



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2027 Biennium

Bill#/Title: SB0370.03 (001): Generally revise laws related to jury duty

Primary Sponsor: Mike Yakawich Status: As Amended in Senate Committee

☐ 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 Difference</u>	<u>FY 2027 Difference</u>	<u>FY 2028 Difference</u>	<u>FY 2029 Difference</u>
<b>Expenditures</b>				
General Fund (01)	\$436,384	\$436,384	\$436,384	\$436,384
<b>Revenues</b>				
General Fund (01)	\$0	\$0	\$0	\$0
<b>Net Impact</b>	<u>(\$436,384)</u>	<u>(\$436,384)</u>	<u>(\$436,384)</u>	<u>(\$436,384)</u>
<b>General Fund Balance</b>				

### Description of fiscal impact

SB 370 increases fees paid to jurors. There will be a fiscal impact to the Judicial Branch for district court juries. There will be a fiscal impact to local government for courts of limited jurisdiction juries.

### FISCAL ANALYSIS

#### Assumptions

#### Judiciary

- Judicial Branch reimburses counties for fees paid to jurors in District Court civil and criminal jury trials per 3-5-901 and 3-15-201, MCA.
- SB 370 increases the per day rate from \$12 to \$25 for jury panel members in attendance before a court of record for an increase of \$13 (\$25 - \$12). SB 370 also increases the rate for jurors selected from an additional \$13 per day to an additional \$25 per day for a total daily rate of \$50, which is an increase of \$25 (\$50 - \$25) over the current rate.
- The Judicial Branch assumes the following:
  - There are an average number of 206 district court criminal jury trials and 38 civil trials each fiscal year. The average is based on jury trial counts for FY 2023 and FY 2024 which are based on data tracked as part of the jury reimbursement process.
  - The Judicial Branch estimates the average criminal jury trial lasts three days while the average civil trial lasts 7 days.
  - The average number of jurors impaneled for district court 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) leaving 47 jurors who will receive the per day fee for appearing before the court.
- Based on an average of 206 district court criminal trials per year, there will be 9,682 jurors impaneled but

- not selected (47 jurors X 206 criminal trials) and 2,678 jurors selected to serve (13 selected jurors X 206 criminal trials).
5. Additional fees, from the increase in rates, paid to impaneled jurors who do not get selected for a criminal jury is \$125,866 (\$13 increase in fees X 9,682 jurors).
  6. Additional costs for fees paid to selected jurors in criminal trials is \$200,850 (\$25 increase in fees X 3 days X 2,678 jurors).
  7. The total additional cost for district court criminal jury fees is \$326,716 (\$125,866 impaneled jurors not selected + \$200,850 jurors selected).
  8. Based on an average of 38 civil trials per year, there will be 1,786 jurors impaneled but not selected (47 jurors X 38 civil trials), and 494 jurors selected (12 members + 1 alternate X 38 civil trials).
  9. Additional costs for fees paid to impaneled jurors who do not get chosen for a civil jury trial is \$23,218 (\$13 increase in fees X 1,789 jurors).
  10. Additional costs for fees paid to selected jurors in civil trials is \$86,450 (\$25 increase in fees X 7 days X 494 jurors).
  11. The total additional cost for civil jury fees is \$109,668 (\$23,218 impaneled jurors not selected + \$86,450 jurors selected).
  12. Total increase in district court jury fees is \$436,384 (\$326,716 criminal jury fees + \$109,668 civil jury fees).

## Fiscal Analysis Table

Judiciary				
	FY 2026 Difference	FY 2027 Difference	FY 2028 Difference	FY 2029 Difference
<b>Fiscal Impact</b>				
<b>Expenditures</b>				
Operating Expenses	\$436,384	\$436,384	\$436,384	\$436,384
<b>TOTAL Expenditures</b>	<b>\$436,384</b>	<b>\$436,384</b>	<b>\$436,384</b>	<b>\$436,384</b>
<b>Funding of Expenditures</b>				
General Fund (01)	\$436,384	\$436,384	\$436,384	\$436,384
<b>TOTAL Funding of Expenditures</b>	<b>\$436,384</b>	<b>\$436,384</b>	<b>\$436,384</b>	<b>\$436,384</b>
<b>Revenues</b>				
<b>Net Impact to Fund Balance (Revenue minus Funding of Expenditures)</b>				
General Fund (01)	(\$436,384)	(\$436,384)	(\$436,384)	(\$436,384)

## Effect on County or Other Local Revenues or Expenditures

Local entities will be responsible for their share of the proposed increased costs for local courts.

NO SPONSOR SIGNATURE

4.7

Sponsor's Initials

Date



Budget Director's Initials

4/4/2025

Date