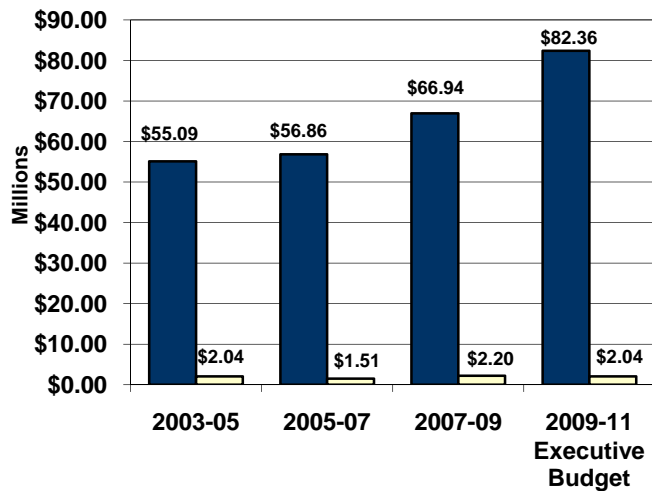


**Department 180 - Judicial Branch**  
**Senate Bill No. 2002**

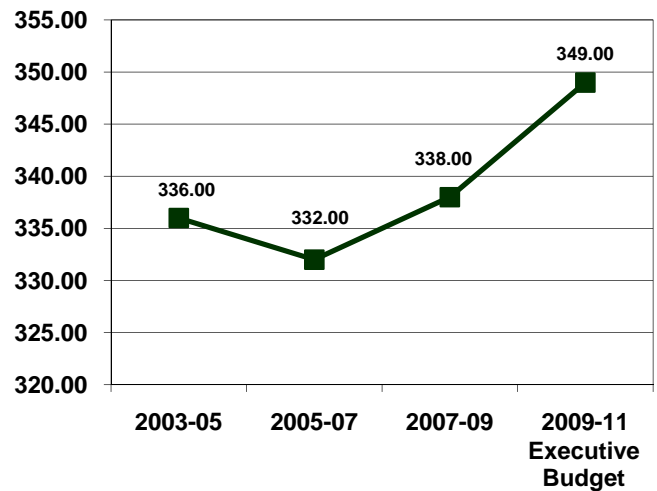
	FTE Positions	General Fund	Other Funds	Total
2009-11 Executive Budget	349.00	\$82,362,546	\$2,044,807	\$84,407,353
2007-09 Legislative Appropriations	338.00	66,935,878	2,199,640	69,135,518 <sup>1</sup>
Increase (Decrease)	11.00	\$15,426,668	(\$154,833)	\$15,271,835

<sup>1</sup>The 2007-09 appropriation amounts do not include \$20,750 of additional special funds carryover authority.

**Agency Funding**



**FTE Positions**



■ General Fund □ Other Funds

**Ongoing and One-Time General Fund Appropriations**

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2009-11 Executive Budget	\$74,107,205	\$8,255,341	\$82,362,546
2007-09 Legislative Appropriations	65,445,128	1,490,750	66,935,878
Increase (Decrease)	\$8,662,077	\$6,764,591	\$15,426,668

**First House Action**

Attached is a summary of first house changes.

**Executive Budget Highlights  
 (With First House Changes in Bold)**

	General Fund	Other Funds	Total
<b>Supreme Court</b>			
1. Provides funding for a 5 percent salary increase for Supreme Court justices for each year of the biennium	\$120,009		\$120,009
2. Adds funding for 1 FTE staff attorney position (\$172,663) and related operating expenses (\$2,300). <b>The Senate removed this FTE position and related funding.</b>	\$174,963		\$174,963
3. Provides <b>one-time funding</b> for equipment over \$5,000	\$6,000		\$6,000
4. Provides <b>one-time funding</b> for information technology equipment over \$5,000	\$6,549		\$6,549
<b>District Court</b>			
5. Provides funding for a 5 percent salary increase for district court judges for each year of the biennium	\$882,803		\$882,803
6. Adds funding for 10 FTE positions (\$1,185,293) and related operating expenses (\$43,000). The FTE positions include: <ul style="list-style-type: none"> <li>Four FTE technology coordinator positions - <b>The Senate removed these FTE positions but retained the funding of</b></li> </ul>	\$1,228,293		\$1,228,293

**\$473,484 to allow the agency to use contractors or temporary employees.**

- One FTE family court coordinator position - **The Senate removed this FTE position and related funding.**
- Three FTE deputy clerk of court positions (Burleigh, Cass, and Williams Counties) - **The Senate removed these FTE positions and related funding.**
- Two FTE law clerk positions (East Central and South Central Districts). **The Senate removed these FTE positions and related funding.**

7. Removes one-time funding provided to the judicial branch for the 2007-09 biennium	(\$1,490,750)	(\$1,490,750)
8. Decreases funding for the mediation project	(\$284,788)	(\$284,788)
9. Provides <b>one-time funding</b> for the unified court information system replacement project	\$7,258,129	\$7,258,129
10. Provides <b>one-time funding</b> for a management reserve fund for the unified court information system replacement project	\$600,000	\$600,000
11. Provides <b>one-time funding</b> for equipment over \$5,000	\$282,124	\$282,124
12. Provides <b>one-time funding</b> for information technology equipment over \$5,000	\$102,539	\$102,539
13. Increases funding for payments to contract counties providing clerk of district court services	\$287,417	\$287,417
14. Increases funding for juvenile services	\$246,084	\$246,084
15. Provides funding for rental property for the Information Technology Division	\$289,000	\$289,000

### **Other Sections in Bill**

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 Judicial Conduct Commission and Disciplinary Board is appropriated for the purposes designated for the 2009-11 biennium.

Section 3 provides that the director of the Office of Management and Budget and the State Treasurer may 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.

Section 4 provides the statutory changes increasing Supreme Court justices' salaries. Supreme Court justices' annual salaries are increased from the current level of \$118,121 to \$124,027, effective July 1, 2009, and to \$130,228, effective July 1, 2010. The Chief Justice of the Supreme Court is entitled to receive an additional \$3,562 per annum effective July 1, 2009, and \$3,740 per annum effective July 1, 2010, an increase from the current additional amount for the Chief Justice of \$3,392 per annum.

Section 7 provides the statutory changes increasing district court judges' salaries. District court judges' annual salaries are increased from the current level of \$108,236 to \$113,648, effective July 1, 2009, and \$119,330, effective July 1, 2010. A presiding judge of a judicial district is entitled to receive an additional \$3,282 per annum effective July 1, 2009, and \$3,447 per annum effective July 1, 2010, an increase from the current additional amount for presiding judges of \$3,126.

### **Continuing Appropriations**

**Restitution collection assistance fund** - North Dakota Century Code (NDCC) Section 12.1-32-08 - This fund was established 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.

**Court facilities improvement and maintenance fund** - NDCC 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** - NDCC 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.

### **Major Related Legislation**

**Senate Bill No. 2042** - This bill establishes a parenting coordinator program and requires that a parenting plan be developed and filed with the court.

**Senate Bill No. 2118** - This bill increases compensation to jurors for the first day of required attendance at sessions of the district court.

**Senate Bill No. 2121** - This bill provides an appropriation of \$875,094 from the general fund to the judicial branch to establish two additional district court judgeships.

ATTACH:1