

BDR 14-634
AB 160

LOCAL GOVERNMENT
FISCAL NOTE

AGENCY'S ESTIMATES

Date Prepared: March 6, 2023

Agency Submitting: Eighth Judicial District Court

Items of Revenue or Expense, or Both	Fiscal Year 2022-23	Fiscal Year 2023-24	Fiscal Year 2024-25	Effect on Future Biennia
(Expense)		\$487,237	\$516,471	\$1,127,767
Total	0	\$487,237	\$516,471	\$1,127,767

Explanation

(Use Additional Sheets of Attachments, if required)

Please see attached exhibit.

Name Christopher Saccucci
Title Assistant Court Administrator - Finance

NV Eighth Judicial District Court
 82nd (2023) Session Fiscal Note
 Bill - AB 160

SUMMARY	Revises provisions governing the sealing of certain criminal records. (BDR 14-634)
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EXPLANATION	<p>AB160, Section 1 part 3 states: A court that receives a list transmitted by the Division pursuant to paragraph (c) of subsection 2 shall order sealed all records relating to each eligible conviction or eligible charge over which the court has jurisdiction pursuant to NRS 179.245, 179.255 or 179.271 to order the sealing of records. The court shall issue the order without a hearing and not later than 15 days after the receipt of the list. Each person or governmental entity identified on the list as having possession of records relating to an eligible conviction or eligible charge to which the order applies must be named in the order.</p> <p>AB160 Section 4 part 3c states: If a person has been arrested for alleged criminal conduct and multiple charges were brought against the person, consisting of both charges for which the person was convicted and charges which were disposed of by dismissal, declination or acquittal, a petition filed pursuant to this subsection may request the sealing of those portions of the records relating to the arrest and the subsequent proceedings that relate to the charges which were disposed of by dismissal, declination or acquittal.</p> <p>Fiscal Impact Based on the above, a list of defendants or cases or charges will be transmitted to the court. Someone at the court will need to inform each judicial department of all the cases that are assigned to them and request they issue an Order to Seal. Once the Order to Seal is filed, Records will need to conduct the sealing process.</p> <ol style="list-style-type: none"> 1. If the Order to Seal is for an entire case (conviction) and there are no co-defendants - The sealing will be done as per current procedures. 2. If the Order to Seal is for an entire case (conviction) and there are co-defendants - The sealing will be done as per current procedures which require the locking of all co-defendant cases and a flag in each co-defendant case stating that the case is sealed as to a specific co-defendant only. 3. If the Order to Seal is for individual charges for the defendant - Currently, District Court's case management system does not allow for the sealing of individual charges and will need to be modified to allow the sealing of individual charges. This may result in additional costs to the court to update the case management system. Each document scanned or e-filed for the defendant will need to be redacted as to the charges ordered sealed. Based on our current process for redacting, an estimate of time needed will be 5 minutes per page and an average of 100 pages per defendant for a total of 500 minutes. In addition, the original document will have to be maintained in a sealed event. Any appeal to the Supreme Court will require extra work in preparing the case for transmittal. 4. For every Order to Seal, a search of related, consolidated or coordinated cases will need to be done. If any are found, the court will need to develop procedures on how to handle these additional cases not specifically listed on the Order to Seal but containing the sealed defendant or charges. <p>Given the convictions and charges listed in NRS 179.245, 179.255 and 179.271, the impact of this bill will require significant resources by the court to seal records within the 15 day timeframe. For each individual case to be sealed, an estimate of 10 minutes per case is reasonable. For a case where only selected charges are to be sealed, an estimate of 500 minutes per case is reasonable considering the average number of pages for redaction. It is estimated that the court will need to hire two legal office assistants for Master Calendar, two legal office assistants for the legal department, one legal office assistant for records, one senior records technician for records and one senior data base administrator in IT. The fiscal impact is estimated to be approximately \$487,000 in FY 24-25, \$516,000 in FY 25-26 and \$1.1 million in Future Biennia. See page 2 for fiscal impact calculation.</p>
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**NV Eighth Judicial District Court
82nd (2023) Session Fiscal Note
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Fiscal Impact**

Positions Needed	Salary Schedule	Salary ⁽¹⁾	Benefits	Total Salary/ Benefits	FY 23-24	FY 24-25 ⁽²⁾	Future Biennia ⁽²⁾
Legal Office Assistant I (Master Calendar)	C21	\$ 34,403	\$ 24,981	\$ 59,384	\$ 59,384	\$ 62,947	\$ 137,451
Legal Office Assistant I (Master Calendar)	C21	\$ 34,403	\$ 24,981	\$ 59,384	\$ 59,384	\$ 62,947	\$ 137,451
Legal Office Assistant I (Legal Department)	C21	\$ 34,403	\$ 24,981	\$ 59,384	\$ 59,384	\$ 62,947	\$ 137,451
Legal Office Assistant I (Legal Department)	C21	\$ 34,403	\$ 24,981	\$ 59,384	\$ 59,384	\$ 62,947	\$ 137,451
Legal Office Assistant I (Records)	C21	\$ 34,403	\$ 24,981	\$ 59,384	\$ 59,384	\$ 62,947	\$ 137,451
Senior Records Technician (Records)	C25	\$ 46,738	\$ 29,564	\$ 76,302	\$ 76,302	\$ 80,880	\$ 176,609
Senior Data Base Administrator (IT)	C31	\$ 74,235	\$ 39,780	\$ 114,016	\$ 114,016	\$ 120,857	\$ 263,902
Totals					\$ 487,237	\$ 516,471	\$ 1,127,767

⁽¹⁾ Minimum of the current salary range

⁽²⁾ Includes 2% COLA and 4% annual performance review adjustments per year