

**Judicial Branch
Budget No. 180
Senate Bill No. 2002, House Bill No. 1024**

	FTE Positions	General Fund	Other Funds	Total
2017-19 legislative appropriations	355.50	\$102,257,770	\$3,321,839	\$105,579,609
2017-19 base budget	391.00	101,591,134	2,366,806	103,957,940
Legislative increase (decrease) to base budget	(35.50)	\$666,636	\$955,033	\$1,621,669

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2017-19 legislative appropriations	\$102,257,770	\$0	\$102,257,770
2015-17 adjusted legislative appropriations	101,591,134	3,662,530	105,253,664
2017-19 legislative increase (decrease) to 2015-17 adjusted appropriations	\$666,636	(\$3,662,530)	(\$2,995,894)
Percentage increase (decrease) to 2015-17 adjusted appropriations	0.7%	(100.0%)	(2.8%)

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

Salaries and Wages

The Legislative Assembly did not include funding for employee salary increases.

Changes to Base Budget

	FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Judicial branch				
Added funding for base payroll changes for cost-to-continue 2015-17 biennium salaries and benefit increases and for other base payroll changes.		\$1,116,796	(\$151,757)	\$965,039
Added funding for employee health insurance premiums to reflect a revised premium rate of \$1,240.83 per month.		950,356		950,356
Adjusted funding for operating expenses.		514,621	(393,210)	121,411
Added one-time funding from Adjutant General loan proceeds for law enforcement costs relating to unlawful activity associated with the construction of the Dakota Access Pipeline (House Bill No. 1024).			1,500,000	1,500,000

Supreme Court

Removed 3.5 FTE positions (see FTE changes section for additional information).	(3.50)	(202,113)	(202,113)
Increased funding for information technology expenses.		40,608	40,608
Adjusted funding for judges retirement.		1,176	1,176

District Courts

Removed 32 FTE positions (see FTE changes section for additional information).	(32.00)	(2,801,754)	(2,801,754)
Increased funding for information technology expenses.		545,867	545,867
Adjusted funding for judges retirement.		(359)	(359)
Increased funding for payments to contract counties.		342,479	342,479
Restored funding for University of North Dakota central legal research, which was reduced due to the August 2016 budget reductions.		40,000	40,000
Restored funding for juvenile court services, which was reduced due to the August 2016 budget reductions.		74,234	74,234

Judicial Conduct Commission and Disciplinary Board

Restored funding for Judicial Conduct Commission salaries and wages, which was reduced due to the August 2016 budget reductions.		44,725	44,725
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Total	<u>(35.50)</u>	<u>\$666,636</u>	<u>\$955,033</u>	<u>\$1,621,669</u>
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FTE Changes

The 2017-19 biennium appropriation includes funding for 355.5 FTE positions, a decrease of 35.5 FTE positions from the 2015-17 biennium authorized level of 391 FTE positions. The Legislative Assembly removed:

- 2 FTE Supreme Court administrative assistants
- 1 FTE Supreme Court law library assistant
- 0.5 FTE Supreme Court deputy clerk
- 3 FTE referees
- 3 FTE court recorders
- 2 FTE calendar control clerks
- 2 FTE district court administrative assistants
- 1 FTE assistant district court administrator

- 3 FTE juvenile court administrative assistants
- 8 FTE juvenile court officers
- 3 FTE law clerks
- 3 FTE deputy clerks
- 1 FTE citizen access paralegal
- 1 FTE assistant state court administrator
- 1 FTE technology support specialist
- 1 FTE technology coordinator

One-Time Funding

House Bill No. 1024 included one-time funding of \$1.5 million from Adjutant General loan proceeds for judicial branch costs relating to unlawful activity associated with the construction of the Dakota Access Pipeline.

Other Sections in Senate Bill No. 2002

Health insurance increase - Section 2 identifies the amount of funding included in the bill for the increase in employee health insurance premiums.

Additional income - Section 4 provides that in addition to the amount appropriated as special funds, any other income received pursuant to federal acts and private 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 2017-19 biennium.

Transfers - Section 5 authorizes the Director of the Office of Management and Budget and the State Treasurer to 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 perform the functions of the judicial branch of government.

University of North Dakota central legal research - Matching funds - Section 6 provides that the \$40,000 appropriated from the general fund for University of North Dakota central legal research may not be spent until the Chief Justice of the Supreme Court certifies to the Office of Management and Budget that \$40,000 in matching funds from nonstate sources have been provided to University of North Dakota for central legal research.

Legislative Management study of judicial branch fees - Section 7 provides for a Legislative Management study of fees charged by the judicial branch, including fees charged by the clerk of district court.

Related Legislation

House Bill No. 1060 - Requires background checks for guardians ad litem who provide direct services to youth.

House Bill No. 1095 - Amends sections relating to guardianship and conservatorship proceedings.

House Bill No. 1222 - Creates law relating to the process for seeking a sexual assault restraining order.

Senate Bill No. 2015 - Creates law relating to the management of inmate population and a community behavioral health program, provides for a Legislative Management study of criminal justice system behavioral health needs, provides for a departmental study of the Youth Correctional Center, and creates the Justice Reinvestment Oversight Committee.

Senate Bill No. 2098 - Creates law relating to disclosure of juvenile court records in order to refer the juvenile to certain programming.

Senate Bill No. 2169 - Creates law relating to the recognition of foreign-country money judgments.

Senate Bill No. 2170 - Creates law relating to the uniform recognition and enforcement of Canadian protection orders.

Senate Bill No. 2309 - Creates law relating to a domestic violence court pilot project and amends law relating to protection orders.

Senate Concurrent Resolution No. 4003 - Provides for a study of the current juvenile justice process, levels of collaboration among various service systems, implementation of dispositional alternatives, and methods for improving outcomes for juveniles involved in the process.