

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: SB 90

SHORT TITLE: Counseling For Delinquent Juveniles

SPONSOR(S): Senator McKoy

FISCAL IMPACT: Expenditures: Increase (X) Decrease ()
 Revenues: Increase () Decrease ()
 No Impact ()
 No Estimate Available ()

FUNDS AFFECTED: General Fund (X) Highway Fund () Local Fund ()
 Other Fund ()

BILL SUMMARY: "TO PROVIDE FOR EARLY INTERVENTION AND PREVENTION OF JUVENILE CRIME BY PROVIDING FOR COUNSELING OF JUVENILES WHO HAVE BEEN ADJUDICATED UNDISCIPLINED OR DELINQUENT FOR CERTAIN OFFENSES FOR THE FIRST TIME." Amends GS 7A-648 to require a juvenile adjudicated undisciplined or delinquent for an offense that would be a misdemeanor or a Class H or I felony if committed by an adult to participate in counseling with his parent if the juvenile has no prior adjudications.

EFFECTIVE DATE: October 1, 1995 and applies to offense committed on or after that date.

PRINCIPAL DEPARTMENT(S)/PROGRAM(S) AFFECTED: Judicial Branch;
 Department of Human Resources

Two counseling alternatives are included in this note. The two alternatives are probation/aftercare counselors estimated to cost an average of \$37 per hour and Community Based Alternatives estimated to cost an average of \$53 per hour. It is assumed that both of these alternatives meet the counseling requirements set forth in the proposed legislation. Tables 1-2 show the fiscal impact of each alternative.

TABLE 1

ALTERNATIVE 1: PROBATION/AFTERCARE COUNSELORS: FISCAL IMPACT

	<u>FY 95-96*</u>	<u>FY 96-97</u>	<u>FY 97-98</u>	<u>FY 98-99</u>	<u>FY</u>
<u>99-2000</u>					
EXPENDITURES	\$2,521,359	\$3,086,506	\$3,179,101	\$3,274,474	
\$3,372,708		RECURRING \$2,247,456	\$3,086,506	\$3,179,101	
\$3,274,474 \$3,372,708					
NON-RECURRING	\$273,903				
POSITIONS:	89	89	89	89	89

TABLE 2

ALTERNATIVE 2: COMMUNITY BASED ALTERNATIVES: FISCAL IMPACT

	<u>FY 95-96*</u>	<u>FY 96-97</u>	<u>FY 97-98</u>	<u>FY 98-99</u>	<u>FY</u>
<u>99-2000</u>					
EXPENDITURES	\$3,412,125	\$4,685,985	\$4,826,565	\$4,971,362	
	\$5,120,502				
RECURRING	\$3,412,125	\$4,685,985	\$4,826,565	\$4,971,362	
	\$5,120,502				
NON-RECURRING					

* The proposed legislation applies to offenses committed on or after October 1, 1995 so the FY 1995-96 expenditures are adjusted accordingly.

ASSUMPTIONS AND METHODOLOGY:

The proposed legislation requires a plan of individual and family counseling of at least 30 hours for certain juvenile offenders. These are juveniles adjudicated undisciplined or delinquent for an offense that would be a misdemeanor or a Class H or I felony if committed by an adult if the juvenile had not been adjudicated undisciplined or delinquent previously. This fiscal note provides the cost associated with the minimum counseling requirements of the proposed legislation.

At the request of Fiscal Research, the Administrative Office of the Courts (AOC) Juvenile Services Division, and The Department of Human Resources (DHR) Division of Youth Services have identified two alternatives for providing the counseling required by the proposed legislation. The Fiscal Research Division has reviewed this information and has used it to develop two possible alternatives.

The Administrative Office of the Courts Juvenile Services Division estimates that there were 5,729 juveniles with first-time adjudication in 1994 for undisciplined behavior, misdemeanor offenses, and class H and I felonies. The proposed legislation would require that each of these juveniles receive a minimum of 30 hours of counseling. Each of these juveniles received, on average, 15 hours of comparable counseling from court counselors. At 15 additional hours per juvenile, this would add, at a minimum, 85,935 hours of counseling (see Table 3 on the following page).

TABLE 3: COUNSELING OF JUVENILES WITH FIRST-TIME ADJUDICATIONS

	# of Juveniles affected	# of counseling hours per juvenile	Total counseling hours
Under current legislation	5729	15(average)	85,935
Under proposed legislation	5729	30(minimum)	171,870
Counseling Hours Added by this bill			85,935

There appear to be two counseling options that could be utilized to meet the minimum requirements of the proposed legislation. For both alternatives, it is assumed that the current 15 hours of counseling by Juvenile Court Counselors is the type of counseling intended by this bill. If not, 30 hours of counseling would be needed for each alternative, thus doubling the cost for each. The estimated population of 5,729 is utilized to determine the fiscal impact of the two alternatives.

The alternatives and their associated costs are discussed in the following sections.

Counseling Alternatives

Table 4 shows the cost of the two counseling alternatives. Both of the alternatives are discussed in more detail in the following sections.

Table 4: Counseling Alternatives and their Associated Costs

<u>Alternative counseling</u>	<u>Type of Program</u>	<u>Cost per hour of</u>
1	Probation/Aftercare Counselor	\$ 37
2	Community Based Alternatives	\$ 53

Alternative 1: Probation/Aftercare Counselor

As court counselors already counsel this population of juveniles and families an average of fifteen hours during the period of supervision,

the number of positions to meet the requirements of the proposed legislation is calculated on the fifteen additional hours to bring the number to a minimum of 30. To meet the minimum hours of counseling required by the proposed legislation, 76 counselors (\$35,242 per position) and 13 support staff* (\$24,480 per position) would be needed. The estimated first year cost, beginning October 1, 1995, is \$2,521,359, including \$273,903 in non-recurring costs. The fiscal impact of Alternative 1 is based on 47 working weeks per year and 24 direct counseling hours per counselor (60% direct counseling) per week.

The costs for 1996-97 and subsequent years are increased by 3%. This level of funding would provide the minimum number of hours of counseling added under this bill (see Table 1 for on page 1 for fiscal impact). The Administrative Office of the Courts Juvenile Services Division believes that this is the best method by which to counsel this group of juveniles.

*** Note: The statewide average ratio of counselor to clerical staff is 1:6. This ratio appears to be appropriate since current ratios are 1:6 and the district offices have limited automation resources. Also, the 1:6 statewide ratio is somewhat skewed since ratios vary by district and are as low as 1:4 in some districts.**

Alternative 2: Community Based Alternatives (CBA)

Community Based Alternatives are locally operated counseling programs that can serve youth referred by juvenile court. The Department of Human Resources Division of Youth Services estimates that if the 85,935 hours of additional counseling were provided by Community Based Alternatives (CBA), the cost would average \$53 per hour (see Table 2 on page 2 for fiscal impact).

The Department of Human Resources Division of Youth Services have found from their experience, and the research of others, that children who receive CBA counseling in conjunction with court counseling are less likely to be committed to training schools. Therefore, they support a combined effort such as the one offered here with 15 hours of the counseling provided by the courts and 15 hours provided by the CBA counseling program.

Additional Counseling Alternatives: Public/Private Agency Counseling

The Administrative Office of the Courts, Juvenile Services Division, provided the market rates for three types of public/private agency counseling that could help to satisfy the additional 85,935 hour minimum requirement of the proposed legislation. These include Public Agency/Therapist counseling at \$65 per hour, Private Agency/Therapist (non-medical) counseling at \$100 per hour, and Private Agency/Therapist (medical) at \$125 per hour. However, it is the belief of the Fiscal

Research Division, AOC (Juvenile Services Division) and DHR (Division of Youth Services) that these counseling alternatives would only be utilized to fulfill a small segment, if any, of the counseling required under the proposed legislation.

The numbers provided by the Department of Human Resources, The Administrative Office of the Courts, and the Fiscal Research Division meet the minimum counseling requirement as stated in the proposed legislation. Costs would be higher if additional hours of counseling were found to be necessary.

SOURCES OF DATA: Administrative Office of the Courts - Juvenile Services Division; The Department of Human Resources - Division of Youth Services

TECHNICAL CONSIDERATIONS: None

FISCAL RESEARCH DIVISION

733-4910

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[FRD#003]



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