

Vermont Legislative Joint Fiscal Office

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FISCAL NOTE

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S.97 An act relating to miscellaneous judiciary procedures – House Judiciary Recommendation of Amendment – Draft 1.1

<https://legislature.vermont.gov/Documents/2022/WorkGroups/House%20Ways%20and%20Means/Bills/S.97/W~S.97~Eik%20Fitzpatrick~As%20Recommended%20by%20House%20Committee%20on%20Judiciary~5-18-2021.pdf>

Bill Summary

The proposes to make several amendments to laws pertaining to judicial procedures. The bill includes, but is not limited to, provisions establishing two new judiciary fees and a provision that directs the Racial Disparities in the Criminal and Juvenile Justice System Advisory Panel to submit a report to the General Assembly on a new Bureau of Racial Justice Statistics with an accompanying appropriation.

Fiscal Impacts

Sec. 7 – This section proposes a new fee that would be payable upon appointment of a personal representative to bring legal action for death from a wrongful act. The fee would be set at the same amount as the fee for a probate case concerning an estate of \$10,000 or less, which is currently \$50, and the fee would be deposited in the General Fund. According to the Judiciary, there are very few of these appointments made on an annual basis and they are not tracked separately from other probate filings. The Judiciary believes that fee revenue will likely be very small.

Fiscal Impact: negligible

Sec. 8 – This section proposes a new fee that would be payable upon registration of foreign guardianship orders. The fee would be set at \$90 and would be deposited in the General Fund. According to the Judiciary, there are very few of these filings made on an annual basis and they are not tracked separately from other probate filings. The Judiciary believes that fee revenue will likely be very small.

Fiscal Impact: negligible

Sec.20 – This section would direct the Racial Disparities in the Criminal and Juvenile Justice System Advisory Panel (Advisory Panel) to draft and submit a report on or before November 15, 2021 relating to the creation of a new Bureau of Racial Justice Statistics. The report would be submitted to the House and Senate Committees on Judiciary. The bill proposes a \$50,000 FY22 General Fund appropriation to the Attorney General to cover the costs of this report, including contracts with consultants and costs of per diems for Advisory Panel members.

Fiscal Impact: \$50,000 FY22 General Fund appropriation