

**Department 180 - Judicial Branch
 House Bill No. 1002**

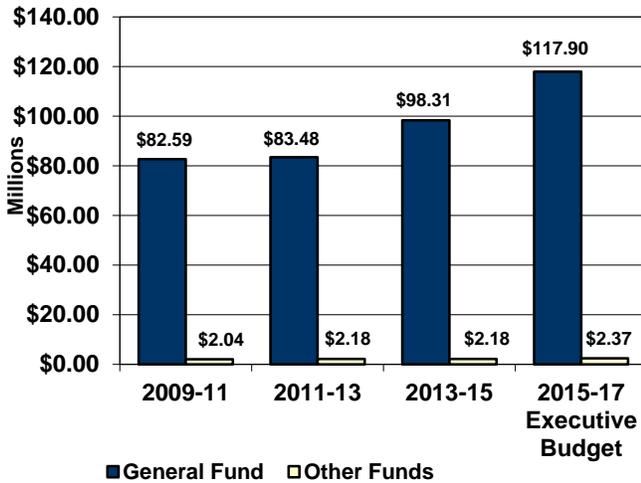
Executive Budget Comparison to Prior Biennium Appropriations

	FTE Positions	General Fund	Other Funds	Total
2015-17 Executive Budget	391.00	\$117,896,996	\$2,366,806	\$120,263,802
2013-15 Legislative Appropriations	363.00	98,305,993	2,175,589	100,481,582
Increase (Decrease)	28.00	\$19,591,003	\$191,217	\$19,782,220

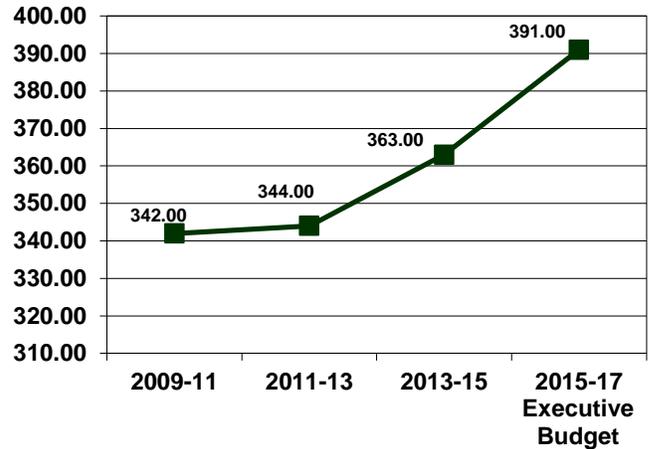
Ongoing and One-Time General Fund Appropriations

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2015-17 Executive Budget	\$111,352,687	\$6,544,309	\$117,896,996
2013-15 Legislative Appropriations	97,133,117	1,172,876	98,305,993
Increase (Decrease)	\$14,219,570	\$5,371,433	\$19,591,003

Agency Funding



FTE Positions



Executive Budget Comparison to Base Level

	General Fund	Other Funds	Total
2015-17 Executive Budget	\$117,896,996	\$2,366,806	\$120,263,802
2015-17 Base Level	97,133,117	2,175,589	99,308,706
Increase (Decrease)	\$20,763,879	\$191,217	\$20,955,096

Attached as an appendix is a detailed comparison of the executive budget to the agency's base level appropriations.

Executive Budget Highlights

	General Fund	Other Funds	Total
Judicial Branch			
1. Provides funding for state employee salary and benefit increases, of which \$3,003,523 relates to performance increases, \$1,718,500 is for health insurance increases, and \$434,227 is for retirement contribution increases	\$5,153,011	\$3,239	\$5,156,250
Supreme Court			
2. Adds the following new FTE positions			
• 1 FTE guardian-related position	\$191,374	\$0	\$191,374
• 1 FTE account analyst position	191,374	0	191,374
Total	\$382,748	\$0	\$382,748
3. Provides funding for increase in operating expenses	\$229,106	\$0	\$229,106
4. Provides funding for increased maintenance costs for information technology	\$59,483	\$0	\$59,483

5. Provides one-time funding for the Supreme Court facility space expansion, which included renovating a portion of the former Information Technology Department space within the Capitol	\$1,107,227	\$0	\$1,107,227
6. Provides one-time funding for equipment over \$5,000, which includes copy machines, steno machines, workstation systems, and other office equipment	\$22,500	\$0	\$22,500

District Court

7. Adds the following new FTE positions			
• 2 FTE clerk of district court I positions	\$422,059	\$0	\$422,059
• 13 FTE clerk of district court II positions	1,851,482	0	1,851,482
• 4 FTE district judge positions	1,603,148	0	1,603,148
• 4 FTE court reporter positions	669,951	0	669,951
• 1 FTE paralegal position	161,962	0	161,962
• 1 FTE law clerk position	175,114	0	175,114
• 1 FTE electronic court recorder position	142,422	0	142,422
Total	\$5,026,136	\$0	\$5,026,136
8. Provides funding for increases in payments to counties for providing clerk of court services	\$381,748	\$0	\$381,748
9. Provides funding for increases in operating expenses	\$887,110	(\$90,917)	\$796,193
10. Provides increased funding for juvenile court program services	\$332,340	\$0	\$332,340
11. Provides increased funding for maintenance costs for information technology	\$353,587	\$0	\$353,587
12. Provides one-time funding for a redundant information technology disaster recovery site	\$2,171,672	\$0	\$2,171,672
13. Provides one-time funding for equipment over \$5,000, which includes copy machines, steno machines, workstation systems, and other office equipment	\$338,500	\$0	\$338,500
14. Provides one-time funding for information technology equipment over \$5,000	\$1,023,000	\$0	\$1,023,000
15. Provides one-time funding for the replacement of the existing juvenile case management system	\$1,782,410	\$0	\$1,782,410
16. Provides one-time funding for the criminal justice information sharing criminal case e-filing initiation project	\$99,000	\$0	\$99,000

Judicial Conduct Commission and Disciplinary Board

17. Provides funding for increases in operating expenses	\$42,268	\$48,497	\$90,765
--	----------	----------	----------

Other Sections in Bill

Line item transfers - Section 4 requires the Director of the Office of Management and Budget and the State Treasurer to transfer funds between line items of appropriation for the judicial branch of government 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 for two additional district court judges in the South Central Judicial District, one additional district court judge in the Southwest Judicial District, and one additional district court judge in the Northwest Judicial District to be assigned pursuant to Article VI, Section 10, of the Constitution of North Dakota, and to be assigned to chambers by the Supreme Court.

Supreme Court justices' salaries - Section 6 provides the statutory changes increasing Supreme Court justices' salaries by 5 percent each year of the biennium. Supreme Court justices' annual salaries are increased from the current level of \$147,996 to \$155,396, effective July 1, 2015, and to \$163,166, effective July 1, 2016. The Chief Justice of the Supreme Court is entitled to receive an additional \$4,462 per annum effective July 1, 2015, and \$4,685 per annum effective July 1, 2016, an increase from the current additional amount for the Chief Justice of \$4,250 per annum.

District judges' salaries - Section 7 provides the statutory changes increasing district court judges' salaries by 5 percent each year of the biennium. District court judges' annual salaries are increased from the current level of \$135,611 to \$142,392, effective July 1, 2015, and \$149,511, effective July 1, 2016. A presiding judge of a judicial district is entitled to receive an additional \$4,113 per annum effective July 1, 2015, and \$4,319 per annum effective July 1, 2016, an increase from the current additional amount for presiding judges of \$3,917.

Continuing Appropriations

Restitution collection assistance fund - North Dakota Century Code Section 12.1-32-08 - This fund is used for defraying expenses incident to the collection of restitution through imposing a fee equal to the greater of \$10 or 25 percent of the amount of restitution ordered, not to exceed \$1,000.

Court facilities improvement and maintenance fund - Sections 27-05.2-08 and 29-26-22 - Funding from this fund may be used by the Court Facilities Improvement Advisory Committee to make grants to counties to provide funds for court facilities and improvement and maintenance projects. The source of these funds is a \$100 fee charged in all criminal cases except infractions. The first \$750,000 collected is used for indigent defense services, the next \$460,000 is used for court facilities, and additional collections are deposited equally into the two funds.

Court receivables fund - Section 27-05.2-04 - Any money received by the clerk which is not required to be deposited in the state general fund, a different special fund, or the county treasury, and which is received as bail or restitution, or otherwise received pursuant to an order of the court is deposited in this fund. Amounts are used for refunding bail, forwarding restitution amounts to entitled recipients, or otherwise making payments as directed by the court.

Significant Audit Findings

There are no significant audit findings for this agency.

Major Related Legislation

House Bill No. 1165 - Justice Reinvestment Study - Section 1 provides the Legislative Management shall study, in conjunction with representatives of the executive and judicial branches and other stakeholders, justice reinvestment reforms.

House Bill No. 1166 - District Court Chambers - Section 1 removes the limit providing a maximum of 70 percent of the chambers of district judges may be located in cities with a population of more than 10,000.

Senate Bill No. 2015 - Supreme Court Building - The bill provides one-time funding of \$40 million from the general fund for relocating the Supreme Court to the current Liberty Memorial Building.

Senate Bill No. 2116 - Pretrial Services Program Pilot Project - Section 1 provides the Department of Corrections and Rehabilitation may establish a pretrial services program pilot project in one or more judicial districts of the state during the 2015-17 biennium.

Senate Bill No. 2161 - Interdisciplinary Committee on Problem-Solving Courts - Section 1 provides for the creation of an interdisciplinary committee on problem-solving courts as a collaborative mechanism to acquire and analyze relevant information related to the need for and feasibility of establishing problem-solving courts.

Judicial Branch - Budget No. 180
House Bill No. 1002
Base Level Funding Changes

	Executive Budget Recommendation			
	FTE			
	Positions	General Fund	Other Funds	Total
2015-17 Biennium Base Level	363.00	\$97,133,117	\$2,175,589	\$99,308,706
2015-17 Ongoing Funding Changes				
Base payroll changes		\$1,372,073	\$230,398	\$1,602,471
Salary increase - Performance		3,000,284	3,239	3,003,523
Retirement increase		434,227		434,227
Health insurance increase		1,718,500		1,718,500
New FTE positions	28.00	5,408,844		5,408,844
Payments to contract counties for clerk of court services		381,748		381,748
Increases operating expense		1,158,484	(42,420)	1,116,064
Juvenile court program services		332,340		332,340
Information technology costs		413,070		413,070
Total ongoing funding changes	28.00	\$14,219,570	\$191,217	\$14,410,787
One-time funding items				
Information technology disaster recovery site		\$2,171,672		\$2,171,672
Equipment over \$5,000		361,000		361,000
Information technology equipment over \$5,000		1,023,000		1,023,000
Supreme Court facility space expansion		1,107,227		1,107,227
Juvenile case management system replacement		1,782,410		1,782,410
Criminal case e-filing initiation project		99,000		99,000
Total one-time funding changes	0.00	\$6,544,309	\$0	\$6,544,309
Total Changes to Base Level Funding	28.00	\$20,763,879	\$191,217	\$20,955,096
2015-17 Total Funding	391.00	\$117,896,996	\$2,366,806	\$120,263,802

Other Sections in House Bill No. 1002

	Executive Budget Recommendation
Line item transfers	Section 4 requires the Director of the Office of Management and Budget and the State Treasurer to transfer funds between line items of appropriation for the judicial branch of government 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 for two additional district court judges in the South Central Judicial District, one additional district court judge in the Southwest Judicial District, and one additional district court judge in the Northwest Judicial District to be assigned pursuant to section 10 of Article VI of the Constitution of North Dakota, and to be assigned to chambers by the Supreme Court.

Executive Budget Recommendation

Supreme Court justices' salaries

Section 6 provides the statutory changes increasing Supreme Court justices' salaries by 5 percent each year of the biennium. Supreme Court justices' annual salaries are increased from the current level of \$147,996 to \$155,396, effective July 1, 2015, and to \$163,166, effective July 1, 2016. The Chief Justice of the Supreme Court is entitled to receive an additional \$4,462 per annum effective July 1, 2015, and \$4,685 per annum effective July 1, 2016.

District judges' salaries

Section 7 provides the statutory changes increasing district court judges' salaries by 5 percent each year of the biennium. District court judges' annual salaries are increased from the current level of \$135,611 to \$142,392, effective July 1, 2015, and \$149,511, effective July 1, 2016. A presiding judge of a judicial district is entitled to receive an additional \$4,113 per annum effective July 1, 2015, and \$4,319 per annum effective July 1, 2016.