



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2027 Biennium

Bill#/Title: SB0370.02: Generally revise laws related to jury duty

Primary Sponsor: Mike Yakawich

Status: As Amended in Senate

☐ Included in the Executive Budget

☒ Needs to be included in HB 2

☐ Significant Local Gov Impact

☐ Significant Long-Term Impacts

☐ Technical Concerns

☐ Dedicated Revenue Form Attached

FISCAL SUMMARY

	<u>FY 2026</u> <u>Difference</u>	<u>FY 2027</u> <u>Difference</u>	<u>FY 2028</u> <u>Difference</u>	<u>FY 2029</u> <u>Difference</u>
Expenditures				
General Fund (01)	\$1,642,204	\$1,642,204	\$1,642,204	\$1,642,204
Revenues				
General Fund (01)	\$0	\$0	\$0	\$0
Net Impact	<u>(\$1,642,204)</u>	<u>(\$1,642,204)</u>	<u>(\$1,642,204)</u>	<u>(\$1,642,204)</u>
General Fund Balance				

Description of fiscal impact

SB 370 increases fees paid to jurors and will have a significant fiscal impact on the Judicial Branch with no funding mechanism provided.

FISCAL ANALYSIS

Assumptions

Judiciary

1. Judicial Branch reimburses counties for fees paid to jurors in civil and criminal jury trials per 3-5-901 and 3-15-201, MCA.
2. Fees currently paid for jury panel members are \$12 per day for attendance before a court of record and an additional \$13 per day for jurors selected from the panel.
3. SB 370 increases the per day rate to \$60 for jury panel members in attendance before a court of record, for an increase of \$48 (\$60 - \$12), and an additional \$60 per day for a total daily rate of \$120 for jurors selected from the panel which is an increase of \$95 over the current rate (\$120 - \$25).
4. The Judicial Branch assumes the following:
 - a. There are an average of 206 criminal trials and 38 civil trials each fiscal year. Trial counts for FY 2023 and FY 2024 are based on data tracked as part of the jury reimbursement process to the counties.
 - b. The Judicial Branch estimates the average criminal jury trial lasts three days while the average civil trial lasts 7 days.
 - c. The average number of jurors impaneled for criminal and civil trials is 120. The Judicial Branch estimates that roughly half will appear before the court, with 13 jurors selected for each trial (12 members and one alternate) there will be 47 jurors who will receive the \$60 per day fee for appearing before the court.
5. Based on an average of 206 criminal trials per year, there will be 9,682 jurors impaneled but not chosen (47

- jurors X 206 criminal trials), and 2,678 jurors selected (12 members plus one alternate X 206 criminal trials).
6. Additional fees paid to impaneled jurors who do not get chosen for a criminal jury is \$464,736 (\$48 increase in fees X 9,682 jurors).
 7. Additional costs for fees paid to selected jurors in criminal trials is \$763,230 (\$95 increase in fees X 3 days X 2,678 jurors).
 8. The total additional cost for criminal jury fees is \$1,227,966 (\$464,736 impaneled jurors not selected + \$763,230 jurors selected).
 9. Based on an average of 38 civil trials per year, there will be 1,786 jurors impaneled but not chosen (47 jurors X 38 civil trials), and 494 jurors selected (12 members plus one alternate X 38 civil trials).
 10. Additional costs for fees paid to impaneled jurors who do not get chosen for a civil jury is \$85,728 (\$48 increase in fees X 1,786 jurors).
 11. Additional costs for fees paid to selected jurors in civil trials is \$328,510 (\$95 increase in fees X 7 days X 494 jurors).
 12. The total additional cost for civil jury fees is \$414,238 (\$85,728 impaneled jurors not selected + \$328,510 jurors selected).
 13. Total estimated costs related to increased jury fees is \$1,642,204 per fiscal year.

Fiscal Analysis Table

Judiciary				
	FY 2026 Difference	FY 2027 Difference	FY 2028 Difference	FY 2029 Difference
<u>Fiscal Impact</u>				
<u>Expenditures</u>				
Operating Expenses	\$1,642,204	\$1,642,204	\$1,642,204	\$1,642,204
TOTAL Expenditures	\$1,642,204	\$1,642,204	\$1,642,204	\$1,642,204
<u>Funding of Expenditures</u>				
General Fund (01)	\$1,642,204	\$1,642,204	\$1,642,204	\$1,642,204
TOTAL Funding of Expenditures	\$1,642,204	\$1,642,204	\$1,642,204	\$1,642,204
<u>Revenues</u>				
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures)</u>				
General Fund (01)	(\$1,642,204)	(\$1,642,204)	(\$1,642,204)	(\$1,642,204)

NO SPONSOR SIGNATURE

Sponsor's Initials

Date

3/3

Budget Director's Initials

3/1/2025

Date

