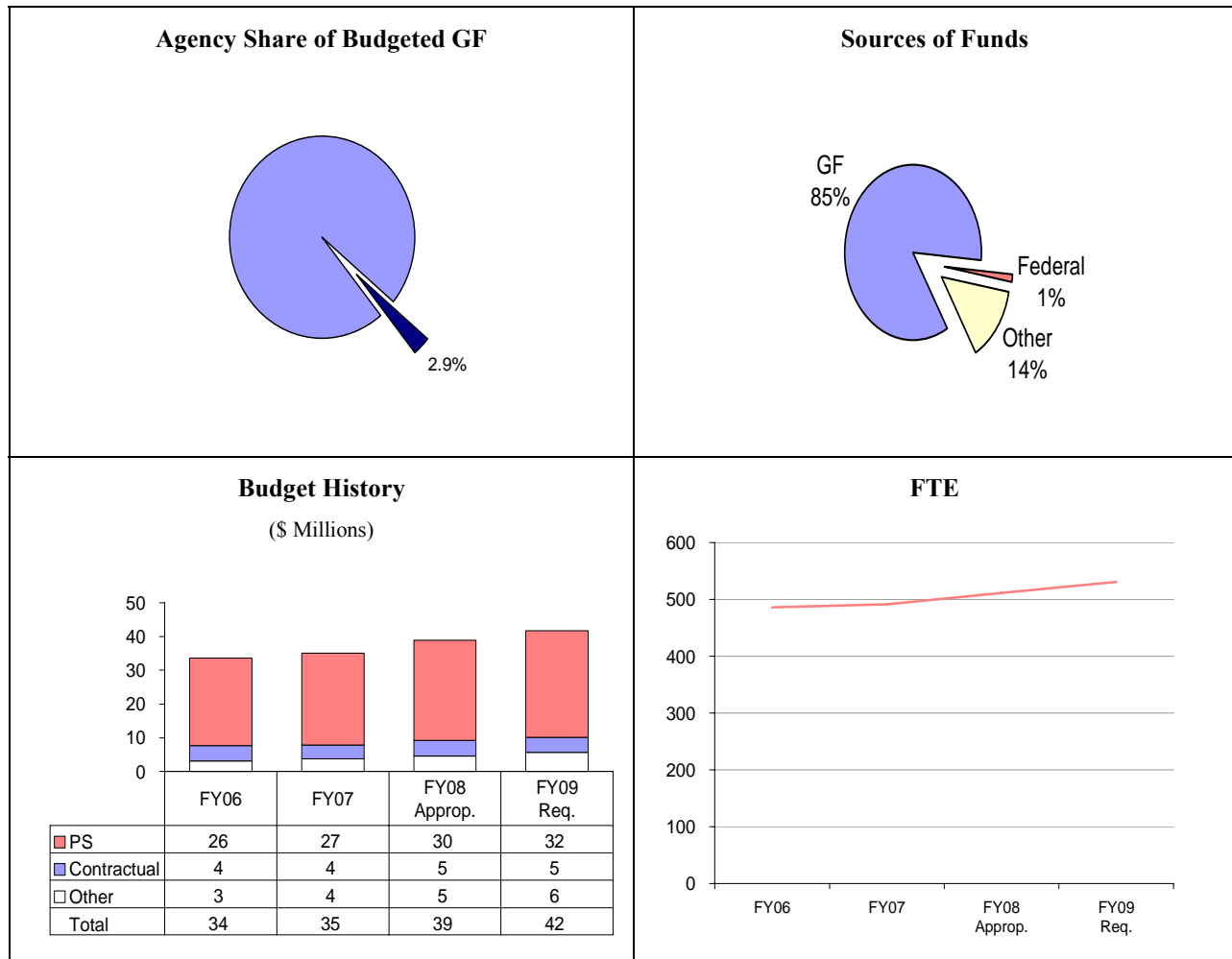


# FY09 Budget Briefing

## Unified Judicial System



### Key Responsibilities

- To provide timely and equitable administration of justice.

### Key Personnel

- Chief Justice David Gilbertson
- D. J. Hanson, State Court Administrator
- Janet Borchard, Director of Budget and Finance

## Unified Judicial System Total

The Court requests \$40,593,966 and 530.8 FTEs for the Unified Judicial System. This includes \$34,242,154 from the State general fund, \$565,670 from federal funds, and \$5,786,142 from other funds. This is an increase of \$1,691,871 (4.3%) and 19.2 FTEs from FY 2008. The Governor recommends \$41,732,980; this includes \$35,334,448 from the State general fund, \$569,106 from federal funds, and \$5,829,426 from other funds. The recommendation is an increase of \$2,830,885 (7.3%) from FY 2008, and an increase of \$1,139,014 (2.8%) from the Court's request.

Item	Actual FY07	Budgeted FY08	Agency Req. FY09	Gov Rec. FY09	Inc/Dec FY09	% Change From FY08
Personal Services	27,209,682	29,657,562	30,445,681	31,577,754	1,920,192	6.5%
Travel	716,845	1,041,863	1,133,221	1,133,221	91,358	8.8%
Contractual Services	4,095,766	4,629,257	4,511,652	4,511,652	(117,605)	(2.5%)
Supplies & Materials	633,406	703,840	769,459	769,459	65,619	9.3%
Grants And Subsidies	984,066	1,312,688	2,371,069	2,378,010	1,065,322	81.2%
Capital Outlay	1,400,435	1,542,071	1,348,070	1,348,070	(194,001)	(12.6%)
Other	-	14,814	14,814	14,814	-	0.0%
<b>Total</b>	<b>35,040,200</b>	<b>38,902,095</b>	<b>40,593,966</b>	<b>41,732,980</b>	<b>2,830,885</b>	<b>7.3%</b>
<b>Funding Types</b>						
General	29,826,362	32,368,766	34,242,154	35,334,448	2,965,682	9.2%
Federal	199,506	290,670	565,670	569,106	278,436	95.8%
Other	5,014,333	6,242,659	5,786,142	5,829,426	(413,233)	(6.6%)
<b>Total</b>	<b>35,040,201</b>	<b>38,902,095</b>	<b>40,593,966</b>	<b>41,732,980</b>	<b>2,830,885</b>	<b>7.3%</b>
FTE	491.5	511.6	530.8	530.8	19.2	3.8%

The Governor's recommendation throughout this analysis also includes funding for Performance And Compensation Equity (PACE) movement of 2.5% for those employees who are paid under the job-worth of their pay range, a 2.5% across-the-board increase for all permanent employees, and an increase in the employer paid portion of the state health insurance plan. The recommended amounts for each segment of the compensation package are as follows:

	General Funds	Federal Funds	Other Funds	Total
2.5% PACE Movement	303,961	624	11,465	316,050
2.5% Across-the-Board	657,765	1,797	27,225	686,787
Health Insurance	123,627	1,015	4,594	129,236
	<b>1,085,353</b>	<b>3,436</b>	<b>43,284</b>	<b>1,132,073</b>

## Revenues

	FY07			FY08			FY09
	Original Estimate	Actual	Difference Over (Under) Estim.	Original Estimate	Current Estimate	Change in Estimate	Estimate
Supreme Court Filing Fees	10,000	9,500	(500)	10,000	10,000	-	10,000
Attorney Admission Certificate Fees	1,000	1,100	100	1,000	1,000	-	1,000
Marriage Fees	21,000	19,160	(1,840)	19,600	19,000	(600)	19,000
Passport Fees	25,000	64,620	39,620	30,000	45,000	15,000	45,000
NSF Charges	11,000	11,135	135	11,000	11,000	-	11,000
35% of Municipal Fines	510,000	472,145	(37,855)	480,000	475,000	(5,000)	475,000
Copies of Opinions and Miscellaneous	3,000	3,916	916	2,300	3,000	700	3,000
Court Automation Surcharge	2,040,000	2,186,795	146,795	2,150,000	2,230,531	80,531	2,275,141
Fax Fees	25,000	22,084	(2,916)	25,000	25,000	-	25,000
Victims Compensation 3% Admin.	10,000	9,947	(53)	10,000	10,000	-	10,000
Interest Earned (3012)	20,000	26,558	6,558	14,000	30,000	16,000	30,000
Information Request	1,000	813	(187)	500	500	-	500
Nonresident Attorney	7,000	18,800	11,800	10,000	16,000	6,000	16,000
Search Fees	1,220,000	1,665,817	445,817	1,450,000	1,749,108	299,108	1,836,563
Judgment Searches	-	143,305	143,305	100,000	150,000	50,000	150,000
Supreme Court Automation Fee	4,000	4,750	750	4,000	5,000	1,000	5,000
CD - Transcripts	-	75	75	50	100	50	100
CASA Revenue	-	267,662	267,662	297,000	285,000	(12,000)	290,000
Interest Earned - CASA	-	3,934	3,934	3,000	3,500	500	3,500
Board of Bar Examiners/Application	36,000	36,775	775	40,000	40,000	-	40,000
Interest Earned (BBE-830)	2,000	1,912	(88)	1,100	1,500	400	1,500
Drug Screening/Electronic Monitoring	40,000	29,380	(10,620)	44,500	35,000	(9,500)	21,750
Interest Earned - Drug Screening	500	549	49	500	500	-	500
Victim Compensation Surcharge	340,000	329,195	(10,805)	330,000	330,000	-	330,000
Liquidated Costs	4,050,000	4,012,434	(37,566)	4,050,000	4,025,000	(25,000)	4,025,000
Total	8,376,500	9,342,361	965,861	9,083,550	9,500,739	417,189	9,624,554

## Major Expansions and Reductions

Program	Agency Request			Governor's Recommendation		
	State General Fund	All Funds	FTE	State General Fund	All Funds	FTE
A. Supreme Court						
-Personal Services	(12,650)	-	1.0	(12,650)	-	1.0
-Operating Expenses	15,415	15,805		15,415	15,805	
B. Court Administrator's Office						
-Personal Services	75,872	137,650	2.8	75,872	137,650	2.8
-Operating Expenses	1,255	39,477		1,255	39,477	
C. Judicial Training						
-Operating Expenses		55,444			55,444	
D. Circuit Courts Operation						
-Personal Services	73,612	73,612	2.0	73,612	73,612	2.0
-Operating Expenses	48,091	48,091		48,091	48,091	
E. Clerks of Court Operations						
-Personal Services	177,586	177,586	5.1	177,586	177,586	5.1
-Operating Expenses	53,340	53,340		53,340	53,340	
F. Court Services Operations						
-Personal Services	248,188	248,188	5.3	248,188	248,188	5.3
-Operating Expenses	99,288	68,488		99,288	68,488	
G. Fourth Circuit Drug Court						
-Personal Services	35,835	143,330	3.0	35,835	143,330	3.0
-Operating Expenses	22,506	120,811		22,506	120,811	
H. Community Based Services						
-Operating Expenses	1,027,581	1,027,581		1,034,522	1,034,522	
I. Information & Technology						
-Operating Expenses		(525,285)			(525,285)	
Longevity Pay Adjustments	7,469	7,753		7,469	7,753	
Governor's Salary Policy				1,085,353	1,132,073	
Total	1,873,388	1,691,871	19.2	2,965,682	2,830,885	19.2

### **Budget Notes**

#### **A. Supreme Court**

- The Court requests an additional FTE to provide secretarial support in the Supreme Court Clerk's office. This position is to be funded within current appropriation levels; therefore, no additional general fund authority is requested.
- The Court requests a decrease of \$12,650 in general fund authority personal services and an increase of \$12,650 in other fund 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.

- The Court requests an increase of \$15,415 in general fund authority and \$390 in other fund authority for increased travel costs, increased membership dues, and to purchase security equipment.

#### **B. Court Administrator's Office**

- The Court requests an increase of \$75,872 in general fund authority, \$61,778 in federal fund authority, and 2.8 FTEs for a Judicial Branch Educator, Court Improvement Coordinator, and secretarial support to all divisions of the Court Administrator's Office. The general fund authority will fund the Judicial Branch Educator, the federal authority will fund the Court Improvement Coordinator, and the secretarial support will be funded within current appropriation levels.
- The Court requests an increase of \$1,255 in general fund authority and \$38,222 in federal fund authority for increased travel costs and contractual service costs to allow the UJS to accept an additional court improvement grant.

#### **C. Judicial Training**

- The Court requests an increase of \$55,444 in other fund authority for increased travel costs, increased registration fees for various training events, and an increase for food stuffs for various training events.

#### **D. Circuit Courts Operation**

- The Court requests an increase of \$73,612 in general fund authority personal services and 2.0 FTEs for a Computer Assisted Court Recorder in Minnehaha County and a Judicial Secretary in Pennington County.
- The Court requests an increase of \$48,091 in general fund authority for increases in travel costs, freelance court reporting services, dues and membership fees, telecommunication services, and supplies and materials.

#### **E. Clerks of Court Operations**

- The Court requests an increase of \$177,586 in general fund authority personal services and 5.1 FTEs for Deputy Court Clerks. The Court Clerks will perform clerical duties in clerk of court offices to maintain official court records. The Court is requesting 3.0 FTEs for Minnehaha County, 1.0 FTE for Codington County, 0.6 FTE for Pennington County, and 0.5 FTE for Lincoln County.
- The Court requests an increase of \$53,340 in general fund authority for increases in travel costs, garbage & sewer costs, dues and membership fees, equipment service and maintenance, telecommunication services, supplies and materials, postage, and capital outlay.

#### **F. Court services Operations**

- The Court requests an increase of \$248,188 in general fund authority in personal services and 5.3 FTEs for Court Services Officers and Court Services Secretaries. The Court Services Officers supervise clients placed on probation by the court. The Court is requesting 2.0 FTEs for Pennington County, 1.0 FTE for Codington County, and 1.0 FTE for Hughes County. The Court Services Secretaries will provide secretarial support to Court Services Officers. The Court is requesting 0.5 FTE for Lincoln County, 0.5 FTE for Codington County, and 0.3 FTE for Butte County.

- The Court requests an increase of \$23,066 in general fund authority and \$15,966 in other fund authority for increased travel costs, and increases in client-paid monitoring for adult and juvenile clients, various contractual services, and capital outlay.
- The Court requests an increase of \$76,222 in general fund authority and a decrease of \$46,766 in other fund authority for urinalysis drug screening (UA) tests. These tests are a supervision tool used to assist in helping probationers to be successful on probation, remaining in the community supporting their families. Currently, the costs for the UA tests are paid by the probationers themselves. The Court is requesting the cost of testing should be a general fund expense in order to ensure adequate monitoring.

#### **G. Fourth Circuit Drug Court**

- The Court received funding for the Fourth Circuit Drug Court for FY 2008 as a special appropriation. Funding is being requested for FY 2009 as part of the General Appropriations Act.
- The Court requests an increase of \$35,835 in general fund authority and \$107,495 in federal fund authority for personal services and 3.0 FTEs. One FTE is for a Drug Court Coordinator that oversees the day to day operations of the Drug Court. Duties include: conducting initial assessments of candidates, monitoring substance abuse treatment providers, and weekly coordination activities with the judge, prosecutor, counsel, case managers, and court services officer. One FTE is for a Court Services Officer that supervises clients that are determined to be eligible for the Drug Court by providing direct supervision to participants at home, work, school and other locations. One FTE is for a Drug Court Secretary to assist the coordinator in the day to day operation of the Drug Court by recording minutes for the official Drug Court Board meeting, staff meeting, Drug Court proceedings, and to perform initial screening of candidates. The position also provides secretarial support for the Drug Court activities.
- The Court requests an increase of \$22,506 in general fund authority, \$67,505 in federal fund authority, and \$30,800 in other fund authority for travel costs, contractual services, supplies & materials, and to allow the drug court to received and spend donations.

#### **H. Community Based Services**

- The Court requests an increase of \$34,704 in general fund authority for the Governor's recommended 2.5% rate increase for mental health providers. The Courts original request was based on a 2.0% rate increase, and therefore changed to the Governors recommendation.
- The Court requests an increase of \$999,818 in general funds authority to expand the Adult Counseling Services to include cognitive behavioral group therapy programming, for an estimated increase in the 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.

#### **I. Information & Technology**

- The Court requests a net decrease of \$525,285 in other fund authority for administrative travel costs, contractual services, general office supplies, postage, and capital outlay needs in FY 2009.

## State Bar Association--Informational

The informational budget requested for the State Bar Association shows no changes from FY 2008. The Governor recommends \$532,311 from other funds and 3.0 FTEs. This is an increase of \$6,982 (1.3%) from FY 2008 and from the Court's request. The only increase for this Office is the Governor's Salary Policy.

Item	Actual FY07	Budgeted FY08	Agency Req. FY09	Gov Rec. FY09	Inc/Dec FY09	% Change From FY08
Personal Services	-	190,640	190,640	197,622	6,982	3.7%
Travel	-	153,758	153,758	153,758	-	0.0%
Contractual Services	-	141,170	141,170	141,170	-	0.0%
Supplies & Materials	-	24,947	24,947	24,947	-	0.0%
Grants And Subsidies	-	-	-	-	-	0.0%
Capital Outlay	-	-	-	-	-	0.0%
Other	-	14,814	14,814	14,814	-	0.0%
<b>Total</b>	-	<b>525,329</b>	<b>525,329</b>	<b>532,311</b>	<b>6,982</b>	<b>1.3%</b>
<b>Funding Types</b>						
General	-	-	-	-	-	0.0%
Federal	-	-	-	-	-	0.0%
Other	-	525,329	525,329	532,311	6,982	1.3%
<b>Total</b>	-	<b>525,329</b>	<b>525,329</b>	<b>532,311</b>	<b>6,982</b>	<b>1.3%</b>
FTE	-	3.0	3.0	3.0	-	0.0%

## Unified Judicial System (excluding State Bar)

Item	Actual FY07	Budgeted FY08	Agency Req. FY09	Gov Rec. FY09	Inc/Dec FY09	% Change From FY08
Personal Services	27,209,682	29,466,922	30,255,041	31,380,132	1,913,210	6.5%
Travel	716,845	888,105	979,463	979,463	91,358	10.3%
Contractual Services	4,095,766	4,488,087	4,370,482	4,370,482	(117,605)	(2.6%)
Supplies & Materials	633,406	678,893	744,512	744,512	65,619	9.7%
Grants And Subsidies	984,066	1,312,688	2,371,069	2,378,010	1,065,322	81.2%
Capital Outlay	1,400,435	1,542,071	1,348,070	1,348,070	(194,001)	(12.6%)
Other	-	-	-	-	-	0.0%
<b>Total</b>	<b>35,040,200</b>	<b>38,376,766</b>	<b>40,068,637</b>	<b>41,200,669</b>	<b>2,823,903</b>	<b>7.4%</b>
<b>Funding Types</b>						
General	29,826,362	32,368,766	34,242,154	35,334,448	2,965,682	9.2%
Federal	199,506	290,670	565,670	569,106	278,436	95.8%
Other	5,014,333	5,717,330	5,260,813	5,297,115	(420,215)	(7.3%)
<b>Total</b>	<b>35,040,201</b>	<b>38,376,766</b>	<b>40,068,637</b>	<b>41,200,669</b>	<b>2,823,903</b>	<b>7.4%</b>
FTE	491.5	508.6	527.8	527.8	19.2	3.8%

## Supreme Court

The highest legal institution in the State, the Supreme Court, composed of five justices, renders timely appellate decisions. The Court also establishes policy for the operation and accountability of the Unified Judicial System, which includes the circuit courts and court administrators.

For FY 2009, the Court requests \$2,215,527 (\$2,160,939 from the State general fund and \$54,588 from other funds) and 21.0 FTEs. This is an increase of \$16,550 (0.8%) and 1.0 FTE from FY 2008. The Governor recommends \$2,277,308 (\$2,222,071 from the State general fund and 55,237 from other funds). This is an increase of \$78,331 (3.6%) and 1.0 FTE from FY 2008. This is an increase of \$61,781 (2.8%) from the Court's request.

Item	Actual FY07	Budgeted FY08	Agency Req. FY09	Gov Rec. FY09	Inc/Dec FY09	% Change From FY08
Personal Services	1,573,198	1,640,241	1,640,986	1,702,767	62,526	3.8%
Travel	37,179	47,155	48,960	48,960	1,805	3.8%
Contractual Services	343,153	323,112	331,112	331,112	8,000	2.5%
Supplies & Materials	62,141	69,992	69,992	69,992	-	0.0%
Grants And Subsidies	-	-	-	-	-	0.0%
Capital Outlay	115,930	118,477	124,477	124,477	6,000	5.1%
Other	-	-	-	-	-	0.0%
<b>Total</b>	<b>2,131,601</b>	<b>2,198,977</b>	<b>2,215,527</b>	<b>2,277,308</b>	<b>78,331</b>	<b>3.6%</b>
<b>Funding Types</b>						
General	2,101,480	2,157,429	2,160,939	2,222,071	64,642	3.0%
Federal	-	-	-	-	-	0.0%
Other	30,122	41,548	54,588	55,237	13,689	32.9%
<b>Total</b>	<b>2,131,602</b>	<b>2,198,977</b>	<b>2,215,527</b>	<b>2,277,308</b>	<b>78,331</b>	<b>3.6%</b>
FTE	19.9	20.0	21.0	21.0	1.0	5.0%

### Budget Notes

- The Governor's recommended salary policy for the Supreme Court is \$61,132 in general fund authority, and \$649 in other fund authority.
- The Court requests an increase of \$745 in general fund authority personal service for increases in longevity pay in FY 2009.
- The Court requests an additional FTE to provide secretarial support in the Supreme Court Clerk's office. This position is to be funded within current appropriation levels; therefore, no additional general fund authority is requested.
- The Court requests a decrease of \$12,650 in general fund authority personal services and an increase of \$12,650 in other fund 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.
- The Court requests an increase of \$1,415 in general fund authority and \$390 in other fund authority for travel costs. Effective July 1, 2007, the mileage rate for privately owned motor vehicles increased from \$0.32 to \$0.37 per mile.
- The Court requests an increase of \$8,000 in general fund authority for contractual services costs. This is due to an increase in the National Center for State Court Membership Assessment and State Bar dues.
- The Court requests an increase of \$6,000 in general fund authority for capital outlay. This is requested to purchase security equipment for the safety and security of the visiting public and justices of the Supreme Court.

## Selected Performance Indicators

	FY07			FY08			FY09
	Original Estimate	Actual	Difference Over (Under) Estim.	Original Estimate	Current Estimate	Change in Estimate	Estimate
SUPREME COURT:							
Filings:							
Civil Appeals	200	203	3	200	200	-	200
Criminal Appeals	110	79	(31)	110	90	(20)	90
Petitions for Intermediate Appeal	40	46	6	40	50	10	50
Notices of Review	30	12	(18)	30	20	(10)	20
Original Proceedings	30	40	10	30	30	-	30
Appl. for Certificate of Probable Cause	20	23	3	20	20	-	20
Oral Arguments (Actions/Submissions)	60/80	59/67	(1)/(13)	60/80	60/80	0/0	60/80
Cases Submitted on Briefs (Actions/Submissions)	200/220	174/184	(26)/(36)	175/190	175/190	0/0	175/190
Dispositions:							
Opinions Filed (Actions/Submissions)	160/180	160/170	0/(10)	120/140	120/140	0/0	120/140
Orders of Dismissal (Actions/Submissions)	85/85	78/78	(7)/(7)	85/85	80/80	(5)/(5)	80/80
Other Dispositions	70	61	(9)	70	70	-	70
Summary Dispositions	125/125	111/112	(14)/(13)	125/125	120/120	(5)/(5)	120/120
Administrative:							
Hearings on Rules and Related Matters	2	2	-	2	2	-	2
Internal Procedure Rules Adopted or Amended	4	1	(3)	4	4	-	4
Supreme Court Rules Adopted or Amended	20	11	(9)	30	30	-	30
Administrative Conferences	26	22	(4)	26	26	-	26
Judicial:							
Orders, Writs, and Judgments Entered	1,100	1,080	(20)	1,100	1,100	-	1,100
Review of Bar Applicants	100	109	9	100	110	10	110
Case Conference	25	27	2	25	25	-	25
Legal Research:							
Appeals Screened	400	402	2	500	450	(50)	450
Cases Briefs Were Received In	250	222	(28)	225	225	-	225
Per Curiams Assigned	75	55	(20)	65	60	(5)	60
Circuit Judge Opinions Issued	35	15	(20)	25	20	(5)	20
Law Library:							
Volumes Updated	1,000	1,000	-	1,000	1,000	-	1,000
Volumes Weeded	200	200	-	200	200	-	200
Bar Admissions:							
Applications Processed	165	130	(35)	150	135	(15)	140
Bar Inquiries Answered	1,300	1,300	-	1,300	1,300	-	1,300

## Judicial Qualifications Commission

This constitutional commission, mentioned in Article V § 9 of the Constitution and authorized by chapter 16-1A, holds justices and judges accountable for their conduct by investigating complaints and holding hearings. The commission also makes recommendations to the Supreme Court regarding its findings. The Governor receives recommendations from the commission about the filling of judicial vacancies. The commission is comprised of seven members: two circuit judges appointed by the judicial conference, three practicing lawyers appointed by the State Bar president, and two citizens appointed by the Governor.

The Court requests \$30,506 from the State General Fund for FY 2009. This is the same amount approved for FY 2008. The Governor recommends \$30,672. This is an increase of \$166 (0.5%) from FY 2008. The only increase for this Office is the Governor's Salary Policy.

Item	Actual	Budgeted	Agency Req.	Gov Rec.	Inc/Dec	% Change
	FY07	FY08	FY09	FY09	FY09	From FY08
Personal Services	1,443	5,820	5,820	5,986	166	2.9%
Travel	2,653	5,000	5,000	5,000	-	0.0%
Contractual Services	8,127	18,186	18,186	18,186	-	0.0%
Supplies & Materials	211	1,500	1,500	1,500	-	0.0%
Grants And Subsidies	-	-	-	-	-	0.0%
Capital Outlay	-	-	-	-	-	0.0%
Other	-	-	-	-	-	0.0%
<b>Total</b>	<b>12,434</b>	<b>30,506</b>	<b>30,506</b>	<b>30,672</b>	<b>166</b>	<b>0.5%</b>
<b>Funding Types</b>						
General	12,434	30,506	30,506	30,672	166	0.5%
Federal	-	-	-	-	-	0.0%
Other	-	-	-	-	-	0.0%
<b>Total</b>	<b>12,434</b>	<b>30,506</b>	<b>30,506</b>	<b>30,672</b>	<b>166</b>	<b>0.5%</b>
FTE	-	-	-	-	-	0.0%

## Selected Performance Indicators

	FY07			FY08			FY09
	Original Estimate	Actual	Difference Over (Under) Estim.	Original Estimate	Current Estimate	Change in Estimate	Estimate
JUDICIAL QUALIFICATONS COMMISSION:							
Oral Complaints/Inquiries	33	15	(18)	25	15	(10)	15
Formal Written Complaints Received	13	14	1	13	10	(3)	10
Investigations of Complaints	13	14	1	13	10	(3)	10
Hearings	1	14	13	13	10	(3)	10
Telephone Conferences	5	2	(3)	4	4	-	4
Applicant Hearings (Judges Vacancies)	2	2	-	1	2	1	2
Applicants Interviewed		28	28	1	20	19	20
Investigation of Applicants	2	28	26	1	20	19	20

## Court Administrator's Office

The Court Administrator's Office provides the Supreme Court and the circuit courts with support relating to: (1) budget and financial support services; (2) personnel and training support services; (3) planning, direction and coordination to achieve the uniform organization development, maintenance and evaluation of juvenile, misdemeanor and felony presentence investigation and assessments, recommended probation treatment plans and the implementation of probation treatment services; intensive probation supervision programs; interstate compact for probation administration; juvenile preliminary investigations; diversion programs; volunteer services, caseload management, and victim restitution programs; community based juvenile services; and court services professional development programs, and (4) statewide computerized management information system.

The Court requests \$1,995,131 (\$1,685,131 from the State general fund and \$310,000 in federal funds) and 20.8 FTEs. This is an increase of \$177,650 (9.8%) and 2.8 FTEs from FY 2008. The Governor recommends \$2,048,527. This is an increase of \$231,046 (12.7%) from FY 2008 and an increase of \$53,396 (2.7%) from the Court's request.

Item	Actual FY07	Budgeted FY08	Agency Req. FY09	Gov Rec. FY09	Inc/Dec FY09	% Change From FY08
Personal Services	1,079,107	1,299,527	1,437,700	1,491,096	191,569	14.7%
Travel	30,275	38,126	39,381	39,381	1,255	3.3%
Contractual Services	189,233	294,344	332,566	332,566	38,222	13.0%
Supplies & Materials	33,390	31,500	31,500	31,500	-	0.0%
Grants And Subsidies	150,370	135,000	135,000	135,000	-	0.0%
Capital Outlay	10,700	18,984	18,984	18,984	-	0.0%
Other	-	-	-	-	-	0.0%
<b>Total</b>	<b>1,493,075</b>	<b>1,817,481</b>	<b>1,995,131</b>	<b>2,048,527</b>	<b>231,046</b>	<b>12.7%</b>
<b>Funding Types</b>						
General	1,350,625	1,607,481	1,685,131	1,737,659	130,178	8.1%
Federal	142,450	210,000	310,000	310,868	100,868	48.0%
Other	-	-	-	-	-	0.0%
<b>Total</b>	<b>1,493,075</b>	<b>1,817,481</b>	<b>1,995,131</b>	<b>2,048,527</b>	<b>231,046</b>	<b>12.7%</b>
FTE	16.1	18.0	20.8	20.8	2.8	15.6%

### **Budget Notes**

- The Governor's recommended salary policy for the Court Administrator's Office is \$52,528 in general fund authority, and \$868 in federal fund authority.
- The Court requests an increase of \$523 in general fund authority personal services for increases in longevity pay in FY 2009.
- The Court requests an increase of \$75,872 in general fund authority personal services and 1.0 FTE for a Judicial Branch Educator. The Judicial Branch Educator will direct an office of judicial branch education and/or learning and development and consolidate and oversee the training programs provided to UJS judges and court personnel, including clerks, deputy clerks, court service officers and court reporters.
- The Court requests an increase of \$61,778 in federal fund authority personal services and 1.0 FTE for a Court Improvement Coordinator. The Court Improvement Coordinator will coordinate the court improvement grants received from the US

Department of Health and Human Service, Administration for Children and Family (ACF). In June 2006, the ACF announced two new court improvement grants in addition to the basic grant the court has been receiving. The new grants would provide funding for training opportunities for judges, attorneys, legal personnel, and child welfare agency staff and funding for data collection and analysis. The responsibilities of this new position will include grant writing and strategic planning, overseeing the implementation of the grants' goals and objectives, developing and maintaining meaningful collaboration with the Department of Social Services and assisting with the Court Appointed Special Advocate grant requests.

- The Court requests an increase of 0.8 FTE to provide secretarial support to all divisions of the Court Administrator's Office. This position is to be funded within the current appropriation levels; no additional general funds are requested.
- The Court requests an increase of \$1,255 in general fund authority for travel costs. Effective July 1, 2007, the mileage rate for privately owned motor vehicles increased from \$0.32 to \$0.37 per mile.
- The Court requests an increase of \$38,222 in federal fund authority for contractual services costs. This is to allow the UJS to accept an additional court improvement grant from the Administration for Children and Families to continue the court improvement program.

### **Selected Performance Indicators**

	FY07			FY08			FY09
	Original Estimate	Actual	Difference Over (Under) Estim.	Original Estimate	Current Estimate	Change in Estimate	Estimate
COURT ADMINISTRATOR'S OFFICE:							
Budget and Finance:							
Direct and Noncash Vouchers Processed	8,000	8,355	355	8,000	8,563	563	8,563
Payrolls Processed	24	24	-	24	24	-	24
Longevity Payrolls Processed	24	24	-	24	24	-	24
Requisitions Processed	375	395	20	375	400	25	400
Cash Receipts Processed	70	91	21	75	99	24	99
Journal Vouchers Processed	50	54	4	65	65	-	65
Monthly Accounting Reports Received	1,236	1,356	120	1,356	1,356	-	1,356
New Clerks Accounting Training Sessions	12	12	-	12	12	-	12
Personnel and Training:							
Positions Terminated/Advertised/Filled	80/60/70	91/74/100	9/14/30	90/75/100	90/75/100	0/0/0	90/75/100
Position Applications Processed	1,700	2,350	650	1,700	2,000	300	2,000
Travel Requests Processed	118	140	22	120	140	20	140

## Judicial Training

Judicial Training works to provide awareness of and access to quality education and training programs on a national, state, and local level to judicial and non-judicial personnel of the UJS; and to meet the judicial education standards set by the Supreme Court for judicial personnel.

The Court requests \$458,315 from other funds. This is an increase of \$55,444 (13.8%) from FY 2008. The Governor recommends \$458,340 from other funds. This is an increase of \$55,469 (13.8%) from FY 2008 and an increase of \$25 from the court's request.

Item	Actual FY07	Budgeted FY08	Agency Req. FY09	Gov Rec. FY09	Inc/Dec FY09	% Change From FY08
Personal Services	155	429	429	454	25	5.8%
Travel	252,218	304,420	355,234	355,234	50,814	16.7%
Contractual Services	111,617	90,722	91,352	91,352	630	0.7%
Supplies & Materials	18,659	7,300	11,300	11,300	4,000	54.8%
Grants And Subsidies	-	-	-	-	-	0.0%
Capital Outlay	-	-	-	-	-	0.0%
Other	-	-	-	-	-	0.0%
<b>Total</b>	<b>382,649</b>	<b>402,871</b>	<b>458,315</b>	<b>458,340</b>	<b>55,469</b>	<b>13.8%</b>
<b>Funding Types</b>						
General	-	-	-	-	-	0.0%
Federal	-	-	-	-	-	0.0%
Other	382,649	402,871	458,315	458,340	55,469	13.8%
<b>Total</b>	<b>382,649</b>	<b>402,871</b>	<b>458,315</b>	<b>458,340</b>	<b>55,469</b>	<b>13.8%</b>
FTE	-	-	-	-	-	0.0%

## Budget Notes

- The Governor's recommended salary policy for the Judicial Training Office is \$25 in other fund authority.
- The Court requests an increase of \$50,814 in other fund authority for travel costs. Effective July 1, 2007, the mileage rate for privately owned motor vehicles increased from \$0.32 to \$0.37 per mile. Other increases have been requested to individual travel line items for various training events.
- The Court requests an increase of \$630 in other fund authority for contractual services costs. This increase is for registration fees to various training events.
- The Court requests an increase of \$4,000 in other fund authority for supplies and materials. This increase is for food stuffs for various training events.

## Selected Performance Indicators

	FY07			FY08			FY09
	Original Estimate	Actual	Difference Over (Under) Estim.	Original Estimate	Current Estimate	Change in Estimate	Estimate
JUDICIAL TRAINING:							
UJS Training -- In-State:							
Judges/Non-Judges	100/600	75/492	(25)/(108)	100/500	100/500	0/0	100/500
UJS Training -- Out-of-State:							
Judges/Non-Judges	40/90	34/97	(6)/7	30/75	35/100	5/25	35/100

## **Circuit Courts Operation**

The Circuit Courts hear and dispose of all matters filed with them. Judges, magistrates, court reporting, and other administrative personnel are allocated amongst the seven judicial circuits. Each circuit is overseen by a presiding judge and a circuit administrator.

Circuit	Counties
1	Aurora, Bon Homme, Brule, Buffalo, Charles Mix, Clay, Davison, Douglas, Hanson, Hutchinson, McCook, Turner, Union, and Yankton
2	Lincoln and Minnehaha
3	Beadle, Brookings, Clark, Codington, Deuel, Grant, Hamlin, Hand, Kingsbury, Jerauld, Lake, Miner, Moody, and Sanborn
4	Butte, Corson, Dewey, Harding, Lawrence, Meade, Perkins, and Ziebach
5	Brown, Campbell, Day, Edmunds, Faulk, Marshall, McPherson, Roberts, Spink, and Walworth
6	Bennett, Gregory, Haakon, Hughes, Hyde, Jackson, Jones, Lyman, Mellette, Potter, Stanley, Sully, Todd, and Tripp
7	Custer, Fall River, Pennington, and Shannon

The Court requests \$12,426,611 which includes \$11,468,851 from the State general fund and \$957,760 from other funds. This is an increase of \$122,300 (0.9%) from FY 2008. The Court also requests 127.9 FTEs, which is two more than what was approved for FY 2008. The Governor recommends \$12,821,715 (\$11,863,951 from the State general fund and \$957,764 from other funds). This is an increase of \$517,404 (4.2%) from FY 2008, and this is an increase of \$395,104 (3.2%) from the Court's request.

Item	Actual FY07	Budgeted FY08	Agency Req. FY09	Gov Rec. FY09	Inc/Dec FY09	% Change From FY08
Personal Services	9,712,910	10,441,470	10,515,679	10,910,783	469,313	4.5%
Travel	168,330	193,009	203,688	203,688	10,679	5.5%
Contractual Services	1,091,351	1,191,157	1,229,207	1,229,207	38,050	3.2%
Supplies & Materials	101,730	115,098	119,243	119,243	4,145	3.6%
Grants And Subsidies	275,000	296,000	296,000	296,000	-	0.0%
Capital Outlay	146,447	67,577	62,794	62,794	(4,783)	(7.1%)
Other	-	-	-	-	-	0.0%
<b>Total</b>	<b>11,495,768</b>	<b>12,304,311</b>	<b>12,426,611</b>	<b>12,821,715</b>	<b>517,404</b>	<b>4.2%</b>
<b>Funding Types</b>						
General	10,620,516	11,346,551	11,468,851	11,863,951	517,400	4.6%
Federal	-	-	-	-	-	0.0%
Other	875,252	957,760	957,760	957,764	4	0.0%
<b>Total</b>	<b>11,495,768</b>	<b>12,304,311</b>	<b>12,426,611</b>	<b>12,821,715</b>	<b>517,404</b>	<b>4.2%</b>
FTE	120.4	125.9	127.9	127.9	2.0	1.6%

### **Budget Notes**

- The Governor's recommended salary policy for the Circuit Courts Operation is \$395,100 in general fund authority and \$4 in other fund authority.
- The Court requests an increase of \$597 in general fund authority in personal services for increases in longevity pay in FY 2009.

- The Court requests an increase of \$39,375 in general fund authority personal services and 1.0 FTE for a Computer Assisted Court Recorder. The Court Recorder will operate and monitor a CourtSmart console for five court rooms in Minnehaha County.
- The Court requests an increase of \$34,237 in general fund authority personal services and 1.0 FTE for a Judicial Secretary. The secretary will provide support to circuit judges, magistrate judges, staff attorney, law clerk, and circuit administrator in Pennington County.
- The Court requests an increase of \$10,679 in general fund authority for travel costs. Effective July 1, 2007, the mileage rate for privately owned motor vehicles increased from \$0.32 to \$0.37 per mile. Other increases have been requested to individual travel line items for increased administrative travel.
- The Court requests an increase of \$38,050 in general fund authority for contractual service costs. This is for increases in freelance court reporting services on a contractual basis, increases in dues and membership fees, and for telecommunication services.
- The Court requests an increase of \$4,145 in general fund authority for materials and supplies for general office supplies, postage, and clothing.
- The Court requests a decrease of \$4,783 in general fund authority for capital outlay.

### **Selected Performance Indicators**

	FY07			FY08			FY09
	Original Estimate	Actual	Difference Over (Under) Estim.	Original Estimate	Current Estimate	Change in Estimate	Estimate
CIRCUIT COURTS OPERATION:							
Criminal Case Load - Felony Offenses:							
Jury Trials	154	112	(42)	123	113	(10)	114
Guilty Pleas	2,361	2,558	197	2,581	2,584	3	2,609
Dismissals	1,183	907	(276)	1,126	916	(210)	925
Preliminary Hearings	677	458	(219)	580	463	(117)	467
Class One Misdemeanor:							
Jury Trials	79	87	8	93	88	(5)	89
Guilty Pleas	12,166	13,704	1,538	13,269	13,841	572	13,979
Dismissals	3,137	3,396	259	3,445	3,430	(15)	3,464
Preliminary Hearings	1,443	1,324	(119)	1,459	1,337	(122)	1,351
Class Two Misdemeanor and Petty Offenses:							
Jury Trials	5	3	(2)	1	3	2	3
Guilty Pleas	125,073	120,086	(4,987)	123,848	121,287	(2,561)	122,500
Dismissals	14,752	16,108	1,356	15,749	16,269	520	16,432
Preliminary Hearings	198	201	3	197	203	6	205
Civil Case Load:							
Civil Jury Trials	71	68	(3)	92	69	(23)	69
Civil Dismissals	5,482	6,655	1,173	7,329	6,722	(607)	6,789
Civil Other Terminations	27,632	27,116	(516)	25,037	27,387	2,350	27,661
Small Claims Filings	35,377	33,137	(2,240)	35,542	34,794	(748)	36,534
Small Claims Judgments	22,951	23,265	314	19,794	23,498	3,704	23,733
Small Claims Dismissals	11,180	9,824	(1,356)	8,874	9,922	1,048	10,021

## **Clerks of Court Operations**

The Clerks of Court provide support to the circuit courts by managing all documents filed for court action by circuit judges, lay magistrates, and magistrate judges. The clerks of court assist with calendaring, case flow, and jury use. The clerks also maintain law libraries throughout the state.

The Court requests an appropriation of \$8,884,409 which includes \$8,803,739 from the State general fund, \$80,670 from federal funds, and 195.5 FTEs. This is an increase of \$234,580 (2.7%) in budget and 5.1 FTEs from FY 2008. The Governor recommends \$9,176,799 (\$9,095,157 from the State general fund and \$81,642 from federal funds). This is an increase of \$526,970 (6.1%) from FY 2008 and an increase of \$292,390 (3.3%) from the Court's request.

<b>Item</b>	<b>Actual FY07</b>	<b>Budgeted FY08</b>	<b>Agency Req. FY09</b>	<b>Gov Rec. FY09</b>	<b>Inc/Dec FY09</b>	<b>% Change From FY08</b>
Personal Services	7,037,194	7,663,140	7,844,380	8,136,770	473,630	6.2%
Travel	45,866	64,058	67,333	67,333	3,275	5.1%
Contractual Services	265,470	475,467	482,887	482,887	7,420	1.6%
Supplies & Materials	301,126	321,601	337,901	337,901	16,300	5.1%
Grants And Subsidies	-	-	-	-	-	0.0%
Capital Outlay	204,397	125,563	151,908	151,908	26,345	21.0%
Other	-	-	-	-	-	0.0%
<b>Total</b>	<b>7,854,053</b>	<b>8,649,829</b>	<b>8,884,409</b>	<b>9,176,799</b>	<b>526,970</b>	<b>6.1%</b>
<b>Funding Types</b>						
General	7,798,594	8,569,159	8,803,739	9,095,157	525,998	6.1%
Federal	55,458	80,670	80,670	81,642	972	1.2%
Other	-	-	-	-	-	0.0%
<b>Total</b>	<b>7,854,052</b>	<b>8,649,829</b>	<b>8,884,409</b>	<b>9,176,799</b>	<b>526,970</b>	<b>6.1%</b>
FTE	185.1	190.4	195.5	195.5	5.1	2.7%

### **Budget Notes**

- The Governor's recommended salary policy for the Clerks of Court Operations is \$291,418 in general fund authority and \$972 in federal fund authority.
- The Court requests an increase of \$3,654 in general fund authority personal services for increases in longevity pay in FY 2009.
- The Court requests an increase of \$177,586 in general fund authority in personal services and 5.1 FTEs for Deputy Court Clerks. The Court Clerks will perform clerical duties in clerk of court offices to maintain official court records. The Court is requesting 3.0 FTEs for Minnehaha County, 1.0 FTE for Codington County, 0.6 FTE for Pennington County, and 0.5 FTE for Lincoln County.
- The Court requests an increase of \$3,275 in general fund authority for travel costs. Effective July 1, 2007, the mileage rate for privately owned motor vehicles increased from \$0.32 to \$0.37 per mile. Other increases and decreases have been requested to individual travel line items, which are used for travel between clerks' offices for office coverage and clerks meetings.
- The Court requests an increase of \$7,420 in general fund authority for contractual service costs. This is for increases in garbage & sewer costs, dues and membership fees, equipment service and maintenance, and for telecommunication services.

- The Court requests an increase of \$16,300 in general fund authority for materials and supplies for general office supplies, and postage.
- The Court requests an increase of \$26,345 in general fund authority for capital outlay.

**Selected Performance Indicators**

	FY07			FY08			FY09
	Original Estimate	Actual	Difference Over (Under) Estim.	Original Estimate	Current Estimate	Change in Estimate	Estimate
CLERKS OF COURT OPERATIONS:							
Criminal Case Load - Felony Offenses:							
Filings	7,173	5,660	(1,513)	7,110	5,717	(1,393)	5,774
Pending	8,130	7,388	(742)	7,612	7,462	(150)	7,536
Class One Misdemeanor:							
Filings	22,538	23,464	926	24,548	23,699	(849)	23,936
Pending	20,739	22,296	1,557	23,024	22,519	(505)	22,744
Class Two Misdemeanor and Petty Offenses:							
Filings	145,471	139,933	(5,538)	144,247	141,332	(2,915)	142,746
Pending	141,262	43,043	(98,219)	44,491	43,473	(1,018)	43,908
Civil Case Load:							
Domestic Relations Filings and Cases Reinstated	13,238	15,657	2,419	14,516	15,814	1,298	15,972
Civil Case Filings and Cases Reinstated	15,014	14,568	(446)	15,524	16,025	501	17,627
Administrative Appeals Filings	266	302	36	324	305	(19)	308
Circuit Court Appeals to Supreme Court	356	286	(70)	367	289	(78)	292
Probate Filings and Cases Reinstated	2,435	2,478	43	2,438	2,503	65	2,528
Misc. Filings and Cases Reinstated *	5,193	5,297	104	5,788	5,350	(438)	5,403
Juvenile Filings and Cases Reinstated	9,953	10,770	817	10,576	10,878	302	10,986
Small Claims Filings	35,581	33,258	(2,323)	35,633	34,921	(712)	36,667
Child Support Receipts	6,245	6,940	695	4,973	5,205	232	3,904
Record Search Requests	99,581	149,303	49,722	115,871	150,796	34,925	152,304

## **Court Services Operations**

The mission for Court Services is to protect the public from juvenile and adult offenders that are under the jurisdiction of the UJS. This is accomplished by assisting offenders, in a non-incarceration setting, to become productive, law-abiding members of society. Court services provides pre-sentence investigations and other diagnostic evaluations, probation-related services, juvenile intake screening, juvenile diversion services, and assistance to victims of crime. Court Services also coordinates services for probationers across jurisdictions.

The Court requests authority of \$7,908,616 which includes \$7,671,066 from the State general fund, \$175,000 from federal funds, \$62,550 from other funds and 137.6 FTEs. This is an increase of \$582,494 (8.0%) in authority and 8.3 FTEs from FY 2008. The Governor recommends \$8,175,210 which includes \$7,936,064 from the State general fund, \$176,596 from federal funds, and \$62,550 from other funds. This is an increase \$849,088 (11.6%) from FY 2008 and an increase of \$266,594 (3.4%) from the Court's request.

<b>Item</b>	<b>Actual FY07</b>	<b>Budgeted FY08</b>	<b>Agency Req. FY09</b>	<b>Gov Rec. FY09</b>	<b>Inc/Dec FY09</b>	<b>% Change From FY08</b>
Personal Services	6,390,383	6,722,870	7,116,065	7,382,659	659,789	9.8%
Travel	162,218	209,448	228,378	228,378	18,930	9.0%
Contractual Services	170,730	195,197	292,920	292,920	97,723	50.1%
Supplies & Materials	102,072	118,902	152,576	152,576	33,674	28.3%
Grants And Subsidies	-	10,000	40,800	40,800	30,800	308.0%
Capital Outlay	77,167	69,705	77,877	77,877	8,172	11.7%
Other	-	-	-	-	-	0.0%
<b>Total</b>	<b>6,902,570</b>	<b>7,326,122</b>	<b>7,908,616</b>	<b>8,175,210</b>	<b>849,088</b>	<b>11.6%</b>
<b>Funding Types</b>						
General	6,861,748	7,263,572	7,671,066	7,936,064	672,492	9.3%
Federal	-	-	175,000	176,596	176,596	0.0%
Other	40,822	62,550	62,550	62,550	-	0.0%
<b>Total</b>	<b>6,902,570</b>	<b>7,326,122</b>	<b>7,908,616</b>	<b>8,175,210</b>	<b>849,088</b>	<b>11.6%</b>
FTE	126.1	129.3	137.6	137.6	8.3	6.4%

### **Budget Notes**

- The Governor's recommended salary policy for the Court Services Operations is \$264,998 in general fund authority and \$1,596 in federal fund authority.
- The Court requests an increase of \$1,677 in general fund authority personal services for increases in longevity pay in FY 2009.
- The Court requests an increase of \$206,083 in general fund authority personal services and 4.0 FTEs for Court Services Officers. The Court Services Officers supervise clients placed on probation by the court. The Court is requesting 2.0 FTEs for Pennington County, 1.0 FTE for Codington County, and 1.0 FTE for Hughes County.
- The Court requests an increase of \$42,105 in general fund authority personal services and 1.3 FTEs for Court Services Secretary's. The Court Services Secretary's will provide secretarial support to Court Services Officers. The Court is requesting 0.5 FTE for Lincoln County, 0.5 FTE for Codington County, and 0.3 FTE for Butte County.
- The Court received funding for the Fourth Circuit Drug Court for FY 2008 as a special appropriation. Funding is being requested for FY 2009 as part of the General Appropriations Act. The Court is requesting \$58,341 in general fund authority, \$175,000 in federal fund authority, \$30,800 in other fund authority, and 3.0 FTEs. A separate discussion of the Fourth Circuit Drug Court is provided in the next section.

- The Court requests an increase of \$8,167 in general fund authority for travel costs. Effective July 1, 2007, the mileage rate for privately owned motor vehicles increased from \$0.32 to \$0.37 per mile. Other increases have been requested to individual travel line items.
- The Court requests an increase of \$76,222 in general fund authority and a decrease of \$46,766 in other fund authority for urinalysis drug screening tests. These tests are a supervision tool used to assist in helping probationers to be successful on probation, remaining in the community, and supporting their families. Currently, the costs for the UA tests are paid by the probationers themselves. The Court is requesting the cost of testing should be a general fund expense in order to ensure adequate monitoring.
- The Court requests an increase of \$7,100 in general fund authority and \$15,966 in other fund authority for contractual service costs. This is for increases in client-paid monitoring of adult and juvenile clients and other various contractual service costs.
- The Court requests a decrease of \$373 in general fund authority for materials and supplies for general office supplies, and postage.
- The Court requests an increase of \$8,172 in general fund authority for capital outlay.

### **Selected Performance Indicators**

	FY07			FY08			FY09
	Original Estimate	Actual	Difference Over (Under) Estim.	Original Estimate	Current Estimate	Change in Estimate	Estimate
<b>COURT SERVICES OPERATIONS:</b>							
<b>Juvenile Services:</b>							
Prehearing Investigations	741	643	(98)	605	649	44	656
90-Day Diversion Services	1,175	860	(315)	989	869	(120)	877
Active Cases at Beginning of FY	-	1,877	1,877	1,708	1,838	130	1,858
Placed on Probation	2,953	2,777	(176)	2,778	2,805	27	2,833
Active Cases at End of FY	1,888	1,838	(50)	1,916	1,858	(58)	1,876
Restitution Received	\$ 321,616	\$ 284,920	\$ (36,696)	\$ 270,653	\$ 287,769	\$ 17,116	\$ 290,647
<b>Case Services Monitoring:</b>							
Placed in Program	470	676	206	477	683	206	690
Active Cases at End of FY	230	404	174	267	408	141	412
Interstate Compact Cases - In	16	18	2	29	18	(11)	18
Interstate Compact Cases - Out	26	11	(15)	16	11	(5)	11
<b>Intensive Probation:</b>							
Active Cases at Beginning FY	-	111	111	-	107	107	110
Placed in Program During FY	-	176	176	-	179	179	181
Successful Completed Program	216	93	(123)	103	91	(12)	92
Failed Program and Sent to DOC	81	77	(4)	90	76	(14)	77
Failed Program (Other)	-	10	10	-	10	10	10
Active Cases at End of Fiscal Year	100	107	7	113	110	(3)	113
<b>Adult Service, Misdemeanor:</b>							
PSI Reports	285	143	(142)	186	144	(42)	146
Placed on Probation	112	422	310	296	426	130	430
On Probation at End of FY	230	607	377	418	613	195	619
Restitution Received	\$ 1,031,464	\$ 1,010,723	\$ (20,741)	\$ 1,039,399	\$ 1,020,830	\$ (18,569)	\$ 1,031,038
<b>Adult Service, Felony:</b>							
PSI Reports	2,554	2,657	103	2,928	2,684	(244)	2,710
Placed on Probation	1,558	1,522	(36)	1,743	1,537	(206)	1,553
On Probation at End of FY	3,258	3,582	324	3,515	3,618	103	3,654
Restitution Received	\$ 1,928,391	\$ 2,245,978	\$ 317,587	\$ 2,310,772	\$ 2,268,438	\$ (42,334)	\$ 2,291,122
<b>Case Services Monitoring Program:</b>							
Placed in Program	1,354	1,417	63	1,331	1,431	100	1,445
Active Cases at End of FY	1,173	1,106	(67)	1,214	1,117	(97)	1,128
<b>Adult Interstate Compact Case Load:</b>							
Placed on Probation - In & Out	-	348	348	-	351	351	355
On Probation at End of FY	835	899	64	890	908	18	917

## Fourth Circuit Drug Court

The Fourth Circuit Drug Court is a pilot program that received a special general fund appropriation of \$212,193 and 3.0 FTEs in HB 1271 during the 2007 Legislative session. The authority was appropriated to the UJS in order to create a drug court program for the purpose of providing intensive, supervised rehabilitation to nonviolent adult felony offenders who abuse controlled substances. The appropriation has a June 30, 2008 reversion date.

The Fourth Circuit Drug Court began operations in FY 2008. Funding is being requested for FY 2009 as part of the General Appropriations Bill. The UJS has also received a federal Drug Court Discretionary grant from the Department of Justice, so funding will be split 75% federal and 25% general.

The Court requests authority of \$264,141, which includes \$58,341 from the State general fund, \$175,000 from federal funds, \$30,800 from other funds, and 3.0 FTEs. This is an increase of \$51,948 (24.5%) in authority from the FY 2008 special appropriation. The Governor recommends \$267,111, which includes \$59,715 from the State general fund, \$176,596 from federal funds, and \$30,800 from other funds. This is an increase \$54,918 (25.9%) from the FY 2008 special appropriation and an increase of \$2,970 (1.1%) from the Court's request.

Item	Actual FY07	Budgeted FY08	Agency Req. FY09	Gov Rec. FY09	Inc/Dec FY09	% Change From FY08
Personal Services	-	-	143,330	146,300	146,300	100.0%
Travel	-	-	10,763	10,763	10,763	100.0%
Contractual Services	-	-	61,857	61,857	61,857	100.0%
Supplies & Materials	-	-	17,391	17,391	17,391	100.0%
Grants And Subsidies	-	-	30,800	30,800	30,800	100.0%
Capital Outlay	-	-	-	-	-	0.0%
Other	-	-	-	-	-	0.0%
<b>Total</b>	-	-	<b>264,141</b>	<b>267,111</b>	<b>267,111</b>	<b>0.0%</b>
<b>Funding Types</b>						
General	-	-	58,341	59,715	59,715	100.0%
Federal	-	-	175,000	176,596	176,596	100.0%
Other	-	-	30,800	30,800	30,800	100.0%
<b>Total</b>	-	-	<b>264,141</b>	<b>267,111</b>	<b>267,111</b>	<b>0.0%</b>
FTE	-	-	3.0	3.0	3.0	100.0%

### Budget Notes

- The Governor's recommended salary policy for the Fourth Circuit Drug Court is \$1,374 in general fund authority and \$1,596 in federal fund authority.
- The Court requests an increase of \$35,835 in general fund authority and \$107,495 in federal fund authority for personal services and 3.0 FTEs. One FTE is for a Drug Court Coordinator that oversees the day to today operations of the Drug Court. Duties include: conducting initial assessments of candidates, monitoring substance abuse treatment providers, and weekly coordination activities with judge, prosecutor, counsel, case managers, and court services officer. One FTE is for a Court Services Officer that supervises clients that are determined to be eligible for the Drug Court by providing direct supervision to participants at home, work, school, and other locations. One FTE is for a Drug Court Secretary to assist the coordinator in the day to day operation of the

Drug Court by recording minutes for the official Drug Court Board meeting, staff meeting, Drug Court proceedings, and perform initial screening of candidates. The position also provides secretarial support for the Drug Court activities.

- The Court requests an increase of \$2,693 in general fund authority and \$8,070 in federal fund authority for travel costs. This is for in-state and out-of state travel for the Court Services Officer to provide direct supervision to Drug Court participants at home, work, school, or other locations and to send Drug Court staff to the National Drug Court Institute.
- The Court requests an increase of \$15,465 in general fund authority and \$46,392 in federal fund authority for contractual service costs. This is for evaluation and counseling services to provide therapeutic and rehabilitative treatment programs for participants and various other contractual services line items.
- The Court requests an increase of \$4,348 in general fund authority and \$13,043 in federal fund authority for drug screening kits and various office supplies.
- The Court requests an increase of \$30,800 in other fund authority to allow the Drug Court to receive and spend donations.

## Community-Based Juvenile Services

The program provides individual, community-based treatment for juveniles and their families as an alternative to commitment with the Department of Corrections.

The Court requests \$1,899,269 from the State general fund. This is an increase \$1,027,581 (117.9%) from FY 2008. The Governor recommends \$1,906,210. This is an increase of \$1,034,522 (118.7%) from FY 2008 and an increase of \$9,641 (.5%) from the Court's request.

Item	Actual FY07	Budgeted FY08	Agency Req. FY09	Gov Rec. FY09	Inc/Dec FY09	% Change From FY08
Personal Services	-	-	-	-	-	0.0%
Travel	-	-	-	-	-	0.0%
Contractual Services	585	-	-	-	-	0.0%
Supplies & Materials	-	-	-	-	-	0.0%
Grants And Subsidies	558,695	871,688	1,899,269	1,906,210	1,034,522	118.7%
Capital Outlay	-	-	-	-	-	0.0%
Other	-	-	-	-	-	0.0%
<b>Total</b>	<b>559,280</b>	<b>871,688</b>	<b>1,899,269</b>	<b>1,906,210</b>	<b>1,034,522</b>	<b>118.7%</b>
<b>Funding Types</b>						
General	559,280	871,688	1,899,269	1,906,210	1,034,522	118.7%
Federal	-	-	-	-	-	0.0%
Other	-	-	-	-	-	0.0%
<b>Total</b>	<b>559,280</b>	<b>871,688</b>	<b>1,899,269</b>	<b>1,906,210</b>	<b>1,034,522</b>	<b>118.7%</b>
FTE	-	-	-	-	-	0.0%

### Budget Notes

- The Court requests an increase of \$34,704 in general fund authority for the Governor's recommended 2.5% rate increase for mental health providers.
- The Court requests an increase of \$159,033 in general fund authority to expand the Adult Counseling Services to include cognitive behavioral group therapy programming which is estimated to serve 264 clients.
- The Court requests an increase of \$54,398 in general fund authority for an estimated increase in the Adult Counseling Services provided.
- The Court requests an increase of \$786,387 in general fund authority for new Juvenile Counseling Services which is similar to that provided in the Adult Counseling Services, but also includes group day treatment programming. It is estimated that there will be 541 clients in FY 2009.

**Selected Performance Indicators**

	FY07			FY08			FY09
	Original Estimate	Actual	Difference Over (Under) Estim.	Original Estimate	Current Estimate	Change in Estimate	Estimate
COMMUNITY-BASED SERVICES:							
Home based Juvenile counseling Serv.							
Clients/Average Cost/Client	414/\$1,625	339/\$1,650	(75)/25	381/\$1,798	381/\$1,816	0/18	381/\$1,816
Total HB Juvenile counseling serv.	\$ 672,839	\$ 559,280	\$ (113,559)	\$ 685,037	\$ 691,738	\$ 6,701	\$ 691,738
Adult Counseling Services:							
Cognitive behavioral Group Therapy Programming:							
# of Clients/Total Cost	0/\$0	0/\$0	0/\$0	0/\$0	0/\$0	0/\$0	248/\$162,214
Psychological/Mental Health Units							
# of Clients/Total Cost	0/\$0	0/\$0	0/\$0	0/\$0	178/\$126,429	178/\$126,429	167/\$132,874
Chemical Dependency Units							
# of Clients/Total Cost	0/\$0	0/\$0	0/\$0	0/\$0	205/\$43,651	205/\$43,651	225/\$97,212
Gambling Addiction Units							
# of Clients/Total Cost	0/\$0	0/\$0	0/\$0	0/\$0	53/\$9,870	53/\$9,870	60/\$22,163
Total Adult Counseling services	\$ -	\$ -	\$ -	\$ -	\$ 179,950	\$ 179,950	\$ 414,463
Total Community-Bases Seivces	\$ -	\$ 559,280	\$ 559,280	\$ -	\$ 871,688	\$ 871,688	\$ 1,912,426

## Information & Technology

The Information and Technology Division provides and maintains the information systems used by UJS personnel and accessed by other state agencies or local government units. According to the agency, IT related operations were shifted into this single program division, which used to be called Computer Services, so that the budgeted amounts are more easily identifiable.

The Court requests 25.0 FTEs and \$4,250,253, which include \$522,653 from the State general fund and \$3,727,600 from other funds. This is a decrease of \$524,728 (11.0%) from FY 2008. The Governor recommends \$4,305,888, which includes \$542,664 from the State general fund and \$3,763,224 from other funds. This is a decrease \$469,093 (9.8%) from FY 2008 and an increase of \$55,635 (1.3%) from the Court's request.

Item	Actual FY07	Budgeted FY08	Agency Req. FY09	Gov Rec. FY09	Inc/Dec FY09	% Change From FY08
Personal Services	1,415,293	1,693,425	1,693,982	1,749,617	56,192	3.3%
Travel	18,108	26,889	31,489	31,489	4,600	17.1%
Contractual Services	1,915,499	1,899,902	1,592,252	1,592,252	(307,650)	(16.2%)
Supplies & Materials	14,077	13,000	20,500	20,500	7,500	57.7%
Grants And Subsidies	-	-	-	-	-	0.0%
Capital Outlay	845,794	1,141,765	912,030	912,030	(229,735)	(20.1%)
Other	-	-	-	-	-	0.0%
<b>Total</b>	<b>4,208,771</b>	<b>4,774,981</b>	<b>4,250,253</b>	<b>4,305,888</b>	<b>(469,093)</b>	<b>(9.8%)</b>
<b>Funding Types</b>						
General	521,685	522,380	522,653	542,664	20,284	3.9%
Federal	1,598	-	-	-	-	0.0%
Other	3,685,488	4,252,601	3,727,600	3,763,224	(489,377)	(11.5%)
<b>Total</b>	<b>4,208,771</b>	<b>4,774,981</b>	<b>4,250,253</b>	<b>4,305,888</b>	<b>(469,093)</b>	<b>(9.8%)</b>
FTE	23.9	25.0	25.0	25.0	-	0.0%

### Budget Notes

- The Governor's recommended salary policy for the Information and Technology Division is \$20,011 in general fund authority and \$35,624 in other fund authority.
- The Court requests an increase of \$273 in general fund authority and \$284 in other fund authority personal services for increases in longevity pay in FY 2009.
- The Court requests an increase of \$4,600 in other fund authority for administrative travel costs.
- The Court requests a decrease of \$307,650 in other fund authority for contractual services. This decrease is primarily due to decreases in consultant fees for standalone systems and integrated system maintenance.
- The Court requests an increase of \$7,500 in other fund authority for materials and supplies for general office supplies, and postage.
- The Court requests a decrease of \$229,735 in other fund authority for capital outlay needs in FY 2009.

## Selected Performance Indicators

	FY07			FY08			FY09
	Original Estimate	Actual	Difference Over (Under) Estim.	Original Estimate	Current Estimate	Change in Estimate	Estimate
INFORMATION & TECHNOLOGY:							
Hours by Work Type							
Administrative Functions	4,000	3,711	(289)	3,700	4,000	300	4,000
Systems Development/Maintenance	25,000	23,156	(1,844)	30,000	25,000	(5,000)	25,000
Computer Support/Network Services	1,300	8,997	7,697	10,500	9,100	(1,400)	9,100
Documentation	1,500	1,237	(263)	2,000	1,500	(500)	1,500
Project Management	3,000	3,049	49	4,000	3,600	(400)	3,600
User Assistance	4,500	4,550	50	5,000	4,700	(300)	4,700
Training	2,800	2,422	(378)	2,700	2,500	(200)	2,500
Total Hours	64,900	47,122	(17,778)	67,500	50,400	(17,100)	50,400
Help Desk work Orders Opened	-	8,491	8,491	-	8,500	8,500	9,500

## Other Departmental Issues

### A. Budget Transfers (FY07 and FY08 year-to-date):

\$ 400 No FTE	Base Transfer	07/24/2006 approved by BFM
Transferred \$400 in other fund authority from operating to personal services within Judicial Training.  The funds transferred will be used to cover anticipated shortfalls in personal services. Funds are available due to excess expenditure authority in operating expenses.		

\$ 425,100 No FTE	One Time Transfer	06/20/2007 approved by BFM
Transferred \$110,000 of general fund operating authority from Community Based Services to Court Administrator's Office (\$75,000) and Information and Technology (\$35,000).  Transferred \$310,700 in federal fund operating expenditure authority from Information and Technology to Court Administrator's Office (\$49,400) and to other fund operating expenditure authority in the Circuit Court Operations (\$74,965) and Information and Technology (\$186,335).  Transferred \$4,200 of general fund personal services authority from the Court Administrator's Office to Information and Technology (\$3,500) and Circuit Courts Operation (\$700).  Transferred \$200 in other fund personal services authority from Information and Technology to Bd of Bar Examiners.  The funds transferred will be used to cover deficits in personal services and operating expenses within the affected divisions.		

### B. Audit Findings:

No Current audit findings.

### C. Committee Questions:

The JCA would like to make sure that UJS provides an update on the Fourth Circuit Drug Court during their budget hearing along with a list of savings from placing people in the drug court versus prison.

### D. Letters of Intent:

No Letters of Intent for FY 2008.

### E. General Fund Reversions:

The Unified Judicial System reverted \$572,609 in general fund authority at the end of FY 2007. Of this amount, \$550,000 was for personal services and \$22,609 was for operating expenditures. This amount also included a special appropriation of \$169,890. Of this amount \$154,361 was for personal services and \$15,529 was for operating expenditures.

**F. Selected Condition Statements:**

**COURT AUTOMATION FUND  
CONDITION STATEMENT**

	ACTUAL FY2006	ACTUAL FY2007	PROJECTED FY2008	PROJECTED FY2009
<b>REVENUE</b>				
Circuit Court Surcharge Fee	2,135,693	2,186,795	2,230,531	2,275,141
Fax Filing Fees	26,271	22,084	25,000	25,000
Victims Compensation 3% Admin.	9,943	9,947	10,000	10,000
Interest Earned	13,864	26,558	30,000	30,000
Information Request	576	813	500	500
Nonresident Attorney	14,350	18,800	16,000	16,000
Search Fees	1,398,402	1,665,817	1,749,108	1,836,563
Judgment Searches	104,852	143,305	150,000	150,000
Supreme Court Surcharge Fee	5,775	4,750	5,000	5,000
CD-Transcripts	135	75	100	100
Miscellaneous income	0	10	0	0
<b>TOTAL REVENUES</b>	<b>3,709,861</b>	<b>4,078,954</b>	<b>4,216,239</b>	<b>4,348,305</b>
<b>EXPENDITURES</b>				
Personal Services	681,538	766,676	949,015	949,745
Employee Benefits	167,716	190,203	222,244	222,244
Travel	40,230	26,644	86,559	113,079
Contractual Service	2,016,413	1,436,906	1,909,902	1,603,252
Supplies and Materials	9,789	4,519	15,000	24,500
Capital Assets	225,697	304,137	1,141,765	912,030
Prior Period Adjustment	215	0	0	0
Prior FY Carryover expenditure	502,093	529,341	1,013,588	0
<b>TOTAL EXPENDITURES</b>	<b>3,643,691</b>	<b>3,258,426</b>	<b>5,338,073</b>	<b>3,824,850</b>
<b>NET (REVENUE LESS EXPENDITURE)</b>	<b>66,170</b>	<b>820,528</b>	<b>(1,121,834)</b>	<b>523,455</b>
<b>BEGINNING FY CASH BALANCES</b>	<b>989,615</b>	<b>1,055,785</b>	<b>1,876,313</b>	<b>754,478</b>
<b>ENDING FY CASH BALANCE</b>	<b>1,055,785</b>	<b>1,876,313</b>	<b>754,478</b>	<b>1,277,933</b>

Court Automation Funds are used in the following programs.

State Court Administrators Offi	-	-	-	-
Computer Training	63,148	56,329	71,884	96,804
Information and Technology	3,580,543	3,202,098	5,266,189	3,728,046
	<u>3,643,691</u>	<u>3,258,426</u>	<u>5,338,073</u>	<u>3,824,850</u>

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