Supreme Court

Prepared by: <sup>(3)</sup> Eric Asboe

Date Prepared: <sup>(4)</sup> 2/23/15

Phone: <sup>(5)</sup> 471-4138

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2015-16</u>		<u>FY 2016-17</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

Although the LB 15 requirement that guardian ad litem expenses be submitted to the court for approval will increase judicial and court staff workload, the fiscal impact is not estimated to be significant.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2015-16</u>	<u>2016-17</u>
	<u>15-16</u>	<u>16-17</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

State Agency or Political Subdivision Name:(2) Department of Health and Human Services

Prepared by: (3) Mike Mason

Date Prepared:(4) 1-20-15

Phone: (5) 471-0676

**FY 2015-2016**

**FY 2016-2017**

	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
<b>GENERAL FUNDS</b>				
<b>CASH FUNDS</b>				
<b>FEDERAL FUNDS</b>				
<b>OTHER FUNDS</b>				
<b>TOTAL FUNDS</b>				

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

**Explanation of Estimate:**

No fiscal impact to the Department of Health and Human Services.

**MAJOR OBJECTS OF EXPENDITURE**

PERSONAL SERVICES:

POSITION TITLE	NUMBER OF POSITIONS		2015-2016 EXPENDITURES	2016-2017 EXPENDITURES
	15-16	16-17		
Benefits.....				
Operating.....				
Travel.....				
Capital Outlay.....				
Aid.....				
Capital Improvements.....				
<b>TOTAL.....</b>				

Please complete ALL (5) blanks in the first three lines.

**2015**

**LB<sup>(1)</sup> 15**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup>

Foster Care Review Office – Agency 70

Prepared by: <sup>(3)</sup> Heidi Ore

Date Prepared: <sup>(4)</sup> 1/15/2015

Phone: <sup>(5)</sup> 1/4676

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2015-16</u>		<u>FY 2016-17</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

No Fiscal Impact

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2015-16</u>	<u>2016-17</u>
	<u>15-16</u>	<u>16-17</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

Please complete ALL (5) blanks in the first three lines.

**2015**

**LB15**<sup>(1)</sup> Provide additional powers and duties for guardians ad litem

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> DOUGLAS COUNTY, NEBRASKA

Prepared by: <sup>(3)</sup> MARCOS SAN MARTIN, DOUGLAS COUNTY ADMINISTRATION Date 2/13/15 Phone: <sup>(5)</sup> 402.444.5116  
 Prepared: <sup>(4)</sup> \_\_\_\_\_

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2015-16</u>		<u>FY 2016-17</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

**Explanation of Estimate:**

UNKNOWN FISCAL IMPACT TO COUNTY; BILL SPECIFIES ADDITIONAL DUTIES THAT MUST BE PERFORMED BY GALS, WHICH HAVE THE POTENTIAL TO RESULT IN ADDITIONAL COSTS TO THE COUNTY. IN ADDITION, THERE IS A POTENTIAL THAT COUNTY COSTS MAY INCREASE BY REQUIRING AN 'HOURLY' COMPENSATION STRUCTURE TO BE UTILIZED VERSUS THE CURRENT 'FLAT-FEE' COMPENSATION STRUCTURE.

CURRENTLY, THE OVERALL COST TO DOUGLAS COUNTY OF THE GAL PROGRAM IS APPROXIMATELY \$1.6 MILLION ANNUALLY. THIS AMOUNT IS MADE UP OF NEARLY \$900,000 EACH YEAR IN CONTRACTED-GAL COSTS AND MORE THAN \$700,000 EACH YEAR IN COURT-APPOINTED GALS FOR CHILDREN COSTS.

COURT-APPOINTED GALS ACCOUNT FOR APPROXIMATELY 18% OF THE OVERALL GAL REPRESENTATION (18% COURT-APPOINTED GALS; 82% CONTRACTED-FOR GALS).

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2015-16 EXPENDITURES</u>	<u>2016-17 EXPENDITURES</u>
	<u>15-16</u>	<u>16-17</u>		
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	<u>N/A</u>	<u>N/A</u>

Please complete ALL (5) blanks in the first three lines.

2015

LB<sup>(1)</sup> 15

FISCAL NOTE

State Agency OR Political Subdivision Name: <sup>(2)</sup> Lancaster County

Prepared by: <sup>(3)</sup> Joe Nigro Date Prepared: <sup>(4)</sup> 1/15/2015 Phone: <sup>(5)</sup> (402)441-7631

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2015-16</u>		<u>FY 2016-17</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	100,888		403,552	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>				

Explanation of Estimate: The estimates of additional expenditures for 2015-16 are based upon an assumption that if the bill was passed at the end of the session, it would take effect on Sept. 1<sup>st</sup>. Lancaster County contracts with Legal Services of Nebraska through the Public Defender's Office to handle cases in Juvenile Court. The current contract is for a set amount. If the county had to pay attorney fees by the hour, it would increase the contract payment by \$292,172/year. Requiring attorneys to do all home visits instead of paralegals and law clerks trained to do home visits would increase the contract by \$72,000. If the contract was eliminated, it would mean switching cases over to private attorneys, requiring an additional \$187 to add those cases to a web based billing system. Transferring these 577 cases to private attorneys would require at least 1 hour /case for file review time, costing an additional \$37,505. The total for 1 year would be \$403,552.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2015-16</u>	<u>2016-17</u>
	<u>15-16</u>	<u>16-17</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....				
Operating.....			100,888	403,552
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
<b>TOTAL.....</b>				

Please complete ALL (5) blanks in the first three lines.

2015

LB<sup>(1)</sup> 15

FISCAL NOTE

State Agency OR Political Subdivision Name: <sup>(2)</sup>

Lancaster County Juvenile Court

Prepared by: <sup>(3)</sup> Theresa Emmert

Date Prepared: <sup>(4)</sup> 1/12/15

Phone: <sup>(5)</sup> 402-441-5646

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2015-16		FY 2016-17	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

**NO FISCAL IMPACT**

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2015-16</u>	<u>2016-17</u>
	<u>15-16</u>	<u>16-17</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

Please complete ALL (5) blanks in the first three lines.

**2015**

**LB<sup>(1)</sup> 15**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup>

Nebraska Association of County Officials (NACO)

Prepared by: <sup>(3)</sup> Elaine Menzel

Date Prepared: <sup>(4)</sup> 1/12/2015

Phone: <sup>(5)</sup> 402-434-5660

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2015-16</u>		<u>FY 2016-17</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2015-16</u>	<u>2016-17</u>
	<u>15-16</u>	<u>16-17</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....			_____	_____
Operating.....			_____	_____
Travel.....			_____	_____
Capital outlay.....			_____	_____
Aid.....			_____	_____
Capital improvements.....			_____	_____
TOTAL.....			_____	_____

LB 15 would add additional duties and powers for guardians ad litem. Guardians ad litem would be required to fulfill training prescribed by Supreme Court Rule. Further reporting requirements for a guardian ad litem as well as a potential added attorney for the juvenile's interests would increase the costs to counties in certain circumstances. The increase is indeterminate. Prohibiting the use of a flat-fee scale payment of attorneys by some counties is also unknown.