

Fiscal Estimate Narratives

CTS 2/9/2012

LRB Number	11-3302/4	Introduction Number	AB-0537	Estimate Type	Original
Description The disclosure of electronic juvenile court records to other juvenile courts, municipal courts, courts of criminal jurisdiction, district attorneys and other prosecutors, and law enforcement agencies and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

This bill would require the juvenile courts to transfer information contained in the electronic records of the court to multiple entities, regardless of whether those entities are parties in the proceedings. The entities include other juvenile courts, courts of criminal jurisdiction, persons representing the interests of the public under s. 48.09 or 938.09, district attorneys, the Department of Children and Families and law enforcement. The Director of State Courts is authorized under the bill to use the circuit court automated information systems established under s. 759.19(4) to facilitate the transfer and is required to specify what types of information may be transferred. The entities to whom information is transferred would be required to keep the information confidential; violation of this confidentiality requirement is punishable by a forfeiture of up to \$5,000.

It is impossible to determine an exact fiscal impact of this bill, although implementing any transfer of information of electronic records will require additional resources for the court system. In order to determine the fiscal impact, we would need the answers to the following questions:

- What information will be transferred? How frequently would information be transferred?
- To whom would the information be transferred? The entities listed in the bill number in the hundreds. Would agreements have to be reached with each individual entity? It is also unclear how the information would be transferred to the various entities.
- What mechanism would be used to insure that only authorized officials would have access to these confidential records? A typical mechanism for controlling access to confidential records is a user ID and password system. Creating such a system would be a significant undertaking for the courts and would entail significant ongoing expenses to maintain the system.

We are providing the following estimates based on assumptions of different types of mechanisms that might be used to implement this bill:

- If a new electronic "look up" site was created that would contain the confidential information, there would be start-up costs of \$100,000.
- If a system of user IDs and passwords was created for the various entities listed above, there will need to be a full-time staff person to act as a user account administrator.
- There would be ongoing annual costs of approximately \$15,000 to update and maintain the newly created system.
- If the court were required to create computer interfaces to transfer information, then the costs cannot be estimated at this time. Costs would be dependent on how many computer systems would be receiving information and what computer language each system uses.

The bill is also likely to increase the costs of the entities receiving the information, if they need to reprogram or adjust their information technology systems in order to receive the information in a usable fashion.

Long-Range Fiscal Implications