

Joint Committee on Appropriations
Sub-committee on the Unified Judicial System

The Joint Committee on Appropriation's Sub-committee on the Unified Judicial System (UJS) was established to review, in greater detail, the FY2009 budget request for the UJS. The Sub-committee met with UJS staff on Thursday, February 14, 2008, and again on Tuesday, February 19, 2008. UJS staff present at the meeting included: Chief Justice David Gilbertson; D. J. Hanson, State Court Administrator; Janet Borchard, Director of Budget and Finance; and Nancy Allard, Director of Trial Court Services. The Sub-committee reviewed with UJS the attached questions regarding expansions and increases in their FY2009 budget request.

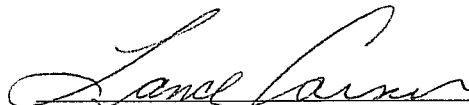
The Sub-committee met again on Friday, February 22, 2008, to discuss and propose the following recommendations to the Joint Committee on Appropriations regarding the FY2009 General Appropriations Act for the UJS. The following are requested expansions and reductions from UJS that the Sub-committee does concur with regarding the UJS FY2009 budget:

1. An increase of \$7,469 in general fund expenditure authority personal services and \$284 other fund expenditure authority personal services for increases in longevity pay in FY2009;
2. An increase for the Governor's recommended salary policy for UJS of \$1,083,979 in general fund expenditure authority, \$1,840 in federal fund expenditure authority, and \$43,284 in other fund expenditure authority;
3. An increase of \$99,100 in general fund expenditure authority in personal services and 3.0 FTEs for Deputy Court Clerks;
4. An increase of \$97,701 in general fund expenditure authority in personal services and 2.0 FTEs for Court Services Officers;
5. An increase of \$33,768 in general fund expenditure authority in personal services and 0.8 FTE for Court Services Secretaries;
6. An increase of \$75,872 in general fund expenditure authority in personal services and 1.0 FTE for a Judicial Branch Educator;
7. An increase of \$46,769 in general fund expenditure authority for urinalysis drug screening (UA) tests;
8. A decrease of \$12,650 in general fund expenditure authority personal services and an increase of \$12,650 in other fund expenditure authority personal services. The shift in authority is to account for a funding split for current positions to a 90% general fund and 10% other fund split;
9. An increase of \$18,270 in general fund expenditure authority and \$2,786 in other fund expenditure for increased travel costs;
10. An increase of \$53,048 in other fund expenditure authority for increased judicial training events;

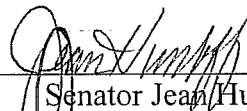
11. An increase of \$38,222 in federal fund expenditure authority to allow the UJS to accept additional court improvement grants;
12. A net decrease of \$525,285 in other fund expenditure authority within Information & Technology;
13. An increase of \$34,704 in general fund expenditure authority for the Governor's recommended 2.5% rate increase for mental health providers;
14. An increase of \$499,909 in general fund expenditure authority to expand the Adult and Juvenile Counseling Services;
15. An increase of \$26,345 in other fund expenditure authority to purchase copy machines from the Court Automation Fund; and
16. An increase of \$63,005 in general fund expenditure authority for miscellaneous contractual services, materials and supplies and capital outlay.

The Sub-committee will recommend an amendment to the FY2009 General Appropriations Act for any expansions and reductions requested by UJS that are not included in the list above.

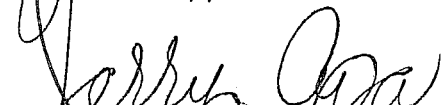
Sub-committee on the Unified Judicial System



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South Dakota Legislature

State Capitol, 500 East Capitol, Pierre, South Dakota 57501-5070

Joint Committee on Appropriations Sub committee on the Unified Judicial System

Questions for UJS:

1. SB 109 an act to authorize the Fourth Circuit drug court program and make an appropriation for \$267,111 in FY2009 (\$59,715 general funds, \$176,596 federal funds, and \$30,800 other funds) and 3.0 FTE, has passed the senate. It was amended to include general, federal, and other funds for FY2008. The program in FY2008 has grown from the original \$212,193 of general fund budget to a total budget of \$258,000 (\$78,000 general funds, \$175,000 federal funds and \$5,000 other funds). The total change is \$45,807 for FY2008 over the original appropriation. The amounts as amended were provided by UJS.
 - a) Why the need for additional authority beyond the original amount appropriated for FY2008?
 - b) How much general fund money is required to meet the 25/75 match for the federal funds?
 - c) How much general fund money is needed for unallowable expenditures not covered under the grant requirements?
 - d) The current federal grant ends on June 30, 2009 (FY2009). What is the funding plan for continuing the program in FY2010 and beyond?
2. UJS is requesting \$76,342 in general fund expenditure authority and 4.1 FTEs for secretarial support staff. 1.0 FTE in the Supreme Court Clerk's Office, 0.8 FTE in the Court Administrator's Office, 1.0 FTE in Circuit Courts Operation, and 1.3 FTEs in Court Services Operations.
 - a) Did UJS conduct a needs assessment or analysis for secretarial support staff as was done for the Deputy Court Clerks?
 - b) Out of the 4.1 FTEs requested, 1.8 FTEs will be funded from the current base budget. What is the actual budgeted amount needed for the 1.8 FTEs?

- c) What was the total amount of FY2007 unexpended general fund personal services budget for the Supreme Court, Court Administrator's Office, Circuit Courts Operation, and Court Services Operations?
 - d) What is the pay grade level for each of the secretarial positions requested and what are the Minimum, Midpoint, and Maximum salaries for the pay grade/s?
3. UJS is requesting \$75,872 in general fund expenditure authority and an additional FTE within the Court Administrator's Office for a Judicial Branch Educator.
- a) Did UJS conduct a needs assessment or analysis for a Judicial Branch Educator as was done for the Deputy Court Clerks?
 - b) What was the total amount of FY2007 unexpended general fund personal services budget for the Court Administrator's Office?
 - c) What is the pay grade level for the Judicial Branch Educator requested and what are the Minimum, Midpoint, and Maximum salaries for that pay grade?
4. UJS is requesting \$61,778 in federal fund expenditure authority and an additional FTE within the Court Administrator's Office for a Court Improvement Coordinator.
- a) Did UJS conduct a needs assessment or analysis for a Court Improvement Coordinator as was done for the Deputy Court Clerks?
 - b) What was the total amount of FY2007 unexpended federal fund personal services budget for the Court Administrator's Office?
 - c) What is the pay grade level for the Court Improvement Coordinator requested and what are the Minimum, Midpoint, and Maximum salaries for that pay grade?
5. UJS is requesting \$39,375 in general fund expenditure authority and an additional FTE within the Circuit Courts Operation for a Computer Assisted Court Recorder.
- a) Did UJS conduct a needs assessment or analysis for a Computer Assisted Court Recorder as was done for the Deputy Court Clerks?
 - b) What was the total amount of FY2007 unexpended general fund personal services budget for the Circuit Courts Operation?
 - c) What is the pay grade level for the Computer Assisted Court Recorder requested and what are the Minimum, Midpoint, and Maximum salaries for that pay grade?

6. UJS is requesting \$177,586 in general fund expenditure authority and 5.1 FTEs within the Clerks of Court Operations Office for Deputy Court Clerks.
 - a) What was the total amount of FY2007 unexpended general fund personal services budget for the Clerks of Court Operations?
 - b) What is the pay grade level for the Deputy Court Clerks requested and what are the Minimum, Midpoint, and Maximum salaries for that pay grade/s?
7. UJS is requesting \$206,083 in general fund expenditure authority and 4.0 FTEs within the Court Services Operations for Court Services Officers.
 - a) Did UJS conduct a needs assessment or analysis for a Court Services Officers as was done for the Deputy Court Clerks?
 - b) What was the total amount of FY2007 unexpended general fund personal services budget for the Court Services Operations?
 - c) What is the pay grade level for the Court Services Officers requested and what are the Minimum, Midpoint, and Maximum salaries for that pay grade/s?
8. UJS is requesting an increase of \$999,818 in general fund expenditure authority to expand the Adult Counseling Services to include cognitive behavioral group therapy programming, for an estimated increase in Adult Counseling Services, and to include new Juvenile Counseling Services which are similar to the Adult Counseling Services, but also includes group day treatment programming.
 - a) Please provide updated copies of the "Fiscal Year 2009 Community Based Services Budget Request and Performance Indicators Statewide Summary" sheet that was provided LRC staff and please be prepared to discuss.
 - b) Can clients within the Adult and Juvenile Counseling Services be in more than one program or unit at a time?
 - c) Is there currently any follow-up provided to the Adult and Juvenile Counseling Services after completion of the program and is there any outcome data on success of the program?
9. UJS is requesting an increase of \$76,222 in general fund expenditure authority for urinalysis drug screening (UA) testing. This is a shift from client paid testing to general fund paid testing. These tests are a supervision tool used to assist in helping probationers to be successful on probation.

- a) Are UA tests for both adult probationers and juvenile probationers and what is the average number of UA tests given per year for the adult probationers and juvenile probationers?
- b) How many UA tests on average are requested per day and per week for the adult and juvenile probationers?