

**Judicial Branch
Budget No. 180
House Bill No. 1002**

	FTE Positions	General Fund	Other Funds	Total
2011-13 executive budget (bills as introduced)	346.00	\$84,499,273	\$2,182,274	\$86,681,547
2011-13 legislative appropriations	344.00	83,482,362	2,182,274	85,664,636
Legislative increase (decrease) to executive budget	(2.00)	(\$1,016,911)	\$0	(\$1,016,911)
Legislative increase (decrease) to 2009-11 appropriations	2.00	\$892,347	\$137,467	\$1,029,814

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2009-11 legislative appropriations	\$74,282,634	\$8,307,381	\$82,590,015
2011-13 legislative appropriations	82,580,882	901,480	83,482,362
2011-13 legislative increase (decrease) to 2009-11 appropriations	\$8,298,248	(\$7,405,901)	\$892,347
Percentage increase (decrease) to 2009-11 appropriations	11.2%	(89.1%)	1.1%
2011-13 legislative increase (decrease) to executive budget	(\$796,411)	(\$220,500)	(\$1,016,911)
Percentage increase (decrease) to executive budget	(1.0%)	(19.7%)	(1.2%)

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 Senate Bill No. 2015.

	FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Supreme Court changes:				
Reduced funding for justices' salary increases from 5 percent to 3 percent for each year of the biennium.		(\$49,276)		(\$49,276)
Reduced funding for judges' retirements.		(2,857)		(2,857)
Reduced funding for equipment over \$5,000.		(2,500)		(2,500)
Reduced funding for operating expenses of the Commission to Study Racial and Ethnic Bias in the Courts.		(40,000)		(40,000)

District Court changes:

Reduced funding for judges' salary increases from 5 percent to 3 percent for each year of the biennium.		(396,891)		(396,891)
Reduced funding for judges' retirements.		(14,195)		(14,195)
Reduced funding for work assessment and weighted caseload studies to provide a total of \$200,000.		(100,000)		(100,000)
Removed funding for a disaster recovery study.		(100,000)		(100,000)
Reduced funding for information technology equipment to provide a total of \$516,480.		(18,000)		(18,000)
Removed funding for 1 FTE juvenile court officer position and 1 FTE deputy clerk position.	(2.00)	(293,192)		(293,192)

Judicial Conduct Commission changes:

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

Total		<u>(2.00)</u>	<u>(\$1,016,911)</u>	<u>\$0</u>	<u>(\$1,016,911)</u>
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FTE Changes

The 2011-13 biennium appropriation includes funding for 344 FTE positions, an increase of 2 FTE positions from the 2009-11 biennium authorized level of 342 FTE positions. The Legislative Assembly removed 1 FTE deputy clerk position and 1 FTE juvenile court officer position included in the executive recommendation. The Legislative Assembly did not change the executive recommendation to add 1 FTE law clerk position and 1 FTE juvenile court officer position.

One-Time Funding

In Section 6 of House Bill No. 1002 the Legislative Assembly identified \$901,480 from the general fund as one-time funding, of which \$200,000 is for studies on work assessment and racial and ethnic bias in the courts, \$185,000 is for office equipment and furniture, and \$516,480 is for information technology equipment. This amount is not to be considered part of the agency's 2013-15 biennium base budget, and the judicial branch is to report to the Appropriations Committees during the 2013 legislative session on the use of this funding.

Other Sections in Bill

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 2011-13 biennium.

Transfers - Section 3 provides that the director of the Office of Management and Budget 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.

Supreme Court justices' salaries - Section 4 provides the statutory changes relating to salaries of justices of the Supreme Court. The Legislative Assembly authorized 2011-13 biennium increases of 3 percent effective July 1, 2011, and 3 percent effective July 1, 2012. Supreme Court justices' annual salaries are increased from the current level of \$130,228 to \$134,135, effective July 1, 2011, and to \$138,159 effective July 1, 2012. The Chief Justice of the Supreme Court is entitled to receive an additional \$3,852 per annum effective July 1, 2011, and \$3,968 per annum effective July 1, 2012, an increase from the current additional amount for the Chief Justice of \$3,740 per annum.

District judges' salaries - Section 5 provides the statutory changes relating to salaries and expenses of district court judges. The Legislative Assembly authorized 2011-13 biennium increases of 3 percent effective July 1, 2011, and 3 percent effective July 1, 2012. District court judges' annual salaries are increased from the current level of \$119,330 to \$122,910, effective July 1, 2011, and to \$126,597, effective July 1, 2012. A presiding judge of a judicial district is entitled to receive an additional \$3,550 per annum effective July 1, 2011, and \$3,657 per annum effective July 1, 2012, an increase from the current additional amount for presiding judges of \$3,447.

Related Legislation

House Bill No. 1108 extends the temporary court of appeals through January 1, 2016. House Bill No. 1002 includes an appropriation of \$33,000 for costs associated with the temporary court of appeals.

House Bill No. 1269 allows state courts to provide certain information regarding civil commitment proceedings to the Bureau of Criminal Investigation to verify if an individual is eligible to purchase and possess weapons.