



**152nd GENERAL ASSEMBLY  
FISCAL NOTE**

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**BILL:** HOUSE BILL NO. 237  
**SPONSOR:** Representative Lynn  
**DESCRIPTION:** AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV OF THE DELAWARE CONSTITUTION RELATING TO THE JUDICIARY.

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**Assumptions:**

1. This Act becomes effective upon the passage of a concurring act of the 153rd General Assembly.
2. This Act increases the number of Justices in the Supreme Court from five to seven.
3. Each additional Justice of the Supreme Court requires support staff to manage their courtroom effectively. 2.0 FTE, Judicial Secretary, 4.0 FTE, Law Clerk, and 1.0 FTE, Judicial Case Processor III would be necessary for the additional Justices.
4. For purposes of this fiscal projection, it is assumed that the earliest this Act could become effective is during the first session of the 153rd General Assembly (January 2025 – June 2025), during Fiscal Year 2025.
5. The estimated Fiscal Year 2025 personnel costs, including OECs at a rate of 24.84% for the Judicial Officers, and 32.25% for support staff, for 2.0 FTE, Justice – Supreme Court; 2.0 FTE, Judicial Secretary; 4.0 FTE, Law Clerk; and 1.0 FTE, Judicial Case Processor III are estimated at \$310,249, and one-time funding of \$59,000 for projected technology equipment, furniture, uniforms, and other startup costs associated with the new positions. An additional annual cost of \$14,000 is estimated for mileage, contractual services, and supplies and materials expenses associated with the new positions.
6. The costs for additional space needs are not factored into this fiscal projection. Additional space in Sussex County may be needed, and a reconfiguration of space in Kent County may need to occur to house the additional positions. Lease and reconfigured office space costs are unknown and indeterminable at this time.
7. Lastly, all Fiscal Year 2025 personnel costs have been estimated for three months of funding, with the annualization of the remaining nine months incorporated into the subsequent year estimate as it is assumed the passage of a concurring act, nomination, and confirmation process may take several months. Additionally, a 2% inflation cost has been included for projected increases in salary, health insurance, and OECs.

**Cost:**

|                          | <b><u>One-Time</u></b> | <b><u>Recurring/Operating</u></b> |
|--------------------------|------------------------|-----------------------------------|
| <b>Fiscal Year 2024:</b> | Not in Effect          | Not in Effect                     |
| <b>Fiscal Year 2025:</b> | \$59,000               | \$324,249                         |
| <b>Fiscal Year 2026:</b> |                        | \$1,279,815                       |

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Prepared by Jason R. Smith  
Office of the Controller General