

**Judicial Branch
Budget No. 180
Senate Bill No. 2002, House Bill No. 1041**

	FTE Positions	General Fund	Other Funds	Total
2013-15 executive budget (bills as introduced)	359.00	\$97,417,252	\$2,175,589	\$99,592,841
2013-15 legislative appropriations	363.00	98,305,993	2,175,589	100,481,582
Legislative increase (decrease) to executive budget	4.00	\$888,741	\$0	\$888,741
Legislative increase (decrease) to 2011-13 appropriations	19.00	\$14,823,631	(\$6,685)	\$14,816,946

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2011-13 legislative appropriations	\$82,580,882	\$901,480	\$83,482,362
2013-15 legislative appropriations	97,133,117	1,172,876	98,305,993
2013-15 legislative increase (decrease) to 2011-13 appropriations	\$14,552,235	\$271,396	\$14,823,631
Percentage increase (decrease) to 2011-13 appropriations	17.6%	30.1%	17.8%
2013-15 legislative increase (decrease) to executive budget	\$888,741	\$0	\$888,741
Percentage increase (decrease) to executive budget	0.9%	0.0%	0.9%

SUMMARY OF LEGISLATIVE CHANGES TO THE EXECUTIVE BUDGET AND MAJOR FUNDING ITEMS

Salaries and Wages

The legislative action affecting the recommended appropriation for the judicial branch is in accordance with legislative salary and fringe benefits guidelines as contained in House Bill No. 1015. Consistent with the guidelines, a portion of salaries and wages funding from the general fund (\$2,882,987) and from other funds (\$47,986) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying accrued annual leave and sick leave for eligible employees.

	Major Items FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Departmentwide changes				
Adjusted funding for state employee salaries and benefits consistent with the legislative compensation package guidelines included in House Bill No. 1015.		(\$353,985)		(\$353,985)

Supreme Court changes

Reduced funding for justices' salary increases from 5 percent each year of the biennium to 4 percent the first year and 3 percent the second year of the biennium.		(39,823)		(39,823)
Reduced funding for judges' retirements.		(1,467)		(1,467)
Added funding for developing and providing guardianship training for guardians and public administrators (House Bill No. 1041).		70,000		70,000

District court changes

Reduced funding for judges' salary increases from 5 percent each year of the biennium to 4 percent the first year and 3 percent the second year of the biennium.		(427,880)		(427,880)
Reduced funding for judges' retirements.		(9,856)		(9,856)
Added funding for three new judgeships.	6.00	1,690,950		1,690,950
Removed two deputy clerk positions.	(2.00)	(283,726)		(283,726)
Added funding for temporary employees.		244,528		244,528

Judicial Conduct Commission changes

The Legislative Assembly did not change the appropriation for the Judicial Conduct Commission.

Total	<u>4.00</u>	<u>\$888,741</u>	<u>\$0</u>	<u>\$888,741</u>
-------	-------------	------------------	------------	------------------

FTE Changes

The 2013-15 biennium appropriation includes funding for 363 FTE positions, an increase of 4 FTE positions from the executive recommendation and an increase of 19 FTE positions from the 2011-13 biennium authorized level of 344 FTE positions. The Legislative Assembly did not change the executive recommendation to add 13 FTE positions, including 6 deputy clerks of court, 4 technology coordinators, 2 juvenile court officers, and 1 court facilitator. The Legislative Assembly removed 2 FTE deputy clerk positions included in the executive recommendation and added 3 FTE judge positions and 3 FTE court reporter positions.

One-Time Funding

In Section 3 of Senate Bill No. 2002, the Legislative Assembly identified \$1,172,876 from the general fund as one-time funding, of which \$331,470 is for office equipment and furniture, \$516,556 is for information technology equipment, \$90,000 is for a juvenile case management system replacement study, \$95,000 is for disaster recovery planning, and \$139,850 is for a criminal justice information sharing publisher project. This amount is not to be considered part of the agency's 2015-17 biennium base budget, and the judicial branch is to report to the Appropriations Committees during the 2015 legislative session on the use of this funding.

Other Sections in Senate Bill No. 2002

Appropriation of additional funding - Section 2 provides that, in addition to the amount appropriated as special funds, any other income received from gifts, grants, and donations received by the Supreme Court, district courts, and the Judicial Conduct Commission and Disciplinary Board is appropriated for the purposes designated for the 2013-15 biennium.

Transfers - Section 4 provides the Director of the Office of Management and Budget (OMB) and the State Treasurer may transfer funds between line items of the appropriation for the judicial branch as requested by the Supreme Court upon a finding by the court that the nature of the duties of the court and its staff requires the transfers to carry on properly the functions of the judicial branch of government.

District judges - Section 5 provides guidelines for the three new judgeships authorized in Section 1 of Senate Bill No. 2002.

Supreme Court justices' salaries - Section 6 provides the statutory changes relating to salaries of justices of the Supreme Court. The Legislative Assembly authorized 2013-15 biennium increases of 4 percent effective July 1, 2013, and 3 percent effective July 1, 2014. Supreme Court justices' annual salaries are increased from the current level of \$138,159 to \$143,685, effective July 1, 2013, and to \$147,996 effective July 1, 2014. The Chief Justice of the Supreme Court is entitled to receive an additional \$4,127 per annum effective July 1, 2013, and \$4,250 per annum effective July 1, 2014, an increase from the current additional amount for the Chief Justice of \$3,968 per annum.

District court judge vacancies - Section 7 amends North Dakota Century Code Section 27-05-02.1(1) to provide that the Supreme Court may order a vacant office be abolished with or without transfer of a district court judgeship.

District judges' salaries - Section 5 provides the statutory changes relating to salaries and expenses of district court judges. The Legislative Assembly authorized 2013-15 biennium increases of 4 percent effective July 1, 2013, and 3 percent effective July 1, 2014. District court judges' annual salaries are increased from the current level of \$126,597 to \$131,661, effective July 1, 2013, and to \$135,611, effective July 1, 2014. A presiding judge of a judicial district is entitled to receive an additional \$3,803 per annum effective July 1, 2013, and \$3,917 per annum effective July 1, 2014, an increase from the current additional amount for presiding judges of \$3,657.

Related Legislation

House Bill No. 1214 removes the expiration date of June 30, 2013, for the parenting coordinator program.

Senate Bill No. 2076 provides each judge appointed to fill the new judgeships created in 2010 shall continue in the office until the next general election following appointment and if elected holds office for the remainder of the term and until a successor is elected and duly qualified.