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# ADMINISTRATIVE ASSESSMENT (AAs) ANALYSIS

Draft Report

AA Receipts' Report

ADMINISTRATIVE OFFICE OF THE COURTS  
Division of Planning & Analysis  
Report

**Analysis of Administrative Assessments and  
Related Procedures for Fiscal Years 2001 and 2002**

By Ron Titus, Judy Holt, and Robin L. Sweet

**BACKGROUND**

During fiscal year 2002, the administrative assessments (AAs) submitted to the Administrative Office of the Courts (AOC) by Justice and Municipal Courts in Nevada had an overall decline of 10 percent statewide from fiscal year 2001. Estimates to date for fiscal year 2003 show a 15 percent decline. Since 1983, when the AAs were first collected, they have steadily and regularly increased except for one year (1993), until now.

Administrative assessments are added to misdemeanor citations for traffic and non-traffic fines when a defendant is found guilty in the Justice and Municipal Courts. The administrative assessments were implemented in 1983 through the Nevada Legislature as NRS 176.059. That statute has been modified several times since including a change from assessing \$10 for all fines to a sliding scale assessment based on the fine imposed. The procedures for courts as related to AAs are outlined in NRS 176.059 through NRS 176.087 (provided in Appendix A).

The state and local governments have come to rely on the AAs as a funding source for courts as well as other justice-related state agencies and public programs. Legislative auditors have suggested that the downturn may be attributed to legal policy and accounting procedures utilized in the many Justice and Municipal Courts in Nevada.

To better determine why AAs are down, the Nevada Supreme Court through the AOC conducted a survey of law enforcement and trial court officials throughout the state. Questionnaires were sent to all Justice and Municipal Courts and law enforcement agencies throughout Nevada. Additionally, 23 of the courts and their law enforcement agencies received tables and charts of their misdemeanor caseload, administrative assessments, and revenue as reported to the AOC since July 2000. These 23 courts comprised 90 percent of the AA revenue for the state.

The questionnaires set out to discover if law enforcement is writing fewer citations and if so, why. Also, to find out if courts have made any changes in assessing AAs or collections that would have negatively affected AAs.

The AOC hoped answers to the questionnaire and any questions noted on the charts would provide some general and specific answers to explain the downturn, open doors for communication

among the state and county or city agencies where needed, and possibly document areas for additional training needs. All questions were asked of law enforcement and courts for the timeframe since July 2000.

## GENERAL CONCLUSIONS

No one change, event, or process has caused the overall decline in AAs. Several things, including those outlined below, have come together during the last 2 years to cause the decline in AAs the state is currently experiencing.

- NHP did not provide information on the number of citations written; however, it is safe to assume that with approximately 10 percent fewer officers on patrol during the last few years, the numbers of NHP citations would be down similarly.
  - NHP trooper numbers are the lowest they have been throughout the study period of the last 2 fiscal years (ranged from 307 to 332).
  - NHP reassigned eight of those remaining troopers to administrative tasks in January 2002, further reducing the number of troopers on the highway.
  - According to Colonel David Hosmer during the Department of Public Safety budget hearing on January 29, 2002, NHP has 41 trooper vacancies.
- Misdemeanor case filings have generally declined for the last three fiscal years. The USJR project began in July 1999 and is still very new; many courts are still learning to count case filings. Improved reporting during the last year along with early under reporting may have masked some of the overall decline in misdemeanor case filings.
- Several courts noted a decrease in NHP troopers or Sheriff's deputies. When considered individually, the reduction in law enforcement personnel in mostly small, rural court jurisdictions would seem negligible; however, when repeated many times around the state, this decline in law enforcement personnel would have had a direct, negative influence on the citations written and the AAs collected statewide.
- As for the larger law enforcement agencies: Las Vegas Metropolitan Police Department increased the number of officers on traffic duty per month from 100 to 110 during the study period. This increase in traffic officers would have helped to offset some of the vacancies in NHP troopers as far as the number of citations written in Southern Nevada.
- A problem in accounting for AAs properly from court to county/city treasurer and then to the state was identified. The inconsistency though is not new and is not sufficient in quantity to have had a direct affect on the decline in AAs during the last 2 years.
- Generally, the administrative assessments have been affected by the events of September 11, 2001, although most of the effects have been indirect.

- Law enforcement has been used for other activities and some officers have been called to serve in the National Guard. Fewer personnel writing traffic citations means fewer administrative assessments.
- Nevada is largely tourism based and for the year after the events of September 11, 2001, Nevada had a 3.2% decline in tourism statewide.
- Many jobless people requested alternatives to fines and assessments, which is community service or jail time.
- Courts allow jail time or community service for payment of fines and AAs. This conversion of fines and AAs is allowed according to NRS 176.065. When the economy is down, many more people avail themselves of these options. The AAs from these options are not collectible as dollars, only as time or labor, and will have a negative effect on the statewide AAs collected.
- An overall result of this analysis that did not impact the decline of AAs indicates that training is needed to make sure court staff understand AAs and the procedures associated with them.

Further review of long-term AA data completed during this analysis indicates that the number of AAs submitted during fiscal years 2000 and 2001 may be unusually high. Graphing the data and excluding those two years indicates that AAs for fiscal year 2002 are usually within expected growth tendencies. About half of the increases experienced in fiscal years 2000 and 2001 can be explained in part by a Y2K technology problem in the Clark County Justice Courts, special events such as the Shovel Brigade in northeastern Nevada in July 2000 that resulted in 200-300% increases in traffic violations for courts that summer, and increased numbers of deputies on the streets owing to grant funding promoted by the presidential administration leading up to and including those years.

## LAW ENFORCEMENT AGENCIES

The questionnaires were sent to 31 county sheriffs, city police chiefs, and the director of the Nevada Highway Patrol (NHP). Responses were received from 55% of the law enforcement agencies. The compilation of responses is included as Appendix B.

Question 1 was "What is the average number of citations written per month since July 2000? The average number of charges per citation?" A few agencies provided a breakdown either monthly, quarterly, or annually. The results were representative of a general review of the court misdemeanor case statistics; that is, some increased, some were flat, and some decreased. The number of citations written by NHP troopers was not provided. The citation numbers for the Las Vegas Metropolitan and Reno Police Departments areas indicate the numbers were down in 2001 but have recovered to or are higher than 2000 levels. With such limited information, the impact on the AAs is difficult to determine; however, this

information would indicate that fewer citations have been written in the recent past and they might be returning to previous levels in some jurisdictions at least.

Generally, law enforcement responses indicated that the average number of charges per citation was between 1 and 2.5.

Question 2 was *"What is the average number of citations written to each court within your jurisdiction per month since July 2000?"* Again, numbers indicated increases, decreases, and unchanged over time. The limited breakdowns provided indicate declines in two of three rural areas. With such limited information, however, the impact on the AAs is difficult to determine.

Question 3 was *"What is the average number of officers on traffic duty (number of officers writing citations) per month since July 2000?"* Many of the responding agencies stated they do not have a traffic division or officers assigned specifically to traffic. One interesting response was that in agencies with a traffic division, those traffic officers accounted for only about 50% of the citations, reinforcing other comments that all law enforcement officers work some traffic stops. The NHP trooper numbers are the lowest they have been during the last 2 years and have ranged from 308 troopers since October 2002 to 332 during the summer and fall of 2001; additionally, during budget hearings in January 2003, the NHP also noted they were short 41 positions, mostly patrol troopers and mostly in southern Nevada. This is more than a 10 percent decline in troopers on the highways, which one might expect to translate to about a 10 percent decline in citations written. As noted more specifically in the court discussion, the reduction in law enforcement officers and NHP troopers has directly impacted AAs, especially in the rural areas.

Question 4 was *"Have you assigned officers from traffic to other duties? When did these changes take place? Why?"* Several agencies indicated there had been no changes. Many indicated directly or indirectly that they were short staffed. Some noted officers must cover special events for traffic control, accidents, court calls, and service calls and are not on traffic duty during those times. Occasionally, promotions of officers temporarily affect manpower as people are reassigned to cover the vacancy until filled. NHP has reassigned eight troopers to administrative assignments since January 2002 and no new troopers will be trained until training manuals are rewritten; we can expect that these numbers may continue declining through normal attrition until several months after the new training courses begin. No matter the cause, having fewer law enforcement officers patrolling the streets means fewer opportunities to write citations, negatively impacting the AAs.

Question 5 was *"Has your agency made any other changes that might have affected the number of citations written into courts in your jurisdiction? If yes, please explain."* Half of the responding agencies indicated they had not made any changes. The agencies that had made changes noted many different ones. Some of those were an increase in special events or training that take officers away from

patrol, officers are "out" because of active military status (post September 11, 2001), investigating serious injury or fatal accidents ("the total of which has already surpassed last year's numbers"), grants that step up patrols or seat belt awareness, and an increase in commissioned personnel. Also noted by one urban agency, their officers were making stops in accordance with AB500 requirements (racial profiling). One recently published study<sup>1</sup> suggests significant reductions in the number of traffic citations issued after data-collection policies for racial profiling went into effect. The study prepared for the Attorney General's office on racial profiling in Nevada did not include information regarding the number of citations before and during the study. If we assume that similar declines occurred in Nevada during the study period (calendar year 2002), we might also assume a similar increase or return to normal levels in those population centers of the state now that the study is completed.

## JUSTICE AND MUNICIPAL COURTS

The questionnaires were sent to all Justice and Municipal courts with 23 of those Courts receiving tables and charts of their own data with some additional questions posed that related to what was observed in the data. Responses were received from 84% of the courts. The compilation of responses is included as Appendix C.

Question 1 was "Has the court made changes in how assessments are calculated since July 2000? If yes, please explain." Predominantly, the answer was no (47 courts). Two courts had made some changes: Clark County Justice Courts now separate the bench warrant and failure to appear (FTA) court costs from the fines so that AAs are not included for the court costs. This separation results in fewer AAs for a county that provides about 30% of the AAs. One rural court noted that in 2000, they forfeited all county citations and all citations written by NHP that were signed on the back admitting guilt. Now they forfeit all citations unless contested, which should result in an increase in AAs. However, this court provides less than 1% of the AA revenue, so it would not impact the overall number of AAs.

Question 2 was "Has the court made changes in traffic citation sentencing or bail forfeiture procedures/schedules since July 2000? If yes, please explain. (examples: lower fines, more community service, more jail time)." Again, the predominant answer was no (36 courts). For those that had made changes, the most common response was an increase in fines or bail schedules; this change should result in increased AAs because of the sliding scale associated with them. One urban court has implemented a program that provides defendants options for settling their case<sup>2</sup>; the program offered has higher fines,

<sup>1</sup> Ward, James D., 2002, Race, ethnicity, and law enforcement profiling—Implications for public policy: *Public Administration Review*, v. 62, no. 6, p. 726-734.

<sup>2</sup> This program is available at the counter only of this urban municipal court. Defendants may plead guilty to a lesser offense but agree to pay the higher fine. The program is limited to moving violations only and none that would be heard as criminal cases such as DUI, reckless driving, etc.

which results in higher AA revenue. According to calculations provided by this larger court, they have experienced a 14% decline in total charges with an increase in AAs of 22% through this options program. One urban and several rural courts noted an increase in requests for community service or jail time, especially due to job losses after September 11, 2001. Many of these courts do not collect AAs on those convictions when sentence was converted to community service or jail time; this results in fewer AAs submitted to the state, county, and court.

Question 3 was *"What percentages of your violations are bail forfeited? Found guilty? Found not guilty? Go to FTA without bail forfeiture? Other?"* Several courts responded that they could not determine the percentages because of inadequate or non-existent technology; they would have to manually count every citation, which would take an inappropriate amount of time and staff considering the reduced budgets and staffing already predominant throughout the judiciary. A few courts stated that this information was provided on the Uniform System for Judicial Records (USJR) monthly reporting to the AOC. While this is partly true, the whole of information needed is not provided and therefore accurate percentages are not determinable. Several courts provided the requested percentages and some noted they were approximations or estimations. The median representation is provided in the table below.

Disposition	Median response
Bail Forfeiture	60%
Found Guilty	25%
Found Not Guilty	2%
Go to FTA Without Bail Forfeiture	10%
Other (includes notes of dismissal and jail)	5%

Question 4 was *"Please provide estimates for your assessed average fine per violation per month since July 2000, and average bail forfeiture per violation per month since July 2000?"* Many courts could not provide this information due to limited time and resources; some provided only one value each for fines and forfeitures. For those courts that did provide the monthly information, most had flat or declining monthly fines and bail forfeitures; however, one rural court and one urban court had slight increases in fines over the 2-year period. The increases in fines might result in an increase in AAs; however, the urban court provides less than 5% of the total AAs so it would not impact the overall level much.

Question 5 was *"What is your average number of AAs assessed per month since July 2000?"* Again, many courts could not provide this information due to limited time and resources; some provided only one value for the number of AAs. Those courts that did provide numbers, provided number of AAs collected (not assessed). For those courts that did provide the monthly information, all were generally flat,



with the exception of one urban court that had an overall increase and a rural court that had a noted decrease during the 2-year period. If these results were applied statewide, the impact would be a leveling or flattening of the number of AAs collected.

Question 6 was *"Has the court made changes in collection practices since July 2000?"*

*If so, when?"* More than half (36) responded they had made no changes. The changes noted by those that had made them include accepting credit cards at the collection level, implementing new collections process with a different collection agency, expanding the number of collections officers, extending the time between events before sending to collection, or turning over more unpaid violations to the Department of Motor Vehicles (possible driver's license or registration suspension if no action taken by defendant). These changes should improve collections of AAs; however, courts did not note (and would not ask) whether any of these changes had an affect either positive or negative. One court also noted that their collection efforts had been sporadic due to major illness of collection staff member.

This questionnaire was completed before many judges and court staff attended collections workshops sponsored by the AOC. The workshops were held in early December 2002 and many attendees indicated on their workshop plans that some changes would be made to their collection practices based on the information they received. Not enough time has yet passed to see if any of the changes made by the courts have resulted in increased collections.

Question 7 was *"Are assessments collected on jail time or community service when the fine is converted? If so, how does your process for this work?"* More than half (31) of those responding said no, assessments were not collected when the fine was converted. Several said they made the decision case by case. Some convert the fine but not the AA and a few mentioned that the AA is often paid before the defendant requests the conversion of what is remaining. Also, more than one court noted that when a defendant is indigent, he or she has no money to pay for AAs or the fine. The impact of not collecting assessments on jail time or community service is a decline in the number of AAs.

Question 8 was *"Does your court include AAs in setting bail amounts as required in NRS 166.059(3)?"* All courts that answered indicated they did include AAs in the determining the bail amount.

Question 9 was *"How does your court handle AAs that are included with bail when bail is forfeited?"* This question garnered the most diverse answers. The most succinct one, which explained the process the best, stated

When bail is forfeited, the AAs are distributed to the State, City and County. [For example], if a defendant fails to appear at the arraignment date and full bail has been paid, the court will forfeit the bail and adjudicate the defendant guilty.

Many courts appear to follow this process, however, their answers were less explanatory. Most courts appropriately disburse AAs when bail is forfeited.

Some courts made some specific distinctions. One court distributes AAs on all traffic matters; however, criminal matters are determined by what is ordered. If bail is ordered forfeited for FTA, all funds are receipted to the county; if bail is ordered forfeited to pay the fine, then the AAs are distributed. Some courts forfeit the entire bail without breaking out the AAs. A few courts let their computers take care of it without understanding how the computers are set up to do the distributions. Although the result of these procedures is that the courts do not collect all the AAs, these procedures have not changed during the last few years so they would not account for the decline in the current level of AAs.

Question 10 was *"If the defendant comes to the courthouse to pay their bail or fine, does your court have a procedure for reduced fines (other than the judge reducing the fine) that differs from the standard bail schedule? Has there been an increase in the number of people availing themselves of this process?"* More than half (30) of the responding courts reported they did not have a procedure to reduce fines. Thirteen courts allowed staff to reduce fines for specific charges only (offenses regarding vehicle registration, insurance, and driver's license) and with specific procedures for reduction or dismissal dependant on providing differing levels of proof (e.g., that insurance already existed or registration is now current). Most of these courts also noted there has been little or no increase in the number of people using this procedure for reducing fines. One urban and two rural courts were the only ones that noted an increase in the number of people availing themselves of this option. Four courts that allow staff to reduce fines would have a small impact on the dollar amount of AAs, but not the number of them; so few courts have noted any increase in the use of this policy that this reduction would have had little or no effect on AAs.

Question 11 was *"Please explain your process for handling bench warrants and FTAs. For example, does your court collect a fee or assess AAs for bench warrants? For FTAs?"* Predominantly, courts do not add assessments for bench warrants and do add them for FTAs; however, an FTA is an additional misdemeanor criminal charge (either state statute or municipal code violation), so that is appropriate. Some courts process the FTAs as separate cases and some courts amend the original complaint to include the FTA charge<sup>3</sup>, either constitutes a criminal misdemeanor charge that must have an administrative assessment included. Some courts do add AAs to both warrants and FTAs without adding a new charge. The amounts of warrant fees and FTA bail varied throughout the state. Although the result

<sup>3</sup> For Uniform System for Judicial Records (USJR), the failure to appear (FTA) charge was considered an event and not counted in the original case filings. Some courts are filing the FTA as a separate case, thereby justifying the counting of the FTA as a new misdemeanor criminal filing. Separate from USJR comparisons among courts, filing all FTAs as separate cases will increase the workload and resource allocations (personnel, files, paper, calendaring, court time, etc.) of most courts tremendously. We hope all courts will consider amending the original citation or complaint with the FTA charge to optimize the limited resources of the courts.

of some of these procedures is that the court does not collect all possible AAs, these procedures have not changed during the last few years so they would not negatively impact the current level of AAs.

Question 12 was *"When the judge allows the fine and AA to be paid in installments, how and in what order does your court collect and distribute the AAs?"* All courts stated they collected and distributed the AAs first. Some courts do not allow payments. Many stated they make the first payment equal to one or all of the AAs so that they do not have to worry about partial AAs, which leads to the next question.

Question 13 was *"Do you submit partial AAs to your county/city treasurer? Why or why not?"* The courts were split on whether they submitted partial payments, 25 did and 20 did not. Those that did not usually noted some limitations with their technology or accounting processes. In one instance, the court stated the treasurer would not accept partial payments. One urban court, which provides more than 23% of the AA funding, is not able to distribute partial payments when received until the entire AA is paid in full owing to technology limitations. This inability to submit partial AAs would affect the timely receipt of them but would not impact the overall number or level of AAs as the procedure has been in place for many years.

Question 14 was *"The form for reporting AAs includes the number and amount of the assessments. What is your definition of the number of assessments?"* Most courts made reference to one assessment per charge. Many noted that if partial payments are included then the assessment might be counted more than once on the monthly reporting form. Some indicated their definition is an assessment that is collected, not the total number sent to the state with violations on citations. Although this does not directly affect the number of AAs, it is apparent that standardization is needed in regard to counting AAs.

In addition to these questions, 23 courts were provided tables and charts of the data received from them related to AAs. Where irregularities or discrepancies appeared, questions were asked to determine if further investigations were warranted. Predominantly, the irregularities were related to timing of submission by the courts to their city or county treasurer and the subsequent timing of submission to the state. One court was found to be missing one month of AA submissions to the state and couple more need investigating because of the timing at the end of the fiscal year and review period. The AOC is planning to reconcile these financial reports between the courts and counties to determine if any changes are needed to their process or if this omission was just a random oversight.

Several courts noted the decrease in NHP troopers or Sheriff's deputies patrolling within their jurisdiction. One rural court used to have two or three troopers in the area but now has only one, sometimes two. Another rural court noted they have one NHP position vacant and one trooper serving administrative capacity only. Another rural court noted they were cut from two NHP troopers to one and the remaining officer's patrol area encompasses a larger stretch of highway that includes other courts'

jurisdictions. One rural court noted they are down two sheriff's deputies and a third is getting ready to transfer. As noted previously in the law enforcement area, the NHP troopers on the highways are down more than 10 percent. When considered individually, the reduction in law enforcement personnel on these small, rural courts would seem negligible; however, when repeated many times around the state, this decline in law enforcement personnel will have a direct, negative effect on the citations written and the number of AAs.

## DISCUSSION

The variability of the misdemeanor case filings for the last three fiscal years can be seen in the table below. These are the only cases that have AAs applied to them and only when the defendant pleads guilty or is determined or found guilty by the court. AAs are not applied to parking citations.

	Non-traffic Misdemeanors	Traffic Misdemeanors	Total Misdemeanors
Justice Courts			
Fiscal Year 2002	40,866	38,385	79,251
Fiscal Year 2001	41,267	38,752	80,019
Fiscal Year 2000	42,801	39,862	82,663
Municipal Courts			
Fiscal Year 2002	70,422	228,876	299,298
Fiscal Year 2001	69,181	222,009	291,190
Fiscal Year 2000	69,438	244,845	314,283

Almost all the numbers have large decreases from fiscal year 2000 to fiscal year 2001 and small increases from fiscal year 2001 to fiscal year 2002, although for traffic, the increases are still less than the numbers for fiscal year 2000. The USJR project began in July 1999 and is still very new; many courts are still learning how to count case filings. Several courts had documented incomplete misdemeanor data that first year and several more came to light in the following years. As a result, the improved reporting of courts combined with the initial under reporting may mask some of the decline.

Our survey identified a problem in accounting for AAs properly from court to county/city treasurer and then to the state. For example, four of the courts provided monthly breakdowns of what they submitted to their county treasurer because it was different than what was provided by the AOC. In some instances, the differences were obviously the submission of two months receipts during one month and then skipping the next month. This is probably a timing issue wherein the monthly cutoff for the county is different than the cutoff for the state. Some differences, however, were not that apparent and will be investigated in more detail by the accounting staff at the AOC. One court provided information of underpayment; another provided information of overpayment; yet another provided information that

never matched what was submitted to the state, including the annual totals. While these inconsistencies may randomly account for variations, they are not sufficient in quantity to have had a direct effect on the overall decline in AAs during the last 2 years.

Many courts noted a decrease in NHP troopers or Sheriff's deputies meaning fewer law enforcement personnel patrolling and writing citations. We know that the number of NHP troopers on the highways is down about 10 percent (more than 35 positions) and will not increase in the near future until training manuals are rewritten. When considered individually, the reduction in law enforcement personnel on mostly small, rural courts would seem negligible; however, when repeated many times around the state, this decline in law enforcement personnel would have had a direct, negative effect on the citations written and the number of AAs.

One result of this analysis that did not impact the decline of AAs indicates that training is needed to make sure court staff understand AAs and when they should be applied to the bail formature. The AOC has already provided one training course on collections (given separately in the north and south in December 2002); many courts indicated they would be making some changes to their collection process as a result. However, it may be several months before an noticeable change is seen as a result of these collection procedure changes.

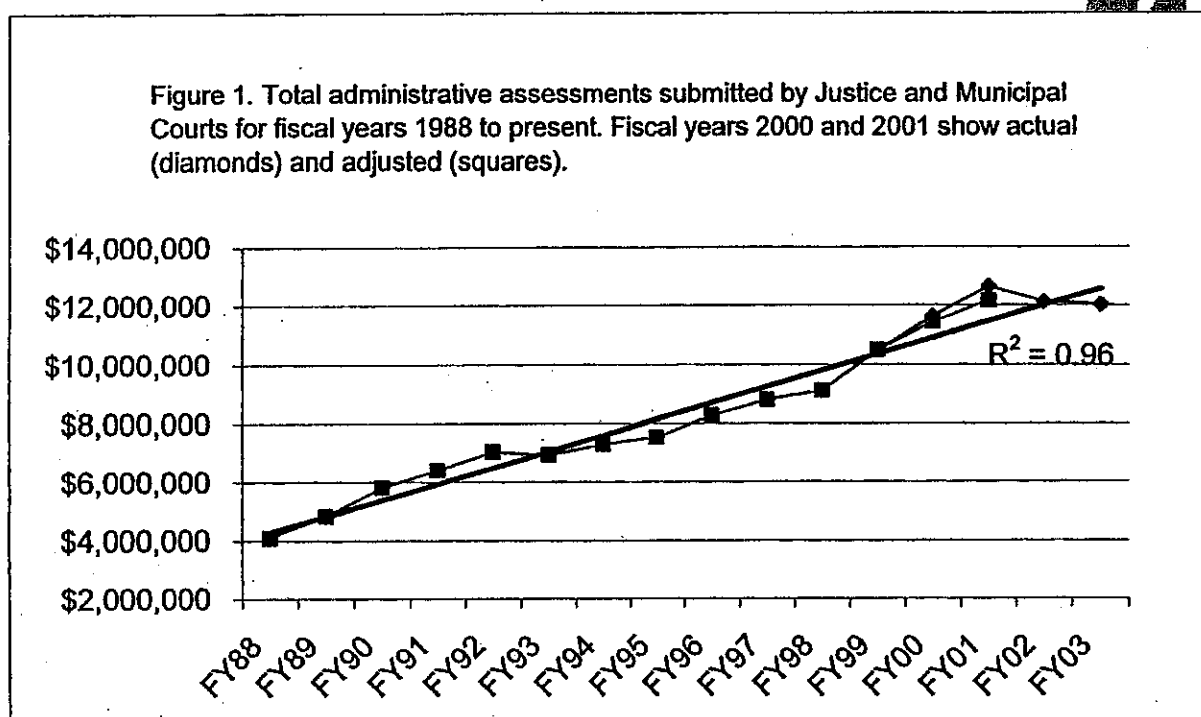
Generally, the administrative assessments have been affected by the events of September 11, 2001, although most of the effects have been indirect. Law enforcement has been used for other activities and some officers have been called to serve in the National Guard or other military reserves leaving vacancies around the state. Fewer personnel writing traffic or other misdemeanor citations mean fewer administrative assessments.

Additionally, Nevada is largely tourism based and for the year after the events of September 11, 2001, Nevada had a 3.2% decline in tourism statewide<sup>4</sup>, which resulted in some layoffs and other staffing reductions. Many jobless people requested alternatives to fines and assessments, which can be community service or jail time.

Several courts noted that they allow jail time for payment of fine and AAs. This conversion of fine and AAs is allowed according to NRS 176.065 with an exception for indigent people. Those people found indigent in a hearing before the judge must be allowed another option to pay off the fine and AA; many areas have community service programs that allow for this distinction. When the economy is down, as it has been for the last couple of years, many more people avail themselves of these options. The AAs for these options are not collectible as dollars, only as jail time served or labor provided, and will have a negative effect on the overall number of AAs.

<sup>4</sup> Nevada Department of Tourism, 2002, *Discover the Facts*: Third Quarter, v. X, p. 1.

Further review of long-term AA data indicates that the number of AAs submitted during fiscal years 2000 and 2001 may be unusually high. The AOC has data on AAs from 1988 to current. Graphing the data and excluding those two unusually high years in the trend analysis indicates the AAs for fiscal year 2002 are actually within expected growth tendencies. Adjusting the data for those two years to exclude two events (Clark County Y2K and Shovel Brigade) further indicates the AAs may be somewhat cyclical (see Figure 1) and we are again coming into a period of less-than-expected revenues.



These increases experienced in fiscal years 2000 and 2001 can be explained in part by a Y2K technology problem in the county with the largest number of misdemeanor violations. The Justice Courts within Clark County had to make program changes owing to the Y2K issue. The programming changes resulted in erroneous AAs applied to fines. The impact from January 2000 to February 2001 was approximately \$650,000 in suspected overpayments to the state. Additional reviews recently completed by the court have suggested the overpayment may be in excess of \$1.5 million.

Another possible explanation is the special events around Nevada, such as the Shovel Brigade in northeastern Nevada during July 2000. Uncommon events such as this can cause short-term increases in citations of 200-300% for a few courts. In the Shovel Brigade example, the Elko Justice Court had more than 1,600 traffic violations filed into their court in June 2000 and more than 2,500 traffic violations in July 2000; their average for June and July excluding that year is about 600 traffic violations per month.

Using an estimate of \$27 per AA (average of summer 2000 months for Elko) and assuming that for most of those additional violations, the defendants either pled or were found guilty, the people attending that event provided more than \$100,000 in additional assessments (of which the Supreme Court would have received 51 percent).

One other impact on the those higher AAs are the increased numbers of deputies on the streets owing to grant funding especially promoted by the presidential administration leading up to and including those years. This amount is not quantifiable.

**Internal Draft**

# Administrative Office of the Courts

## Memorandum

**Date:** February 25, 2003

**To:** Judicial Council

**From:** Judy Holt, Manager  
Budgets & Finance

**Subject:** Administrative Assessment Decline

As you know, the administrative assessments collected pursuant to NRS 176.059 have declined dramatically in the last few years. As can be seen on the chart below, this decline has resulted in a significant shortfall for those AOC budgets dependent on these assessments.

We are not anticipating any growth in assessments in the near term. In fact, receipts since December 2002 have been slightly worse than those in the first six months of this fiscal year, resulting in a budget shortfall of some 16.98% as of January 31, 2003.

### ADMINISTRATIVE ASSESSMENTS (Assessments Received thru 12/31/02)

	<u>FY00</u>	<u>FY01</u>	<u>FY02</u>	<u>FY03</u> (Projected)
<u>Budgeted by Legislature</u> (AOC Portion Only)				
1483 - AOC (18.5%)	\$ 973,338	\$ 1,013,034	\$ 1,256,083	\$ 1,344,008
1486 - USJR (9.0%)	\$ 473,516	\$ 492,827	\$ 611,067	\$ 653,842
1487 - Judicial Education (9.0%)	\$ 473,516	\$ 492,827	\$ 611,067	\$ 653,842
1494 - Supreme Court (60.0%)	\$ 3,156,774	\$ 3,285,516	\$ 4,073,782	\$ 4,358,946
1496 - Ret. Justice Duty (3.5%)	\$ 184,146	\$ 191,657	\$ 237,637	\$ 254,272
<b>Total AA's Budgeted</b>	<b>\$ 5,261,290</b>	<b>\$ 5,475,861</b>	<b>\$ 6,789,636</b>	<b>\$ 7,264,910</b>
<u>Actually Received</u> (AOC Portion Only)				
1483 - AOC (18.5%)	\$ 1,097,111	\$ 1,194,006	\$ 1,144,232	\$ 1,135,078
1486 - USJR (9.0%)	\$ 533,730	\$ 580,868	\$ 556,653	\$ 552,200
1487 - Judicial Education (9.0%)	\$ 533,730	\$ 580,868	\$ 556,653	\$ 552,200
1494 - Supreme Court (60.0%)	\$ 3,558,199	\$ 3,872,453	\$ 3,711,023	\$ 3,681,334
1496 - Ret. Justice Duty (3.5%)	\$ 207,562	\$ 225,893	\$ 216,476	\$ 214,744
<b>Total AA's Received</b>	<b>\$ 5,930,332</b>	<b>\$ 6,454,088</b>	<b>\$ 6,185,038</b>	<b>\$ 6,135,556</b>
<u>Budgeted vs. Received</u>				
1483 - AOC (18.5%)	\$ 123,773	\$ 180,972	\$ (111,851)	\$ (208,930)
1486 - USJR (9.0%)	\$ 60,214	\$ 88,041	\$ (54,414)	\$ (101,642)
1487 - Judicial Education (9.0%)	\$ 60,214	\$ 88,041	\$ (54,414)	\$ (101,642)
1494 - Supreme Court (60.0%)	\$ 401,425	\$ 586,937	\$ (362,759)	\$ (677,612)
1496 - Ret. Justice Duty (3.5%)	\$ 23,416	\$ 34,236	\$ (21,161)	\$ (39,528)
<b>Total AA Overage/(Shortfall)</b>	<b>\$ 669,042</b>	<b>\$ 978,227</b>	<b>\$ (604,598)</b>	<b>\$ (1,129,354)</b> (-15.55%)

I will be glad to answer any questions you may have on the chart above. Do not hesitate to contact me at 684-1708.

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