

Fiscal Estimate Narratives

DA 4/27/2007

LRB Number	07-2051/1	Introduction Number	AB-0271	Estimate Type	Original
Description The right to a trial by jury for a juvenile for whom the petitioner has reserved the right to recommend placement in the Serious Juvenile Offender Program or in a juvenile correctional facility beyond the age of majority					

Assumptions Used in Arriving at Fiscal Estimate

No current data exists that would give an accurate estimate of the increased cost of implementing this bill. However, anecdotal information provided by Milwaukee County indicates that there were approximately 60-70 delinquency jury trials per year prior to the repeal (over ten years ago) of the right to delinquency jury trials. Though this bill may limit the number somewhat, it is estimated that there would be a relatively similar number of cases in the future. When consequences are involved, people tend to fight the case. On average, jury trials in criminal court take approximately three days, and there is no reason to expect anything different in these cases. The cases must be prepared differently for a jury, and the preparation is more time-consuming. Jury decisions are more likely to be appealed because there are many more problematic legal issues that arise. In addition, jury scheduling makes the entire system move slowly. If a jury is scheduled, finding dates for the trial can be difficult since the attorneys must be prepared for a longer period in court, and the cases must be finished. Milwaukee's estimate is that an additional four ADAs would be required if jury trials were reinstated. Milwaukee comprises approximately 30% of the prosecutors. Therefore, if Milwaukee would need four additional prosecutors, it can be inferred that the other counties combined could need as many as 9.3 additional ADAs.

Counties could be faced with significant expense if the bill is passed. Specifically, it may require many courtrooms to be remodeled to accommodate juries. In Milwaukee, for example, only two of eleven courtrooms in the Children's Court Center have jury boxes. To remodel several courtrooms would be very costly. It is possible that other counties may have a similar arrangement.

Long-Range Fiscal Implications

It is anticipated that in the long term, the number of delinquency jury trials would increase. This could increase the need for even more ADAs to prosecute these cases.