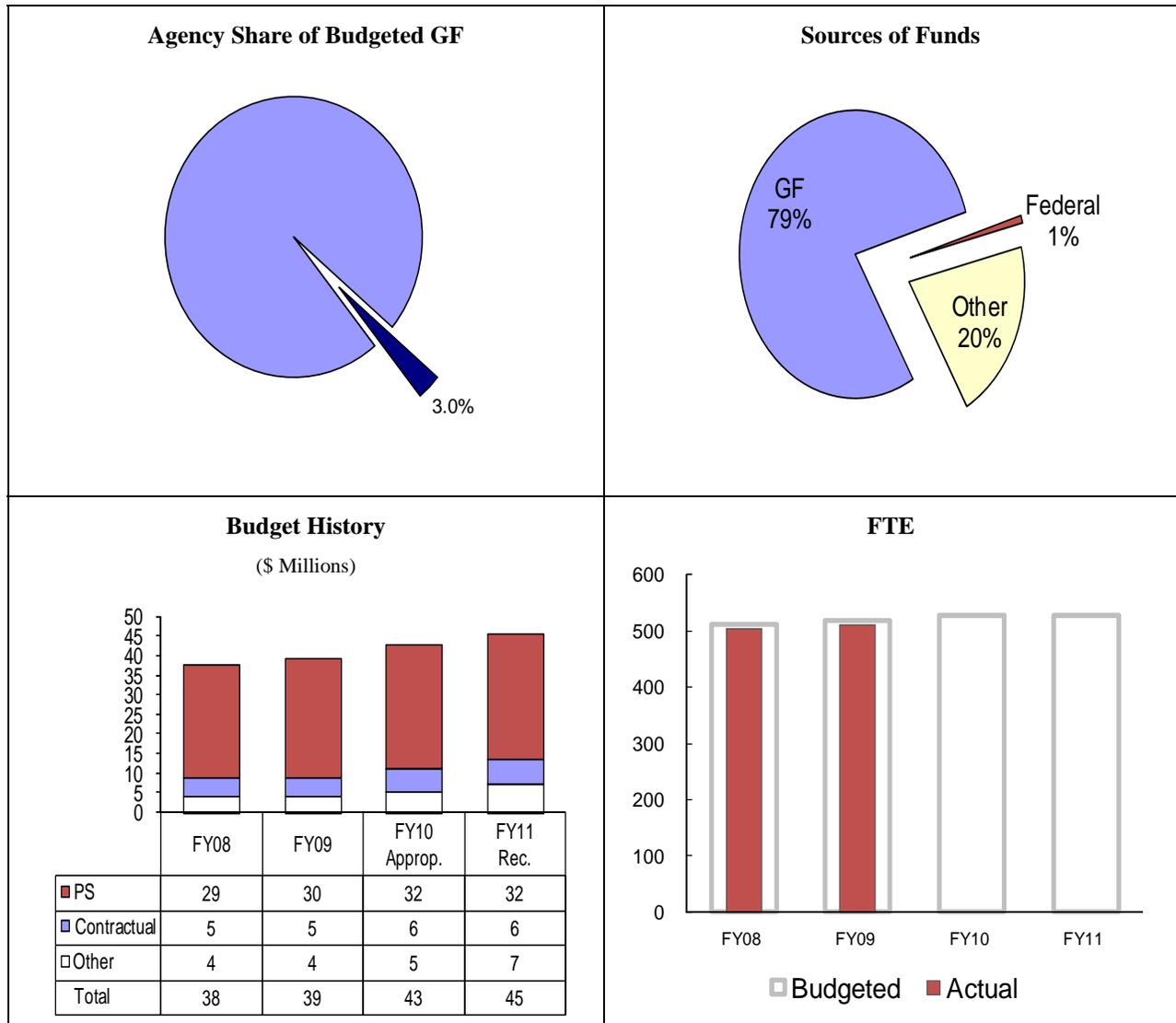


FY11 Budget Briefing

Unified Judicial System



Key Responsibilities

- To provide timely and equitable administration of justice.

Key Personnel

- Chief Justice David Gilbertson
- Patricia Duggan, State Court Administrator
- Janet Borchard, Director of Budget and Finance

Unified Judicial System Total

The Governor recommends a total appropriation of \$45,403,385 and 527.4 FTEs for the Unified Judicial System. This dollar amount consists of \$35,681,213 from the general fund, \$393,539 in federal funds, and \$9,328,633 in other funds. The recommendation is an increase of \$2,527,827 (5.9%) from FY 2010 with the recommended appropriation from the general fund increasing \$362,504 (1.0%), in federal funds \$770 (0.2%), and in other funds \$2,164,553 (30.2%). The recommended FTEs are the same as FY 2010.

Item	Actual FY09	Budgeted FY10	Agency Req. FY11	Gov Rec. FY11	Inc/Dec FY11	% Change From FY10
Personal Services	30,389,102	31,740,641	32,289,677	31,932,849	192,208	0.6%
Travel	772,278	1,139,539	1,172,069	1,172,069	32,530	2.9%
Contractual Services	4,764,245	6,017,080	6,129,808	6,327,808	310,728	5.2%
Supplies & Materials	679,137	801,268	803,268	803,268	2,000	0.2%
Grants And Subsidies	1,503,152	1,909,242	1,940,278	1,909,242	-	0.0%
Capital Outlay	976,869	1,252,974	3,726,385	3,243,335	1,990,361	158.9%
Other	-	14,814	14,814	14,814	-	0.0%
Total	39,084,783	42,875,558	46,076,299	45,403,385	2,527,827	5.9%
Funding Types						
General	34,523,037	35,318,709	38,756,482	35,681,213	362,504	1.0%
Federal	220,532	392,769	392,769	393,539	770	0.2%
Other	4,341,214	7,164,080	6,927,048	9,328,633	2,164,553	30.2%
Total	39,084,783	42,875,558	46,076,299	45,403,385	2,527,827	5.9%
FTE	510.9	527.4	539.3	527.4	-	0.0%

Salary Policy

The Governor recommends no salary policy for FY 2011.

	General Funds	Federal Funds	Other Funds	Total
0% PACE Movement	-	-	-	-
0% Across-the-Board	-	-	-	-
Health Insurance	182,889	770	8,549	192,208
Total	182,889	770	8,549	192,208

Excess Personal Services History

Amount appropriated for personal services that exceeded personal services needs.

	General Funds	Federal Funds	Other Funds	All Funds	FTE
FY09	597,910	(18,703)	269,876	849,083	7.5
FY08	356,223	18,205	387,660	762,088	7.9
FY07	395,640	21,972	229,943	647,555	7.3
FY06	305,720	18,198	232,496	556,414	6.1
FY05	165,728	20,334	178,685	364,746	2.5
5 Yr Ave.	364,244	12,001	259,732	635,977	6.3

Department's FY10 Highest Priorities

- Technology Upgrade
 - Transition to new case management system
- Court Performance
 - Standards for effectiveness and efficiency
 - Improving public trust and confidence, outreach
 - Expanding orientation programs for new judges, staff
- Succession Planning
 - Gap analysis: long term staffing needs
 - Increasing competency via education & development.
- Continue needs assessment work via Planning & Administrative Advisory Council (PAAC).

<u>REVENUES</u>				
	Actual	Actual	Estimated	Estimated
	FY08	FY09	FY10	FY11
Supreme Court Filing Fees	8,050	8,350	8,300	8,300
Attorney Admission Certificate Fees	920	1000	1,000	1,000
Marriage Fees	18,280	16,800	17,000	17,000
Passport Fees	67,510	34,475	30,000	30,000
NSF Charges	11,284	10,735	11,000	11,000
35% of Municipal Fines	433,730	412,441	415,000	415,000
Copies of Opinions and Miscellaneous	2,221	1,583	1,500	1,500
Court Automation Surcharge	2,240,118	2,156,419	2,156,419	4,312,839
Fax Fees	23,392	25,547	25,000	25,000
Victim Compensation 3% Admin.	9,454	9,836	10,000	10,000
Interest Earned (3012)	54,663	92,979	100,000	50,000
Information Request	6138	10,503	10,000	10,000
Nonresident Attorney	15,100	18,300	17,000	17,000
Search Fees	1,895,067	1,868,758	1,868,758	1,868,758
Judgment Searches	143,721	140,188	140,000	140,000
Supreme Court Automation Fee	4,025	4,175	4,000	4,000
CD - Transcripts	150	150	100	100
CASA Revenue	256,442	251,254	255,000	255,000
Interest Earned - CASA	6,335	7,246	7,000	7,000
Board of Bar Examiners/Application Fees	39,300	45,125	43,700	43,700
Interest Earned - Board of Bar Examiners	3,199	4,420	3,500	3,500
Drug Screening/Electronic Monitoring Fees	23,995	24,467	25,000	25,000
Interest Earned - Drug Screening	432	229	500	500
Victim Compensation Surcharge	327,855	313,169	320,000	320,000
Liquidated Costs	5,101,649	5,028,560	5,028,560	5,028,560
Total	10,693,030	10,486,709	10,498,337	12,604,757

Major Expansions and Reductions

		Governor's Recommendation		
		State General Fund	All Funds	FTE
Program				
A.	Judicial Training			
	-Operating Expenses	-	70,530	
B.	Circuit Courts Operation			
	-Operating Expenses	59,217	299,217	
C.	Clerks of Court Operations			
	-Operating Expenses	74,616	74,616	
D.	Court Services Operations			
	-Operating Expenses	45,782	45,782	
E.	Information & Technology			
	-Operating Expenses	-	1,845,474	
	Health Insurance	182,889	192,208	
Total		362,504	2,527,827	-

Budget Notes

A. Judicial Training

- The Governor recommends an increase of \$18,530 in other fund expenditure authority for travel. The UJS will be purchasing a new case management system which will greatly impact the training budget. The new Case Management System will replace UJS computer systems such as: Criminal Justice Information, Judicial Accounting, Adult and Juvenile Probation, Demographic, Civil, Protection Order, Case Scheduling, and Calendaring. Because the system will encompass all areas of business within the circuit courts, the majority of UJS employees will utilize the system and need to attend training, including judges, clerks of court, deputy clerks of court, court services officers, support staff, information and technology staff and others. This increase will be paid from the court automation fund.
- The Governor also recommends an increase of \$52,000 in other fund expenditure authority for contractual services. This increase consists of: 1) \$2,000 for an education and training consultant to present an on-line training program for UJS IT staff to be paid from the court automation fund; and, 2) \$50,000 for workshop registration fees to pay a contract with the National Center for State Courts to conduct a Court Management Program (CMP) for twenty UJS employees. The CMP combines elements of leadership, management techniques, and specific court issues in a program that provide participants with necessary knowledge, skills, and abilities to achieve their goals as court leaders. Specifically, courses are provided in the areas of: Court Performance Standards, Case Flow Management, Managing Court Financial Resources, Managing Human Resources, Managing Technology Projects and Resources, and Leadership. The UJS has successfully completed this program in the past in partnership with North Dakota at a substantially reduced cost compared to sending individual employees out of state to receive the equivalent training. This increase will be funded from the Law Enforcement Officer's Training fund.

B. Circuit Courts Operation

- The Governor recommends an increase of \$240,000 in other fund expenditure authority for contractual services. The Department of Social Services is estimating an increase in the number of petitions for child support modification due to rising case numbers and a change in the basic child support guidelines as amended by the Legislature effective July 1, 2009.
- The Governor also recommends an increase of \$59,217 in general fund expenditure authority for capital outlay. This increase is for the purchase of new or replacement equipment in 5 counties where court is held throughout the state, however, they are primarily for the 4th circuit courthouse renovations in Meade County. This increase includes the purchase of: office machines for \$2,100, office furniture and fixtures for \$26,039, telephone equipment for \$25,400, and audio-visual equipment for \$5,678.

C. Clerks of Court Operations

- The Governor recommends an increase of \$74,616 in general fund expenditure authority for capital outlay. This increase is for the purchase of new or replacement equipment in 5 counties where court is held throughout the state, however, they are primarily for the 4th circuit courthouse renovations in Meade County. This increase includes the purchase of: office machines for \$1,000, filing equipment for \$28,662, and office furniture and fixtures for \$44,954.

D. Court Services Operations

- The Governor recommends an increase of \$45,782 in general fund expenditure authority for capital outlay. This increase is for the purchase of new or replacement equipment in 5 counties where court is held throughout the state, however, they are primarily for the 4th circuit courthouse renovations in Meade County. This increase includes the purchase of: office machines for \$1,500, filing equipment for \$7,847, and office furniture and fixtures for \$36,435.

E. Information & Technology

- The Governor recommends an increase of \$14,000 in other fund expenditure authority for in-state administrative travel costs. UJS is requesting funding for travel expenses for the Technology Committee and IT Maintenance Committee. These committees are representative of the various users within the UJS and meet numerous times each year to steer the direction of technology projects. Due to the purchase of a new case management system, UJS anticipates an increase in expenses for mileage, meals, and lodging costs.
- The Governor also recommends an increase of \$18,728 in other fund expenditure authority for contractual services. This increase is based on net changes to various contractual service line items based upon usage and projected costs.
- The Governor also recommends an increase of \$2,000 in other fund expenditure authority for materials and supplies. The UJS anticipates an increase in the number of pro se litigants forms that will need to be printed.
- The Governor also recommends an increase of \$1,810,746 in other fund expenditure for capital outlay. This increase is for the purchase of: office furniture and fixtures for \$17,760; audio visual equipment for \$43,000; computer software including general software needs, citrix, civil case scanning, REAL time court reporting, disaster recovery, and maintenance office software for \$13,500; and computer software for a new case management system for \$1,736,486.

State Bar Association--Informational

The Governor recommends a total appropriation of \$533,322 from other funds and 3.0 FTEs for the State Bar Association, which is an informational budget. This is the same as FY 2010.

Item	Actual FY09	Budgeted FY10	Agency Req. FY11	Gov Rec. FY11	Inc/Dec FY11	% Change From FY10
Personal Services	-	198,633	198,633	198,633	-	0.0%
Travel	-	153,758	153,758	153,758	-	0.0%
Contractual Services	-	141,170	141,170	141,170	-	0.0%
Supplies & Materials	-	24,947	24,947	24,947	-	0.0%
Grants And Subsidies	-	-	-	-	-	0.0%
Capital Outlay	-	-	-	-	-	0.0%
Other	-	14,814	14,814	14,814	-	0.0%
Total	-	533,322	533,322	533,322	-	0.0%
Funding Types						
General	-	-	-	-	-	0.0%
Federal	-	-	-	-	-	0.0%
Other	-	533,322	533,322	533,322	-	0.0%
Total	-	533,322	533,322	533,322	-	0.0%
FTE	-	3.0	3.0	3.0	-	0.0%

Unified Judicial System (excluding State Bar)

Item	Actual FY09	Budgeted FY10	Agency Req. FY11	Gov Rec. FY11	Inc/Dec FY11	% Change From FY10
Personal Services	30,389,102	31,542,008	32,091,044	31,734,216	192,208	0.6%
Travel	772,278	985,781	1,018,311	1,018,311	32,530	3.3%
Contractual Services	4,764,245	5,875,910	5,988,638	6,186,638	310,728	5.3%
Supplies & Materials	679,137	776,321	778,321	778,321	2,000	0.3%
Grants And Subsidies	1,503,152	1,909,242	1,940,278	1,909,242	-	0.0%
Capital Outlay	976,869	1,252,974	3,726,385	3,243,335	1,990,361	158.9%
Other	-	-	-	-	-	0.0%
Total	39,084,783	42,342,236	45,542,977	44,870,063	2,527,827	6.0%
Funding Types						
General	34,523,037	35,318,709	38,756,482	35,681,213	362,504	1.0%
Federal	220,532	392,769	392,769	393,539	770	0.2%
Other	4,341,214	6,630,758	6,393,726	8,795,311	2,164,553	32.6%
Total	39,084,783	42,342,236	45,542,977	44,870,063	2,527,827	6.0%
FTE	510.9	524.4	536.3	524.4	-	0.0%

Supreme Court

The highest legal institution in the State, the Supreme Court is composed of five justices and renders timely appellate decisions. The Court also establishes policy and rules for the proper operation and accountability of the Unified Judicial System, which includes the circuit courts and court administrators.

For FY 2011, the Governor recommends a total appropriation of \$2,474,885 for the Supreme Court which includes \$2,411,247 from the general fund and \$63,638 from other funds. This is an increase from FY 2010 in general funds of \$7,338 (0.3%) and in other funds of \$116 (0.2%). The recommended FTEs are the same as FY 2010.

	Actual	Budgeted	Agency Req.	Gov Rec.	Inc/Dec	% Change
Item	FY09	FY10	FY11	FY11	FY11	From FY10
Personal Services	1,674,262	1,748,876	1,748,876	1,756,330	7,454	0.4%
Travel	43,200	49,960	49,960	49,960	-	0.0%
Contractual Services	400,986	453,926	453,926	453,926	-	0.0%
Supplies & Materials	63,550	74,942	74,942	74,942	-	0.0%
Grants And Subsidies	-	-	-	-	-	0.0%
Capital Outlay	186,087	139,727	190,529	139,727	-	0.0%
Other	-	-	-	-	-	0.0%
Total	2,368,085	2,467,431	2,518,233	2,474,885	7,454	0.3%
Funding Types						
General	2,312,422	2,403,909	2,454,711	2,411,247	7,338	0.3%
Federal	-	-	-	-	-	0.0%
Other	55,663	63,522	63,522	63,638	116	0.2%
Total	2,368,085	2,467,431	2,518,233	2,474,885	7,454	0.3%
FTE	19.9	21.0	21.0	21.0	-	0.0%

Budget Notes

- The Governor's recommended increase in the employer paid portion of the state health insurance plan is \$7,338 in general fund expenditure authority, and \$116 in other fund expenditure authority.

<u>SELECTED STATISTICAL DATA</u>				
	Actual FY08	Actual FY09	Estimated FY10	Estimated FY11
SUPREME COURT:				
Filings:				
Civil Appeals	197	215	215	215
Criminal Appeals	82	96	95	95
Petitions for Intermediate Appeal	29	20	30	30
Notices of Review	12	16	20	20
Original Proceedings	18	25	30	30
Appl. for Certificate of Probable Cause	24	20	20	20
Oral Arguments (Actions/Submissions)	63/69	57/63	60/80	60/80
Cases Submitted on Briefs (Actions/Submissions)	144/155	140/150	140/150	140/150
Dispositions:				
Opinions Filed (Actions/Submissions)	120/140	130/141	120/140	120/140
Orders of Dismissal (Actions/Submissions)	80/80	93/93	90/90	90/90
Other Dispositions	67	70	70	70
Summary Dispositions	75	92	90	90
Administrative:				
Hearings on Rules and Related Matters	2	3	2	2
Internal Procedure Rules Adopted or Amended	2	3	4	4
Supreme Court Rules Adopted or Amended	11	12	30	30
Administrative Conferences	22	25	26	26
Judicial:				
Orders, Writs, and Judgments Entered	1,085	1,095	1,100	1,100
Review of Bar Applicants	88	97	100	100
Case Conference	27	27	27	27
Legal Research:				
Appeals Screened	362	392	400	400
Cases Briefs Were Received In	210	213	225	225
Per Curiam Assigned	42	43	50	50
Circuit Judge Opinions Issued	17	6	20	20
Law Library:				
Volumes Updated	1,000	1,000	1,000	1000
Volumes Weeded	200	200	1200	1200
Bar Admissions:				
Applications Processed	120	125	130	130
Bar Inquiries Answered	1,300	1,300	1,300	1300

Judicial Qualifications Commission

This constitutional commission, mentioned in Article V § 9 of the Constitution and authorized by chapter 16-1A, holds justices and judges accountable for their conduct by investigating complaints and holding hearings. The commission also makes recommendations to the Supreme Court regarding its findings. The Governor receives recommendations from the commission about the filling of judicial vacancies. The commission is comprised of seven members: two circuit judges appointed by the judicial conference, three practicing lawyers appointed by the State Bar president, and two citizens appointed by the Governor.

The Governor recommends a total general fund appropriation of \$30,703 for the Judicial Qualifications Commission. The recommendation is the same as FY 2010.

Item	Actual	Budgeted	Agency Req.	Gov Rec.	Inc/Dec	% Change
	FY09	FY10	FY11	FY11	FY11	From FY10
Personal Services	646	6,017	6,017	6,017	-	0.0%
Travel	2,367	3,600	3,600	3,600	-	0.0%
Contractual Services	16,822	19,986	19,986	19,986	-	0.0%
Supplies & Materials	786	1,100	1,100	1,100	-	0.0%
Grants And Subsidies	-	-	-	-	-	0.0%
Capital Outlay	-	-	-	-	-	0.0%
Other	-	-	-	-	-	0.0%
Total	20,621	30,703	30,703	30,703	-	0.0%
Funding Types						
General	20,621	30,703	30,703	30,703	-	0.0%
Federal	-	-	-	-	-	0.0%
Other	-	-	-	-	-	0.0%
Total	20,621	30,703	30,703	30,703	-	0.0%
FTE	-	-	-	-	-	0.0%

SELECTED STATISTICAL DATA				
	Actual	Actual	Estimated	Estimated
	FY08	FY09	FY10	FY11
JUDICIAL QUALIFICATIONS COMMISSION:				
Oral Complaints/Inquiries	4	5	5	5
Formal Written Complaints Received	34	27	27	27
Investigations of Complaints	34	27	27	27
Hearings	34	27	27	27
Telephone Conferences	4	3	3	3
Applicant Hearings (Judges Vacancies)	1	4	2	2
Applicants Interviewed	12	40	20	20
Investigation of Applicants	12	41	20	20

Court Administrator's Office

The Court Administrator's Office provides the Supreme Court and the circuit courts with support relating to: (1) budget and financial support services; (2) personnel and training support services; (3) planning, direction, and coordination to achieve the uniform organization development, maintenance, and evaluation of juvenile, misdemeanor, and felony presentence investigation and assessments, recommended probation treatment plans, and the implementation of probation treatment services; intensive probation supervision programs; interstate compact for probation administration; juvenile preliminary investigations; diversion programs; volunteer services, caseload management, and victim restitution programs; community based juvenile services; and court services professional development programs; and (4) statewide computerized management information system relating to caseload, case flow, offender-based analysis, and other related information and reports necessary to support the administration and evaluation functions of the UJS.

For FY 2011, the Governor recommends a total appropriation of \$1,984,618 for the Court Administrator's Office, which includes \$1,674,288 from the general fund and \$310,330 from federal funds. This is an increase from FY 2010 in general funds of \$6,430 (0.4%) and in federal funds of \$330 (0.1%). The recommended FTEs are the same as FY 2010.

	Actual	Budgeted	Agency Req.	Gov Rec.	Inc/Dec	% Change
Item	FY09	FY10	FY11	FY11	FY11	From FY10
Personal Services	1,340,318	1,303,325	1,303,325	1,310,085	6,760	0.5%
Travel	42,042	47,081	47,081	47,081	-	0.0%
Contractual Services	187,396	386,468	486,468	386,468	-	0.0%
Supplies & Materials	37,443	38,500	38,500	38,500	-	0.0%
Grants And Subsidies	148,252	190,000	190,000	190,000	-	0.0%
Capital Outlay	3,788	12,484	24,165	12,484	-	0.0%
Other	-	-	-	-	-	0.0%
Total	1,759,239	1,977,858	2,089,539	1,984,618	6,760	0.3%
Funding Types						
General	1,595,733	1,667,858	1,779,539	1,674,288	6,430	0.4%
Federal	163,506	310,000	310,000	310,330	330	0.1%
Other	-	-	-	-	-	0.0%
Total	1,759,239	1,977,858	2,089,539	1,984,618	6,760	0.3%
FTE	18.8	19.0	19.0	19.0	-	0.0%

Budget Notes

- The Governor's recommended increase in the employer paid portion of the state health insurance plan is \$6,430 in general fund expenditure authority, and \$330 in federal fund expenditure authority.

SELECTED STATISTICAL DATA				
	Actual	Actual	Estimated	Estimated
	FY08	FY09	FY10	FY11
COURT ADMINISTRATOR'S OFFICE:				
Budget and Finance:				
Direct and Noncash Vouchers Processed	9,087	9,018	9,010	9,010
Payrolls Processed	24	24	24	24
Longevity Payrolls Processed	24	24	24	24
Requisitions Processed	372	302	300	300
Cash Receipts Processed	128	124	120	120
Journal Vouchers Processed	55	66	70	70
Monthly Accounting Reports Received	1,356	1,356	1,356	1,356
New Clerks Accounting Training Sessions	12	12	12	12
Personnel and Training:				
Positions Terminated/Advertised/Filled	84/80/101	79/65/68	90/75/100	90/75/100
Position Applications Processed	1,957	2,076	2,000	2,000
Travel Requests Processed	144	92	120	130

Judicial Training

Judicial Training works to provide awareness of and access to quality education and training programs on a national, state, and local level to judicial and non-judicial personnel of the UJS; and to meet the judicial education standards set by the Supreme Court for judicial personnel.

For FY 2011, the Governor recommends a total other fund appropriation of \$540,704 for Judicial Training. This is an increase from FY 2010 of \$70,530 (15.0%).

	Actual	Budgeted	Agency Req.	Gov Rec.	Inc/Dec	% Change
Item	FY09	FY10	FY11	FY11	FY11	From FY10
Personal Services	55	458	458	458	-	0.0%
Travel	234,022	326,255	344,785	344,785	18,530	5.7%
Contractual Services	159,089	126,061	178,061	178,061	52,000	41.2%
Supplies & Materials	14,506	17,400	17,400	17,400	-	0.0%
Grants And Subsidies	-	-	-	-	-	0.0%
Capital Outlay	1,595	-	-	-	-	0.0%
Other	-	-	-	-	-	0.0%
Total	409,267	470,174	540,704	540,704	70,530	15.0%
Funding Types						
General	-	-	-	-	-	0.0%
Federal	-	-	-	-	-	0.0%
Other	409,267	470,174	540,704	540,704	70,530	15.0%
Total	409,267	470,174	540,704	540,704	70,530	15.0%
FTE	-	-	-	-	-	0.0%

Budget Notes

- The Governor recommends an increase of \$18,530 in other fund expenditure authority for travel. The UJS will be purchasing a new case management system which will greatly impact the training budget. The new Case Management System will replace UJS computer systems such as: Criminal Justice Information, Judicial Accounting, Adult and Juvenile Probation, Demographic, Civil, Protection Order, Case Scheduling, and Calendaring. Because the system will encompass all areas of business within the circuit courts, the majority of UJS employees will utilize the system and need to attend training, including judges, clerks of court, deputy clerks of court, court services officers, support staff, information and technology staff and others. This increase will be paid from the court automation fund.
- The Governor also recommends an increase of \$52,000 in other fund expenditure authority for contractual services. This increase consists of: 1) \$2,000 for an education and training consultant to present an on-line training program for UJS IT staff to be paid from the court automation fund; and, 2) \$50,000 for workshop registration fees to pay a contract with the National Center for State Courts to conduct a Court Management Program (CMP) for twenty UJS employees. The CMP combines elements of leadership, management techniques, and specific court issues in a program that provide participants with necessary knowledge, skills, and abilities to achieve their goals as court leaders. Specifically, courses are provided in the areas of: Court Performance Standards, Case Flow Management, Managing Court Financial Resources, Managing Human Resources, Managing Technology Projects and Resources, and Leadership. The UJS has successfully completed this program in the past in partnership with North Dakota at a substantially reduced cost compared to sending individual employees out of state to receive the equivalent training. This increase will be funded from the Law Enforcement Officer's Training fund.

SELECTED STATISTICAL DATA				
	Actual FY08	Actual FY09	Estimated FY10	Estimated FY11
JUDICIAL TRAINING:				
UJS Training -- In-State:				
Judges/Non-Judges	104/500	98/390	100/500	100/500
UJS Training -- Out-of-State:				
Judges/Non-Judges	24/100	24/68	35/100	35/100

Circuit Courts Operation

The Circuit Courts hear and dispose of all matters filed with them. Judges, magistrates, court reporting, and other administrative personnel are allocated amongst the seven judicial circuits. Each circuit is overseen by a presiding judge and a circuit administrator.

Circuit	Counties
1	Aurora, Bon Homme, Brule, Buffalo, Charles Mix, Clay, Davison, Douglas, Hanson, Hutchinson, McCook, Turner, Union, and Yankton
2	Lincoln and Minnehaha
3	Beadle, Brookings, Clark, Codington, Deuel, Grant, Hamlin, Hand, Kingsbury, Jerauld, Lake, Miner, Moody, and Sanborn
4	Butte, Corson, Dewey, Harding, Lawrence, Meade, Perkins, and Ziebach
5	Brown, Campbell, Day, Edmunds, Faulk, Marshall, McPherson, Roberts, Spink, and Walworth
6	Bennett, Gregory, Haakon, Hughes, Hyde, Jackson, Jones, Lyman, Mellette, Potter, Stanley, Sully, Todd, and Tripp
7	Custer, Fall River, Pennington, and Shannon

The Governor recommends a total appropriation of \$13,526,822 and 130.7 FTEs for the Circuit Courts Operation. This dollar amount consists of \$12,329,058 from the general fund and \$1,197,764 from other funds. The recommendation is an increase from FY 2010 of \$106,078 (0.9%) in general funds and \$240,000 (25.1%) in other funds. The recommended FTEs are the same as FY 2010.

	Actual	Budgeted	Agency Req.	Gov Rec.	Inc/Dec	% Change
Item	FY09	FY10	FY11	FY11	FY11	From FY10
Personal Services	10,752,314	11,294,274	11,339,810	11,341,135	46,861	0.4%
Travel	211,813	231,138	231,138	231,138	-	0.0%
Contractual Services	1,220,348	1,174,307	1,414,307	1,414,307	240,000	20.4%
Supplies & Materials	106,787	122,143	122,143	122,143	-	0.0%
Grants And Subsidies	255,000	296,000	296,000	296,000	-	0.0%
Capital Outlay	56,350	62,882	130,854	122,099	59,217	94.2%
Other	-	-	-	-	-	0.0%
Total	12,602,612	13,180,744	13,534,252	13,526,822	346,078	2.6%
Funding Types						
General	11,645,164	12,222,980	12,336,488	12,329,058	106,078	0.9%
Federal	-	-	-	-	-	0.0%
Other	957,447	957,764	1,197,764	1,197,764	240,000	25.1%
Total	12,602,611	13,180,744	13,534,252	13,526,822	346,078	2.6%
FTE	123.4	130.7	131.7	130.7	-	0.0%

Budget Notes

- The Governor's recommended increase in the employer paid portion of the state health insurance plan is \$46,861 in general fund expenditure authority.
- The Governor recommends an increase of \$240,000 in other fund expenditure authority for contractual services. The Department of Social Services is estimating an increase in the number of petitions for child support modification due to rising case numbers and a change in the basic child support guidelines as amended by the Legislature effective July 1, 2009.

- The Governor also recommends an increase of \$59,217 in general fund expenditure authority for capital outlay. This increase is for the purchase of new or replacement equipment in 5 counties where court is held throughout the state, however, they are primarily for the 4th circuit courthouse renovations in Meade County. This increase includes the purchase of: office machines for \$2,100, office furniture and fixtures for \$26,039, telephone equipment for \$25,400, and audio-visual equipment for \$5,678.

<u>SELECTED STATISTICAL DATA</u>				
	Actual	Actual	Estimated	Estimated
	FY08	FY09	FY10	FY11
CIRCUIT COURTS OPERATION:				
Criminal Case Load - Felony Offenses:				
Jury Trials	92	107	108	109
Guilty Pleas	2,354	2,247	2,269	2,292
Dismissals	952	707	714	721
Preliminary Hearings	393	418	422	426
Class One Misdemeanor:				
Jury Trials	84	89	90	91
Guilty Pleas	12,527	12,237	12,359	12,483
Dismissals	3,803	2,972	3,002	3,032
Preliminary Hearings	1,357	1,580	1,596	1,612
Class Two Misdemeanor and Petty Offenses:				
Jury Trials	4	2	2	2
Guilty Pleas	119,727	116,645	117,811	118,990
Dismissals	16,655	15,301	15,454	15,609
Preliminary Hearings	186	206	208	210
Civil Case Load:				
Civil Jury Trials	81	68	69	69
Civil Dismissals	8,664	9,115	9,206	9,298
Civil Other Terminations	35,623	32,235	32,557	32,883
Small Claims Filings	31,453	32,182	33,791	35,481
Small Claims Judgments	22,158	22,570	22,796	23,024
Small Claims Dismissals	8,910	8,828	8,916	9,005

Clerks of Court Operations

The Clerks of Court provide support to the circuit courts by managing all documents filed for court action by circuit judges, lay magistrates, and magistrate judges. The clerks of court assist with calendaring, case flow, and jury use. The clerks also maintain law libraries throughout the state.

The Governor recommends a total appropriation of \$9,371,452 and 192.6 FTEs for the Clerks of Court Operations. This dollar amount consists of \$9,288,243 from the general fund and \$83,209 in federal funds. The recommendation is an increase from FY 2010 of \$145,436 (1.6%) in general funds and \$440 (.05%) in federal funds. The recommended FTEs are the same as FY 2010.

Item	Actual	Budgeted	Agency Req.	Gov Rec.	Inc/Dec	% Change
	FY09	FY10	FY11	FY11	FY11	From FY10
Personal Services	8,036,420	8,206,282	8,312,916	8,277,542	71,260	0.9%
Travel	43,357	72,708	72,708	72,708	-	0.0%
Contractual Services	512,906	519,787	519,787	519,787	-	0.0%
Supplies & Materials	334,959	343,676	343,676	343,676	-	0.0%
Grants And Subsidies	-	-	-	-	-	0.0%
Capital Outlay	84,713	83,123	143,142	157,739	74,616	89.8%
Other	-	-	-	-	-	0.0%
Total	9,012,355	9,225,576	9,392,229	9,371,452	145,876	1.6%
Funding Types						
General	8,955,329	9,142,807	9,309,460	9,288,243	145,436	1.6%
Federal	57,026	82,769	82,769	83,209	440	0.5%
Other	-	-	-	-	-	0.0%
Total	9,012,355	9,225,576	9,392,229	9,371,452	145,876	1.6%
FTE	194.4	192.6	195.7	192.6	-	0.0%

Budget Notes

- The Governor's recommended increase in the employer paid portion of the state health insurance plan is \$70,820 in general fund expenditure authority and \$440 in other fund expenditure authority.
- The Governor recommends an increase of \$74,616 in general fund expenditure authority for capital outlay. This increase is for the purchase of new or replacement equipment in 5 counties where court is held throughout the state, however, they are primarily for the 4th circuit courthouse renovations in Meade County. This increase includes the purchase of: office machines for \$1,000, filing equipment for \$28,662, and office furniture and fixtures for \$44,954.

<u>SELECTED STATISTICAL DATA</u>				
	Actual	Actual	Estimated	Estimated
	FY08	FY09	FY10	FY11
CLERKS OF COURT OPERATIONS:				
Criminal Case Load - Felony Offenses:				
Filings	5,797	5,745	5,802	5,860
Pending Cases & Warrants	7,104	7,249	7,321	7,395
Class One Misdemeanor:				
Filings	22,611	21,896	22,115	22,336
Pending Cases & Warrants	22,924	23,039	23,269	23,502
Class Two Misdemeanor and Petty Offenses:				
Filings	139,262	134,617	135,963	137,323
Pending Cases & Warrants	46,389	44,143	44,584	45,030
Civil Case Load:				
Domestic Relations Filings and Cases Reinstated	13,946	16,662	16,829	16,997
Civil Case Filings and Cases Reinstated	18,463	18,556	20,412	22,453
Administrative Appeals Filings	353	400	404	408
Circuit Court Appeals to Supreme Court	279	309	312	315
Probate Filings and Cases Reinstated	2,472	2,380	2,404	2,428
Misc. Filings and Cases Reinstated *	5,559	7,199	7,271	7,344
Juvenile Filings and Cases Reinstated	11,787	10,527	10,632	10,739
Small Claims Filings	31,569	32,274	33,888	35,582
Child Support Receipts	5,356	4,209	3,157	2,368
Record & Money Judgment Searches	140,553	123,581	124,817	126,065

*=Miscellaneous filings include guardianships/trusts, adoptions, and mental illness/drug alcohol committals

Court Services Operations

The mission for Court Services is to protect the public from juvenile and adult offenders that are under the jurisdiction of the UJS. This is accomplished by assisting offenders, in a non-incarceration setting, to become productive, law-abiding members of society. Court services provide pre-sentence investigations and other diagnostic evaluations, probation-related services, juvenile intake screening, juvenile diversion services, and assistance to victims of crime. Court Services also coordinate services for probationers across jurisdictions.

The Governor recommends a total appropriation of \$8,151,220 and 136.1 FTEs for the Court Services Operations in FY 2011. This dollar amount consists of \$8,078,670 from the general fund and \$72,550 in other funds. The recommendation is an increase of \$95,108 (1.2%) from FY 2010 all in general funds. The recommended FTEs are the same as FY 2010.

	Actual	Budgeted	Agency Req.	Gov Rec.	Inc/Dec	% Change
Item	FY09	FY10	FY11	FY11	FY11	From FY10
Personal Services	6,981,173	7,325,711	7,617,909	7,375,037	49,326	0.7%
Travel	165,931	216,550	216,550	216,550	-	0.0%
Contractual Services	167,544	281,653	281,653	281,653	-	0.0%
Supplies & Materials	95,538	163,060	163,060	163,060	-	0.0%
Grants And Subsidies	278	10,000	10,000	10,000	-	0.0%
Capital Outlay	38,367	59,138	109,365	104,920	45,782	77.4%
Other	-	-	-	-	-	0.0%
Total	7,448,831	8,056,112	8,398,537	8,151,220	95,108	1.2%
Funding Types						
General	7,415,553	7,983,562	8,325,987	8,078,670	95,108	1.2%
Federal	-	-	-	-	-	0.0%
Other	33,278	72,550	72,550	72,550	-	0.0%
Total	7,448,831	8,056,112	8,398,537	8,151,220	95,108	1.2%
FTE	129.6	136.1	141.9	136.1	-	0.0%

Budget Notes

- The Governor's recommended increase in the employer paid portion of the state health insurance plan is \$49,326 in general fund expenditure authority.
- The Governor recommends an increase of \$45,782 in general fund expenditure authority for capital outlay. This increase is for the purchase of new or replacement equipment in 5 counties where court is held throughout the state, however, they are primarily for the 4th circuit courthouse renovations in Meade County. This increase includes the purchase of: office machines for \$1,500, filing equipment for \$7,847, and office furniture and fixtures for \$36,435.
- This program also contains the Northern Hills Drug Court. Beginning with the FY 2010 budget, the drug court was no longer budgeted as a special appropriation but as part of the general appropriations act. As part of UJS's budget hearing during the 2010 Legislative Session, the JCA has requested the following: Please identify the current and planned measures of the effectiveness of the drug court program now that its pilot status has ended and it has become a part of the UJS ongoing appropriation. In this regard, we are especially interested in "lessons learned" that will assist us in addressing the questions related to proposals for similar programs in other locations.

<u>SELECTED STATISTICAL DATA</u>				
	Actual FY08	Actual FY09	Estimated FY10	Estimated FY11
COURT SERVICES OPERATIONS:				
Juvenile Services:				
Prehearing Investigations	702	673	680	687
90-Day Diversion Services	851	840	848	857
Active Cases at Beginning of FY	1,838	2,110	1,903	1,922
Placed on Probation	3,096	2,832	2,860	2,889
Active Cases at End of FY	2,110	1,903	1,922	1,941
Restitution Collected	\$260,279	\$299,184	\$302,176	\$305,198
Case Services Monitoring:				
Placed in Program	399	602	608	614
Active Cases at End of FY	236	364	368	371
Interstate Compact Cases - In	19	22	22	22
Interstate Compact Cases - Out	17	28	28	29
Intensive Probation:				
Active Cases at Beginning of FY	107	115	113	119
Placed in Program During FY	187	188	198	200
Successful Completed Program	96	91	92	92
Failed Program and Sent to DOC	78	94	95	95
Failed Program (Other)	5	5	5	5
Active Cases at End of Fiscal Year	115	113	119	127
Adult Service, Misdemeanor:				
PSI Reports	272	287	290	293
Placed on Probation	671	638	644	651
On Probation at End of FY	749	718	725	732
Restitution Collected	\$1,207,203	\$1,445,333	\$1,459,787	\$1,474,384
Adult Service, Felony:				
PSI Reports	2,628	2,483	2,508	2,533
Placed on Probation	1,580	1,686	1,703	1,720
On Probation at End of FY	3,629	3,684	3,721	3,758
Restitution Collected	\$2,073,779	\$1,693,688	\$1,710,625	\$1,727,731
Adult Service, Drug Court:				
Drug Court Participants	9	19	19	19
Drug Court Sessions	41	50	51	51
Case Services Monitoring Program:				
Placed in Program	1,581	1,519	1,534	1,550
Active Cases at End of FY	1,229	1,307	1,320	1,333
Adult Interstate Compact Case Load:				
Placed on Probation - In & Out	329	368	372	375
On Probation at End of FY	851	822	830	839

Community Based Services

The program provides individualized community-based treatment programs as an alternative to commitment to the Department of Corrections.

The Governor recommends a general fund appropriation of \$1,413,242 for the Community Based Services for FY 2011. This is the same as FY 2010.

Item	Actual FY09	Budgeted FY10	Agency Req. FY11	Gov Rec. FY11	Inc/Dec FY11	% Change From FY10
Personal Services	-	-	-	-	-	0.0%
Travel	30	-	-	-	-	0.0%
Contractual Services	4,786	-	-	-	-	0.0%
Supplies & Materials	197	-	-	-	-	0.0%
Grants And Subsidies	1,099,621	1,413,242	1,444,278	1,413,242	-	0.0%
Capital Outlay	-	-	-	-	-	0.0%
Other	-	-	-	-	-	0.0%
Total	1,104,634	1,413,242	1,444,278	1,413,242	-	0.0%
Funding Types						
General	1,104,634	1,413,242	1,444,278	1,413,242	-	0.0%
Federal	-	-	-	-	-	0.0%
Other	-	-	-	-	-	0.0%
Total	1,104,634	1,413,242	1,444,278	1,413,242	-	0.0%
FTE	-	-	-	-	-	0.0%

SELECTED STATISTICAL DATA

	Actual FY08	Actual FY09	Estimated FY10	Estimated FY11
COMMUNITY-BASED SERVICES:				
Home Based Juvenile Counseling Services:				
# of Clients/Average Cost	306/\$1,824	322/\$1,638	752/\$931	752/\$952
Total HB Juvenile Counseling Services	\$558,042	\$527,595	\$700,360	\$715,784
Adult Counseling Services:				
Cognitive Behavioral Group Therapy Programming				
# of Clients/Total Cost	67/\$20,485	242/\$96,700	159/\$94,078	157/\$95,953
Psychological/Mental Health Units				
# of Clients/Total Cost	84/\$27,258	113/\$119,119	269/\$87,399	256/\$89,782
Chemical Dependency Units				
# of Clients/Total Cost	59/\$19,241	220/\$88,271	357/\$53,291	529/\$92,546
Gambling Addiction Units				
# of Clients/Total Cost	3/\$176	3/\$2,256	90/\$12,126	90/\$11,674
Psychiatric Units				
# of Clients/Total Cost	0	24/\$4,075	0/\$0	10/\$5,148
Psychiatric Units				
# of Clients/Total Cost	0	0	0	50/\$2,300
Total Adult Counseling Services	\$67,160	\$310,420	\$246,894	\$297,043
Juvenile Counseling Services:				
Cognitive Behavioral Group Therapy Program				
# of Clients/Total Cost	0/\$0	26/\$10,225	148/\$38,242	114/\$31,687
Day Reporting Treatment for Juveniles				
# of Clients/Total Cost	0/\$0	82/\$195,691	37/\$272,333	40/\$241,739
Psychological/Mental Health Units				
# of Clients/Total Cost	0/\$0	33/\$11,566	193/\$101,090	188/\$97,579
Chemical Dependency Units				
# of Units/Total Cost	0/\$0	41/\$13,091	231/\$54,323	250/\$56,980
Psychiatric Units				
# of Clients/Total Cost	0/\$0	5/\$1,003	0/\$0	2/\$3,467
Total Juvenile Counseling Services	\$0	\$231,576	\$465,988	\$431,451
TOTAL COMMUNITY BASED SERVICES	\$625,202	\$1,075,805	\$1,413,242	\$1,444,278

Information & Technology

The Information and Technology Division provides network services including connectivity from the desktop to multiple computing platforms and environments. They also create and maintain highly effective information systems that support the functions of the Unified Judicial System, and support judicial desktop workstations statewide.

The Governor recommends a total appropriation of \$7,376,417 and 25.0 FTEs for the Information & Technology Division for FY 2011. This dollar amount consists of \$455,762 from the general fund and \$6,920,655 in other funds. The recommendation is an increase of \$1,856,021 (33.6%) from FY 2010 with the recommended appropriation from the general fund increasing \$2,114 (0.5%) and other funds increasing \$1,853,907 (36.6%). The recommended FTEs are the same as FY 2010.

	Actual	Budgeted	Agency Req.	Gov Rec.	Inc/Dec	% Change
Item	FY09	FY10	FY11	FY11	FY11	From FY10
Personal Services	1,603,914	1,657,065	1,761,733	1,667,612	10,547	0.6%
Travel	29,516	38,489	52,489	52,489	14,000	36.4%
Contractual Services	2,094,368	2,913,722	2,634,450	2,932,450	18,728	0.6%
Supplies & Materials	25,371	15,500	17,500	17,500	2,000	12.9%
Grants And Subsidies	-	-	-	-	-	0.0%
Capital Outlay	605,970	895,620	3,128,330	2,706,366	1,810,746	202.2%
Other	-	-	-	-	-	0.0%
Total	4,359,139	5,520,396	7,594,502	7,376,417	1,856,021	33.6%
Funding Types						
General	1,473,580	453,648	3,075,316	455,762	2,114	0.5%
Federal	-	-	-	-	-	0.0%
Other	2,885,559	5,066,748	4,519,186	6,920,655	1,853,907	36.6%
Total	4,359,139	5,520,396	7,594,502	7,376,417	1,856,021	33.6%
FTE	24.8	25.0	27.0	25.0	-	0.0%

Budget Notes

- The Governor's recommended increase in the employer paid portion of the state health insurance plan is \$2,114 in general fund expenditure authority and \$8,433 in other fund expenditure authority.
- The Governor recommends an increase of \$14,000 in other fund expenditure authority for in-state administrative travel costs. UJS is requesting funding for travel expenses for the Technology Committee and IT Maintenance Committee. These committees are representative of the various users within the UJS and meet numerous times each year to steer the direction of technology projects. Due to the purchase of a new case management system, UJS anticipates an increase in expenses for mileage, meals, and lodging costs.
- The Governor also recommends an increase of \$18,728 in other fund expenditure authority for contractual services. This increase is based on net changes to various contractual service line items based upon usage and projected costs.
- The Governor also recommends an increase of \$2,000 in other fund expenditure authority for materials and supplies. The UJS anticipates an increase in the number of pro se litigants forms that will need to be printed.
- The Governor also recommends an increase of \$1,810,746 in other fund expenditure authority for capital outlay. This increase is for: office furniture and fixtures for \$17,760;

audio visual equipment for \$43,000; computer software including general software needs, citrix, civil case scanning, REAL time court reporting, disaster recovery, and maintenance office software for \$13,500; and computer software for a new case management system for \$1,736,486.

- UJS is in the process of purchasing a new Case Management System. As part of UJS's budget hearing during the 2010 Legislative Session, the JCA has requested the following: How do you plan to measure the effectiveness of the new computer system for the agency? Do you have any formal benefit-cost analysis in place?
- Other fund expenditure authority for the Information and Technology Division is funded from the Court Automation fund.

SELECTED STATISTICAL DATA				
	Actual	Actual	Estimated	Estimated
	FY08	FY09	FY10	FY11
INFORMATION & TECHNOLOGY:				
Hours by Work Type				
Administrative Functions	5,800	6,750	7,600	7,700
Development/Case Management System	23,010	22,275	23,200	23,700
Computer Support/Network Services	9,450	10,800	11,000	11,000
Documentation	1,100	1,925	1,500	1,500
Staff Support	974	1300	1,300	1,300
User Assistance	4,150	3,750	4,000	4,300
Training	2,860	1,975	2,300	3,100
Total Hours	47,344	48,775	50,900	52,600
HELP Desk Work Orders Opened	8,238	7,554	8,000	8,500

Other Departmental Issues

A. Budget Transfers (FY09 and FY10 year-to-date):

There were no material budget transfers in FY 2009 and FY 2010 year-to-date.

B. Letters of Intent:

There were no Letters of Intent for FY 2010.

C. General Fund Reversions:

The Unified Judicial System reverted \$32,194 in general fund authority at the end of FY 2009. Of this amount, \$27,910 was for personal services and \$4,284 was for operating expenditures.

D. Selected Condition Statements:

Court Automation Fund Condition Statement on next page.

COURT AUTOMATION FUND				
CONDITION STATEMENT				
	ACTUAL	ACTUAL	PROJECTED	PROJECTED
	FY2008	FY2009	FY2010	FY2011
REVENUE				
Circuit Court Surcharge Fee	2,240,118	2,156,419	2,552,662	3,880,046
Fax Filing Fees	23,392	25,547	25,000	25,000
Victims Compensation 3% Admin.	9,454	9,836	9,395	10,000
Interest Earned	54,663	92,979	105,873	50,000
Information Request	6,138	10,503	10,000	10,000
Nonresident Attorney	15,100	18,300	17,000	17,000
Search Fees	1,895,067	1,868,758	1,625,819	1,625,819
Judgment Searches	143,721	140,188	140,000	140,000
Supreme Court Surcharge Fee	4,025	4,175	4,000	7,600
CD-Transcripts	150	150	100	100
Miscellaneous income	561	7,666	0	0
TOTAL REVENUES	4,392,388	4,334,520	4,489,849	5,765,565
EXPENDITURES				
Personal Services	779,951	905,051	933,892	933,892
Employee Benefits	196,078	228,440	239,402	247,835
Travel	86,165	51,329	107,909	140,439
Contractual Service	1,963,448	1,307,387	1,598,722	2,039,879
Supplies and Materials	14,819	25,617	19,500	21,500
Capital Assets	281,489	423,761	895,620	911,330
CMS Costs - Court Automation	0	0	1,404,470	2,671,632
Prior Period Adjustment	10	8	0	0
Prior FY Carryover expenditure	797,774	853,816	0	0
TOTAL EXPENDITURES	4,119,733	3,795,410	5,199,515	6,966,507
NET (REVENUE LESS EXPENDITURES)	272,655	539,111	(709,666)	(1,200,941)
BEGINNING FY CASH BALANCES	1,876,313	2,148,968	2,688,079	1,978,413
ENDING FY CASH BALANCE	2,148,968	2,688,079	1,978,413	777,471