

The following file contains two documents:

- A memorandum to the Joint Budget Committee members dated January 29, 2010. This memorandum relates to the Judicial Department supplemental request concerning spending authority for local Victims and Witness Assistance Law Enforcement (VALE) board grants.
- A memorandum to the Joint Budget Committee members dated January 21, 2010. This memorandum relates to the Judicial Department supplemental request concerning the Public Access System.
- A packet dated January 19, 2010, concerning Judicial Department supplemental requests for FY 2009-10 and FY 2008-09.

MEMORANDUM

TO: Joint Budget Committee Members

FROM: Carolyn Kampman (303-866-4959)

SUBJECT: Staff “Comeback” Concerning Spending Authority for VALE Grants

DATE: January 29, 2010

The Joint Budget Committee acted on the Judicial Department’s supplemental requests on January 19, 2010. Staff neglected to present one request the Judicial Department submitted concerning FY 2009-10 appropriations. Staff has described the request below, along with staff’s recommendation.

**Supplemental Request, Department Priority #9 (for Courts, Administration, and Probation)
VALE Grants - Collections**

	Request	Recommendation
Total	\$110,000	\$110,000
FTE	<u>0.0</u>	<u>0.0</u>
Cash Funds	0	0
Reappropriated Funds	110,000	110,000

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of <i>data that was not available when the original appropriation was made.</i>	

Background Information: Collection investigators are located in each judicial district as required by Section 18-1-105 (1) (a) (III) (C), C.R.S. These investigators are a component of efficient case management, and help impose monetary penalties for the commission of crimes. Monetary sanctions serve to punish offenders and provide restitution to victims. Recoveries are credited to the General Fund, victim restitution, victims compensation and support programs, and various law enforcement, trial court, probation and other funds. Investigators are supported by cash funds (the Judicial Collection Enhancement Fund and the Fines Collection Cash Fund), as well as grants from local Victims and Witness Assistance Law Enforcement (VALE) Boards.

Department Request: The Department requests an increase in reappropriated funds from

Staff Comeback Concerning VALE Grants

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January 29, 2010

VALE grants to better reflect anticipated receipts. Due to the changing nature of the grant cycles and the fact that many grants cross the state fiscal year, it is difficult to know exactly what grants will be requested and received prior to the November 1 budget submission. The most recent data from the judicial districts reflects a larger than anticipated grant award total, thus requiring additional spending authority. These funds are used to help court clerks' offices with increasing the moneys recovered for restitution and victim compensation/ assistance programs.

Staff Analysis and Recommendation: Staff recommends approving the request.

MEMORANDUM

TO: Joint Budget Committee Members

FROM: Carolyn Kampman (303-866-4959)

SUBJECT: Judicial Supplemental Request Concerning Public Access System

DATE: January 21, 2010

The Joint Budget Committee acted on the Judicial Department's supplemental requests on January 19, 2010, with one exception. The Committee chose to delay taking action on the Department's request concerning the Public Access System. Staff has included below a description of this request, along with staff's recommendation.

Please note that staff has made one change to the information provided on January 19. Specifically, the Department initially planned, upon implementing the in-house public access system, to reduce user fees by (a) eliminating the cost recovery fee and (b) reducing fees for single name searches. Staff recently learned that although the Department still plans to eliminate the cost recovery fee (which will positively impact those conducting single name searches as well as third party vendors), it no longer plans to reduce fees for single name searches.

Supplemental Request "B" Public Access System

	Request	Recommendation
Total - Cash Funds	\$72,245	\$72,245
FTE	1.0	1.0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of <i>data that was not available when the original appropriation was made.</i>	

Background Information: Over the last ten years, the Department has partnered with vendors to develop and implement a public access system (PAS) for all non-protected court data, and an e-filing system for attorneys. Both systems are supported entirely by user fees. These systems provide cost-effective services to the general public and attorneys and they have positively affected court staff workloads.

In response to a request from the General Assembly, the Judicial Department studied the feasibility of bringing both systems in-house and concluded that it should do so. The development of the PAS would be financed with existing user fees received by the Department for its information technology

infrastructure; the operations of the PAS and the development of the e-filing system would then be supported with revenues collected from PAS users (these fees are currently collected and retained by the vendor).

Existing Vendor Contracts

The Department's contract with Lexis/CourtLink to operate the PAS was awarded in August 2005 and is now scheduled to expire on June 30, 2010. The vendor collects user fees to support PAS operations. In addition, since FY 2003-04, the Department has required the vendor to collect a cost recovery fee on the Department's behalf. The Department is required to use this fee revenue to cover the direct and indirect costs of hardware replacement and other expenses necessary to allow the public and other agencies to use the Department's computer information systems.

The Department's contract with Lexis/Courtlink to operate the e-filing system was previously scheduled to expire in August 2011. The Department recently extended this contract through December 2012, with an understanding that the Department would begin implementing an in-house e-filing system in the last quarter of 2012.

Recent Actions by Department and the General Assembly

The General Assembly authorized the Department to spend cash funds in FY 2008-09 to develop the PAS, but no spending authority was provided for either system for FY 2009-10. Using the funding made available in FY 2008-09 and through redirecting existing resources, the Department completed development of the new PAS in November 2009. The Department is prepared to implement an in-house PAS that will result in annual savings of \$1.0 million General Fund as it will allow the Department to use cash funds to support more of its information technology infrastructure needs beginning in FY 2010-11. In addition, the Department proposes reducing costs for PAS users by eliminating the cost recovery fee.

In addition to these savings, PAS user fee revenue will allow the Department to develop an in-house e-filing system at no General Fund cost to the State and no additional cost to system users. Once operational, the e-filing system is projected to bring in \$7.7 million in net revenues to the State. Conceptually, moneys previously collected through cost recovery fees were used to develop the new PAS. Once implemented, PAS user fees will be used to cover ongoing PAS operating costs, to cover the costs of developing a new e-filing system, and to replace the seed money used to develop PAS so that the Department is in a position to maintain its existing IT infrastructure in the future.

During the Committee's November 16, 2009, hearing with the Judicial Department, following a discussion concerning the development and implementation of public access and e-filing systems, Senator White made a motion to give the Department a "sense of the JBC" related to this issue. He moved that the Committee give the Department the authority to move forward with both systems, as proposed. The Committee members verbally clarified that the Committee could change its mind, and that ultimately the General Assembly would consider the issue when the supplemental bill and Long Bill are introduced to provide cash funds spending authority. The motion passed.

Subsequently, the Department has continued to work with the three primary third party vendors that will be accessing the new PAS (BIS, ACXIOM, and LEXIS) to complete the necessary interfaces

and test the system. The Department has also conducted system load testing internally, through Department staff who regularly access PAS.

Department Request: The Department seeks an increase in spending authority from the Information Technology (IT) Cash Fund for FY 2009-10 to proceed with the implementation of the new PAS. This fund was established through HB 08-1253 (a JBC-sponsored bill), which allows the Department to retain fees and cost recoveries related to IT. The Department planned to use moneys in this fund for routine asset maintenance activities, including building up the fund balance to cover costs of significant infrastructure investments (e.g., an estimated \$700,000 to replace a mainframe computer in FY 2010-11). Pursuant to Section 13-32-114 (2), C.R.S., moneys in this fund may be appropriated to the Department "for any expenses related to the department's information technology needs".

In order to implement the PAS, the Department needs cash funds spending authority to pay for the costs of administering and operating the PAS and supporting system users. In order to ensure a smooth migration of users to the new PAS, the Department would like to hire some staff prior to the end of FY 2009-10. The Department intends to gradually transition government users over to the new PAS through the end of FY 2009-10. Currently, 12,000 government users from 162 entities access court data for free via the Lexis/Nexis PAS. A phased migration of government users will provide an opportunity for the Department to test the new system and its response time prior to other users accessing the system. The PAS would then be implemented for general public users and third party vendors who contract for volume price discounting on July 1, 2010.

Beginning in FY 2010-11, the Department will use PAS revenues not required to operate PAS or maintain the information technology infrastructure to develop an in-house e-filing system. Project development is anticipated to take about three years. By FY 2013-14, the Department estimates that annual revenues generated by both PAS and the e-filing system will total about \$9 million. These revenues could be reduced through decreases in user fees, used to continue to improve information technology supporting the state court system, or used to further reduce Department General Fund expenditures related to information technology.

The Department thus requests increases in FY 2009-10 appropriations totaling \$72,245 cash funds and 1.0 FTE to begin migrating government users to the new PAS in the latter part of FY 2009-10. This request supports three positions for three months to get users registered and trained, and to provide technical assistance and user support (0.75 FTE and \$47,022). This request also supports a project manager for three months (0.25 FTE and \$25,223). The Department previously submitted a change request for FY 2010-11 to support the ongoing operations of the PAS and the development of an e-filing system, including the continued costs of the four positions requested here. The following table summarizes project expenditures for both FY 2009-10 and FY 2010-11.

Expenditures: Public Access and E-Filing Systems			
Description	Fund Source	FY 09-10	FY 10-11
Personal services (including consultant services)	Cash Funds	\$43,445	\$1,511,188
FTE		1.0	19.0
Information technology infrastructure		<u>(1,000,000)</u>	<u>207,660</u>
	General Fund*	(1,000,000)	(1,000,000)
	Cash Funds	0	1,207,660
Operating, training, and travel expenses	Cash Funds	28,800	204,650
Total costs		<u>(927,755)</u>	<u>1,923,498</u>
	General Fund	(1,000,000)	(1,000,000)
	Cash Funds	72,245	2,923,498

* Although the Department included the General Fund reduction for FY 2009-10 as part of its "budget reductions" supplemental request, staff has included it here for both fiscal years as the Department's ability to manage these reductions is reliant upon its ability to move forward with these projects.

Staff Recommendation: Consistent with staff recommendations and the Committee's actions to date, **staff recommends approving the Department's supplemental request.** Based on projected IT Cash Fund revenues, sufficient cash funds will be available in the current fiscal year over and above the amounts currently appropriated for information technology expenses. By migrating government users to the new PAS in the current fiscal year, the Department will have an opportunity to demonstrate the viability of their system and to prepare for an orderly transition for the general public and third party vendors in July 2010.

Through implementation of an in-house PAS, the Department will reduce user fees by eliminating the cost recovery fee. The Department has also proposed reducing annual General Fund expenditures for its information technology infrastructure by \$1 million, beginning in FY 2009-10. Thus, this plan will assist the General Assembly in addressing projected revenue shortfalls. Finally, implementation of the in-house PAS will provide both the Department and users with several less tangible benefits:

- a more user-friendly PAS that is easier to understand and navigate;
- more control over the development and deployment of application fixes and presentation enhancements necessary to support judicial business changes, legislative changes, and changes requested by system users;
- an opportunity to provide more information on-line, further reducing phone calls and paper requests for information from court clerks and other staff;
- improved PAS availability through a more stable technical infrastructure and the implementation of a disaster recovery methodology; and
- an improvement in the security of personal identifying information.

**COLORADO GENERAL ASSEMBLY
JOINT BUDGET COMMITTEE**



**SUPPLEMENTAL REQUESTS FOR FY 2009-10
AND FY 2008-09**

JUDICIAL DEPARTMENT

**JBC Working Document - Subject to Change
Staff Recommendation Does Not Represent Committee Decision**

**Prepared By:
Carolyn Kampman, JBC Staff
January 19, 2010**

For Further Information Contact:

Joint Budget Committee Staff
200 E. 14th Avenue, 3rd Floor
Denver, Colorado 80203
Telephone: (303) 866-2061
TDD: (303) 866-3472

**JUDICIAL DEPARTMENT
 FY 2009-10 SUPPLEMENTAL RECOMMENDATIONS
 JBC WORKING DOCUMENT - SUBJECT TO CHANGE**

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Supplemental Requests Submitted by Department

Supplemental Request “A”

Budget Reductions - Courts, Probation, and Administration

	Request	Recommendation
Total	(\$9,612,684)	(\$9,612,684)
FTE	<u>0.0</u>	<u>(168.7)</u>
General Fund	(9,744,924)	(9,744,924)
FTE	0.0	(168.7)
Cash Funds	132,240	132,240
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of <i>data that was not available when the original appropriation was made</i> (the magnitude of the revenue shortfall).	

Department Request: The Department included information in his November 1, 2009, budget request concerning actions taken or planned to reduce FY 2009-10 expenditures in light of the General Fund revenue shortfall. The Department has since submitted a proposal to reduce thirteen line item appropriations by a total of \$9,744,924 General Fund (excluding statewide common policy requests) or 4.9 percent. The Department indicated that it has made every attempt to minimize the impacts on public safety, and on children and other vulnerable populations who the courts and probation serve. The Department has developed a plan to reduce its FY 2010-11 budget by 7.8 percent and is currently taking steps toward that target.

The most significant portion of the request relates to **personnel**. Specifically, the Department requests reductions totaling **\$6,925,000** General Fund in personnel-related line items. Please note that the proposed reduction is in addition to the \$3,181,760 base personal services reduction implemented by the General Assembly for FY 2009-10. As 87 percent of the Department’s budget is personnel-related, the only way to significantly reduce expenditures is to reduce the number of personnel. In light of the General Fund shortfall, the Department has maintained a hiring freeze, only filling those positions deemed critical. The Department intends to reduce 266.0 FTE by June 30, 2010 (9.0 percent of non-judge staff). Further, to avoid disproportionate impacts to any one judicial district, the Department has implemented a plan to equalize trial court staffing levels across districts.

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While the Department is making every effort to minimize impacts to court operations, some impact may be unavoidable given the magnitude of the FTE reduction required.

The Department has indicated that the risks associated with under-staffing the courts include a decrease in public access and potential public safety impacts. Courts will be required to prioritize their caseloads. Cases involving public safety (e.g., felonies, misdemeanors, and protective orders) and vulnerable parties (e.g., juveniles, elderly, and incapacitated persons) will be prioritized higher than general civil matters (e.g., debt collections, divorces, contractual disputes). Thus, the time required to resolve general civil matters will likely increase. In addition, a number of entities rely on information from the courts to conduct their business. Reductions in court staffing levels may affect the availability of accurate and up-to-date court information.

In addition to personnel-related reductions, the Department has also proposed the following mid-year adjustments:

- *Courthouse Capital/ Infrastructure Maintenance.* Section 13-3-108, C.R.S, requires each county to provide and maintain adequate courtrooms and other court facilities, and Section 13-3-104, C.R.S., requires that the State pay for the "operations, salaries, and other expenses of all courts of record within the state, except for county courts in the city and county of Denver and municipal courts." This line item provides funding to fulfill the State's responsibility to furnish court facilities.

Based on the number and scale of county investments in new courthouse projects¹, the Department requested (and the General Assembly appropriated) a total of \$4.1 million for this purpose for FY 2009-10. The Department proposes reducing this funding by **\$1,000,000** (the entire General Fund portion of the appropriation). The Department's procurement manager is taking advantage of the current used furniture market to help furnish court and probation facilities across the state.

- *Information Technology Infrastructure.* This line item provides funding for the following: maintenance and replacement of hardware (e.g., personal computers, servers, routers, switches, terminals, printers); software licenses, updates and maintenance; hardware/software maintenance agreements related to the Department's voice/data network; data line charges; and anti-virus software. The Department proposes a one-time reduction of **\$1,000,000**. This reduction will negatively impact the replacement cycle of statewide hardware.

¹ Denver is building a new Justice Center and it plans to maintain the existing courthouse. Denver's investment for this project totals \$132 million. In addition, another six counties have invested \$59 million in various courthouse facility projects.

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- *Operating Expenses.* The Department proposes reducing various operating expense line items by **\$854,678**. The Department has instituted a one-time 10 percent across-the-board operating cut for FY 2009-10. The Department does not anticipate continuing this reduction in FY 2010-11.
- *Capital Outlay.* These line items provide funding for furniture, computers, and standard office software for each new FTE. The Department proposes a one-time reduction of **\$144,346**, eliminating the entire amount of General Fund appropriated for this purpose (for trial courts and probation) for FY 2009-10.
- *Leased Space.* This line item provides funding for leased space for the State Court Administrator's Office, the Attorney Regulation Committees, Court of Appeals staff, the Division of Integrated Information Services, and storage. The Department previously had five leases for a total of 51,150 square feet at several locations in Denver (including: 1301 Pennsylvania, 899 Logan, Grandview, and the Chancery), and at Denver West in Golden. Leases for the locations on Pennsylvania and Logan and at Denver West expired on June 30, 2009.

The Department considered a number of new lease options, with total lease costs over the seven-year term ranging from \$5,775,000 to \$8,856,737. The Department selected the lowest cost option, allowing them to consolidate staff in the Denver Newspaper Agency building at 101 W. Colfax. The Department requires an **increase of \$311,340** to cover the costs of the new lease, including \$179,100 General Fund and \$132,240 cash funds (from fees paid by staff for parking).

Staff Recommendation: Staff recommends approving the Department's request. However, in order to more clearly reflect the operational impact of the personnel-related reductions, **staff also recommends reducing the FTE appropriated for each of the relevant line items** to reflect the number of full time equivalent positions that will remain vacant as a result of these reductions. The following table details the impacted personnel-related line items and the recommended FTE changes.

Personnel-related Reductions					
Affected Line Items	FY 09-10 Appropriation		Reduction		
	Dollar Amount	FTE	Dollar Amount	% of Approp.	FTE
Trial Courts, Trial Courts Programs (Personal services portion)	\$119,596,577	1,900.9	(\$3,520,000)	-2.9%	(108.8)

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Personnel-related Reductions					
Affected Line Items	FY 09-10 Appropriation		Reduction		
	Dollar Amount	FTE	Dollar Amount	% of Approp.	FTE
Probation and Related Services, Personal Services	71,763,731	1,139.6	(3,100,000)	-4.3%	(59.9)
Health, Life, and Dental	18,141,821		(225,000)	-1.2%	
Short-term Disability	308,097		(80,000)	-26.0%	
Total Estimated Impact of Reductions			(6,925,000)		(168.7)

**Supplemental Request “B”
 Public Access System**

	Request	Recommendation
Total - Cash Funds	\$72,245	\$72,245
FTE	1.0	1.0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of <i>data that was not available when the original appropriation was made.</i>	

Background Information: Over the last ten years, the Department has partnered with vendors to develop and implement a public access system (PAS) for all non-protected court data, and an e-filing system for attorneys. Both systems are supported entirely by user fees. These systems provide cost-effective services to the general public and attorneys and they have positively affected court staff workloads.

In response to a request from the General Assembly, the Judicial Department studied the feasibility of bringing both systems in-house and concluded that it should do so. The development of the PAS would be financed with existing user fees received by the Department for its information technology infrastructure; the operations of the PAS and the development of the e-filing system would then be supported with revenues collected from PAS users (these fees are currently collected and retained by the vendor).

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Existing Vendor Contracts

The Department's contract with Lexis/CourtLink to operate the PAS was awarded in August 2005 and is now scheduled to expire on June 30, 2010. The vendor collects user fees to support PAS operations. In addition, since FY 2003-04, the Department has required the vendor to collect a cost recovery fee on the Department's behalf. The Department is required to use this fee revenue to cover the direct and indirect costs of hardware replacement and other expenses required to maintain the equipment and network connections necessary for the use of the Department's computer information systems by the public and other agencies.

The Department's contract with Lexis/ Courtlink to operate the e-filing system was previously scheduled to expire in August 2011. The Department recently extended this contract through December 2012, with an understanding that the Department would begin implementing an in-house e-filing system in the last quarter of 2012.

Recent Actions by Department and the General Assembly

The General Assembly authorized the Department to spend cash funds in FY 2008-09 to develop the PAS, but no spending authority was provided for either system for FY 2009-10. Using the funding made available in FY 2008-09 and through redirecting existing resources, the Department completed development of the new PAS in November 2009. The Department is prepared to implement an in-house PAS that will result in annual savings of \$1.0 million General Fund as it will allow the Department to use cash funds to support more of its information technology infrastructure needs beginning in FY 2010-11. In addition, the Department proposes reducing costs for PAS users by eliminating the cost recovery fee and reducing the cost for single users.

In addition to these savings, PAS user fee revenue will allow the Department to develop an in-house e-filing system at no General Fund cost to the State and no additional cost to system users. Once operational, the e-filing system is projected to bring in \$7.7 million in net revenues to the State. Conceptually, moneys previously collected through cost recovery fees were used to develop the new PAS. Once implemented, PAS user fees will be used to cover ongoing PAS operating costs, to cover the costs of developing a new e-filing system, and to replace the seed money used to develop PAS so that the Department is in a position to maintain its existing IT infrastructure in the future.

During the Committee's November 16, 2009, hearing with the Judicial Department, following a discussion concerning the development and implementation of public access and e-filing systems, Senator White made a motion to give the Department a "sense of the JBC" related to this issue. He moved that the Committee give the Department the authority to move forward with both systems, as proposed. The Committee members verbally clarified that the Committee could change its mind, and that ultimately the General Assembly would consider the issue when the supplemental bill and Long Bill are introduced to provide cash funds spending authority. The motion passed.

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Subsequently, the Department has continued to work with the three primary third party vendors that will be accessing the new PAS (BIS, ACXIOM, and LEXIS) to complete the necessary interfaces and test the system. The Department has also conducted system load testing internally, through Department staff who regularly access PAS.

Department Request: The Department seeks an increase in spending authority from the Information Technology (IT) Cash Fund for FY 2009-10 to proceed with the implementation of the new PAS. This fund was established through HB 08-1253 (a JBC-sponsored bill), which allows the Department to retain fees and cost recoveries related to IT. The Department planned to use moneys in this fund for routine asset maintenance activities, including building up the fund balance to cover costs of significant infrastructure investments (e.g., an estimated \$700,000 to replace a mainframe computer in FY 2010-11). Pursuant to Section 13-32-114 (2), C.R.S., moneys in this fund may be appropriated to the Department "for any expenses related to the department's information technology needs".

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Beginning in FY 2010-11, the Department will use PAS revenues not required to operate PAS and to maintain Department information technology infrastructure to develop an in-house e-filing system. Project development is anticipated to take about three years. By FY 2013-14, the Department estimates that annual revenues generated by both PAS and the e-filing system will total about \$9 million. These revenues could be reduced through decreases in user fees, used to continue to improve information technology supporting the state court system, or used to further reduce Department General Fund expenditures related to information technology.

The Department thus requests increases in FY 2009-10 appropriations totaling \$72,245 cash funds and 1.0 FTE to begin migrating government users to the new PAS in the latter part of FY 2009-10. This request supports three positions for three months to get users registered and trained, and to provide technical assistance and user support (0.75 FTE and \$47,022). This request also supports a project manager for three months (0.25 FTE and \$25,223). The Department previously submitted a change request for FY 2010-11 to support the ongoing operations of the PAS and the development of the e-filing system, including the continued costs of the four positions

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requested here. The following table summarizes project expenditures for both FY 2009-10 and FY 2010-11.

Expenditures: Public Access and E-Filing Systems			
Description	Fund Source	FY 09-10	FY 10-11
Personal services	Cash Funds	\$43,445	\$1,481,188
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	General Fund*	(1,000,000)	(1,000,000)
	Cash Funds	0	1,207,660
Consultant services	Cash Funds	0	30,000
Operating, training, and travel expenses	Cash Funds	28,800	204,650
Total costs		<u>(927,755)</u>	<u>1,923,498</u>
	General Fund	(1,000,000)	(1,000,000)
	Cash Funds	72,245	2,923,498

* Although the Department included the General Fund reduction for FY 2009-10 as part of its "budget reductions" supplemental request, staff has included it here for both fiscal years as the Department's ability to manage these reductions is reliant upon its ability to move forward with these projects.

Staff Recommendation: Consistent with staff recommendations and the Committee's actions to date, **staff recommends approving the Department's supplemental request.** Based on projected IT Cash Fund revenues, sufficient cash funds will be available in the current fiscal year over and above the amounts currently appropriated for information technology expenses. By migrating government users to the new PAS in the current fiscal year, the Department will have an opportunity to demonstrate the viability of their system and to prepare for an orderly transition for the public and third party vendors in July 2010.

Through implementation of an in-house PAS, the Department will reduce user fees by eliminating the cost recovery fee and reducing fees for single name searches. The Department has also proposed reducing annual General Fund expenditures for its information technology infrastructure by \$1 million, beginning in FY 2009-10. Thus, this plan will assist the General Assembly in addressing projected revenue shortfalls. Finally, implementation of the in-house PAS will provide both the Department and users with several less tangible benefits, including the following:

- a more user-friendly PAS that is easier to understand and navigate;

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- more control over the development and deployment of application fixes and presentation enhancements necessary to support judicial business changes, legislative changes, and changes requested by system users;
- an opportunity to provide more information on-line, further reducing phone calls and paper requests for information from court clerks and other staff;
- improved PAS availability through a more stable technical infrastructure and the implementation of a true disaster recovery methodology in the event of a primary system failure; and
- an improvement in the security of personal identifying information.

**Supplemental Request “C”
 Courthouse Security Grant Program**

	Request	Recommendation
Total - CF	\$476,000	\$476,000
FTE	0.0	0.0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of <i>data that was not available when the original appropriation was made.</i>	

Background Information: Senate Bill 07-118 created the Courthouse Security Grant Program to provide grants to counties for use in improving courthouse security efforts. Such efforts include security staffing, security equipment, training, and court security emergency needs. The program is supported by the Court Security Cash Fund, which consists of a \$5 surcharge on: docket fees and jury fees for certain civil actions; docket fees for criminal convictions, special proceeding filings, and certain traffic infraction penalties; filing fees for certain probate filings; and fees for certain filings on water matters. Moneys in the Fund are to be used for grants and related administrative costs. County-level security teams may apply to the State Court Administrator's Office for grants.

In FY 2007-08, the Department hired a court security specialist and members were appointed to the Court Security Cash Fund Commission. The program administrator provides technical assistance and outreach to county commissioners, sheriffs, judges, and district administrators. For CY 2008, 46

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counties received grants totaling \$1,000,000. Calendar Year CY 2009 grant awards totaled \$1.8 million, including grants for personal services, equipment, training, and emergency needs. Grants for personnel are limited to those counties with:

- population below the state median;
- per capital income below the state median;
- tax revenues below the state median; and/or
- total population living below the federal poverty level greater than the state median.

Department Request: Grant requests for CY 2010 total \$5.2 million. The Department’s goal for this grant cycle is to fund a significant number of one-time grant requests and to ensure that ongoing grants for personnel are sustainable. Specifically, the Department plans to award \$2.0 million for equipment, \$1.4 million for personal services, and \$300,000 for emergencies.

The Department requests a \$476,000 increase in spending authority from the Court Security Cash Fund for FY 2009-10. The grant program is administered on a calendar year basis, spending authority is provided on a state fiscal year basis, and counties receive grant awards on a reimbursement basis. As a result, the Department has struggled to match spending authority with the timing of reimbursements. With a large number of equipment grant awards, the Department anticipates that reimbursements will be required for 70 percent of the CY 2010 grant awards prior to July 2010.

Staff recommends approving the request. Due to the time lag in implementing this program and the practice of reimbursing counties rather than making grant payments up front (a prudent practice), Department expenditures fell short of annual revenues in the first two years of the program. The General Assembly passed legislation to transfer a total of \$2.0 million from this fund to the General Fund in 2009. The requested increase in spending authority will allow the Department to reimburse counties in a timely manner for the current grant cycle. If this supplemental request is not approved, the Department would need to delay reimbursements into FY 2010-11. The following table details the projected fiscal year-end fund balance if the Department's funding requests are approved.

	Court Security Cash Fund Staff Recommendation			
	FY 2007-08 Actual	FY 2008-09 Estimate	FY 2009-10 Estimate	FY 2010-11 Estimate
Beginning FY Balance	\$0	\$2,363,329	\$2,447,177	\$1,604,668
Revenues	2,707,636	3,397,200	3,465,144	3,534,447
Expenditures (including requests for FY 09-10 and FY 10-11)	<u>(344,307)</u>	<u>(1,813,352)</u>	<u>(3,807,653)</u>	<u>(4,060,314)</u>

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	Court Security Cash Fund Staff Recommendation			
Ending FY Balance without transfer	\$2,363,329	\$3,947,177	\$2,104,668	\$1,078,801
Transfers	<u>0</u>	<u>(1,500,000)</u>	<u>(500,000)</u>	<u>0</u>
Ending FY Balance after transfer	\$2,363,329	\$2,447,177	\$1,604,668	\$1,078,801
<i>Balance as % of annual expenditures</i>	<i>686.4%</i>	<i>135.0%</i>	<i>42.1%</i>	<i>26.6%</i>

**Supplemental Request “D”
 Federal Funds and Grants**

	Request	Recommendation
Total	\$1,250,000	\$1,250,000
FTE	<u>0.0</u>	<u>0.0</u>
Cash Funds	1,250,000	1,250,000
FTE	0.0	0.0
Reappropriated Funds	0	0
FTE	0.0	0.0
Federal Funds	0	0
FTE	0.0	0.0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of <i>data that was not available when the original appropriation was made.</i>	

Department Request: Two line item appropriations provide the Department with spending authority to spend various grants and federal funds; one line item is for the trial courts, and the other is for probation. The FTE shown in the Long Bill are not permanent employees of the Department, but instead represent the Department's estimates of the FTE that are working under the various grants.

The Department requests a \$1,250,000 increase in the spending authority provided through these two line items. Due to the changing nature of the grant cycles and the fact that many grants cross the state fiscal year, it is difficult to know exactly what grants will be requested and received prior to the November 1 budget submission. In addition, many of these grants are sought and

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awarded at the district level, so the Department is not always aware of what funds will likely be available.

Staff recommends approving the request.

**Supplemental Request “E”
 Budget Reductions - Public Defender**

	Request	Recommendation
Total	(\$2,657,215)	(\$2,657,215)
FTE	<u>0.0</u>	<u>(38.7)</u>
General Fund	(2,657,215)	(2,657,215)
FTE	0.0	(38.7)
Cash Funds	0	0
FTE	0.0	0.0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of <i>data that was not available when the original appropriation was made</i> (the magnitude of the revenue shortfall).	

Background Information: The federal² and state³ constitutions provide that an accused person has the right to be represented by counsel in criminal prosecutions. This constitutional right has been interpreted to mean that counsel will be provided at state expense for indigent persons in all cases in which actual incarceration is a likely penalty. The Office of the Public Defender is established by Section 21-1-101, *et seq.*, C.R.S., as an independent agency within the Judicial Branch of government for the purpose of providing legal representation for indigent defendants who are facing incarceration.

² U.S. Const. amend. VI (Rights of accused).

³ Colorado Const. art. II, § 16 (Criminal prosecutions - rights of defendant).

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The Office is comprised of a central administrative office, an appellate office, and 21 regional trial offices. In FY 2008-09, the Office received 96,339 new cases, closed 94,421 cases, and carried a total of 117,472 active cases. The Office provides representation in about 42 percent of all misdemeanor cases, 67 percent of felony cases, and 73 percent of juvenile criminal offense cases.

Department Request: The Public Defender included information in his November 1, 2009, budget request concerning actions taken or planned to reduce FY 2009-10 expenditures in light of the General Fund revenue shortfall. These actions include one-time reductions in ten line item appropriations totaling \$2,657,215 General Fund (excluding statewide common policy requests), an overall reduction of 4.9 percent.

The most significant portion of the request relates to **personnel**. As 79 percent of the Office' budget is personnel-related, the only way to significantly reduce expenditures is to reduce the number of personnel. Specifically, the Public Defender requests reductions totaling **\$1,301,259** (3.0 percent) in personnel-related line items. Last Spring, the General Assembly approved funding for FY 2009-10 to support an additional 36.8 FTE attorneys to meet minimum case staffing standards and maintain its ability to ethically, responsibly, and successfully comply with its constitutional and statutory mission. The General Assembly also provided funding for 5.4 FTE to support the expansion of drug courts. In light of the General Fund shortfall, the Office delayed hiring individuals to fill these positions until June 2010.

Please note that the proposed reduction is in addition to the \$673,904 base personal services reduction implemented by the General Assembly for FY 2009-10. In order to manage this reduction, the Office is holding open any vacant non-critical positions through the end of FY 2009-10, and it is delaying filling any vacancy by one month beyond the leave payout date. The Office also implemented a voluntary furlough program, which is estimated to save approximately \$230,000.

In addition, the Public Defender has proposed the following reductions:

- *Operating Expenses.* This line item provides funding for basic office operating costs, including travel, equipment maintenance, office supplies, telephone, printing, postage, motor pool expenses, etc. This line item also provides funding for the Public Defender's training program. The Public Defender proposes a one-time reduction of **\$235,533** (19.0 percent), made possible through the following actions:
 - Cancelling the Spring management conference and restructuring the Fall conference to a metro-only event focused only on continuing legal education. Secretarial and investigator classes will be managed in regional venues throughout the year.
 - Restricting travel and training, and limiting per-diem travel reimbursement to \$39.

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- Cancelling life cycle replacement of furnishings.
- Reviewing all service and maintenance obligations and eliminating or delaying expenditures.
- *Capital Outlay.* This line item provides funding for furniture, computers, and standard office software for each new FTE. The Public Defender proposes a one-time reduction of **\$119,576** (54.4 percent), based on limiting new purchases of furniture and equipment.
- *Leased Space/Utilities.* This line item provides funding for the Public Defender's central administrative office, the appellate office, and 21 regional trial offices. The Public Defender proposes a reduction of **\$562,164** (10.9 percent), possible due to: leased space tax savings pursuant to H.B. 07-1395; delaying new leases to FY 2010-11; incorporating utility costs into lease agreements; and terminating all off-site storage contracts.
- *Automation Plan.* This line item provides funding for information technology equipment and software, supplies, life cycle replacement (including personal computers, a limited number of laptops, network printers), software maintenance, and telecommunications equipment and networking for all 23 offices. The Public Defender proposes a one-time reduction of **\$211,598** (23.6 percent), possible due to the delay of several scheduled equipment replacements and software licensing renewals, as well as the downsizing of wireless access in offices and the use of wireless cards and cell phones.
- *Mandated Costs.* This line item provides funding for mandated costs, including expert witness fees and associated travel costs, interpreters, transcripts, and other related expenses. The Public Defender proposes a one-time reduction of **\$227,085** (6.4 percent), made possible due to fewer active death penalty cases, and controlling expert witness and travel requests.

Staff Recommendation: Staff recommends that the Committee approve the request. Please note, however, that these reductions are generally one-time in nature. With respect to personnel reductions, the previously authorized positions will be filled June 1, and thus the FY 2010-11 budget will need to include a full 12 months of funding for these positions. The delay in hiring the staff authorized for FY 2009-10 has increased the workload for existing staff (an average of 335 cases per trial attorney rather than 301), exacerbating the Office' overall staffing deficit. The Office estimates that had these positions been filled in July 2009, the deficit in attorneys and support staff would have been reduced to 24 percent. The delay in filling these new positions causes this deficit to remain at 29 percent.

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In addition, in order to more clearly reflect the operational impact of these reductions, **staff recommends reducing the FTE appropriated for each of the relevant line items** to reflect the number of full time equivalent positions that will remain vacant as a result of these reductions. Specifically, staff recommends reducing the FTE authorization by 38.7 FTE, to 537.6 FTE.

Finally, please note that staff’s recommendation excludes the Office’ request to reduce funding for vehicle lease payments by \$10,704 General Fund. Instead, staff recommends reflecting any reduction that is consistent with the statewide common policy for this line item.

Staff Initiated Supplementals

**JBC Staff-Initiated Supplemental #1
 Technical Corrections to Informational Appropriations**

	Request	Recommendation
Cash Funds	\$0	\$1,395,000

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
This supplemental is the result of a <i>technical error</i> .	

Staff Recommendation: Staff recommends making technical adjustments to three informational line item appropriations. These three line items are supported by fee revenues which are continuously appropriated to the Supreme Court, as they are part of the Supreme Court’s constitutional responsibility for regulating the practice of law in Colorado. **Staff recommends increasing these informational appropriations to better reflect actual expenditures likely to be incurred.** The following table describes each line item and identifies the recommended adjustment. The recommended adjustments are based on actual expenditures incurred in the last two fiscal years.

Line Item	Description	Recommended Adjustment
Attorney Regulation Committees	Investigation of allegations of attorney misconduct and compensation of persons who suffer certain monetary losses because of an attorney's dishonest conduct	\$1,300,000
Continuing Legal Education	Administration of mandatory continuing legal education for attorneys and judges, including the certification of courses and educational conferences	45,000

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Line Item	Description	Recommended Adjustment
Law Examiner Board	Administration of the Colorado bar exam	50,000

**JBC Staff-Initiated Supplemental #2
 Technical Correction to Language Interpreters line item**

	Request	Recommendation
Total	\$0	\$0
FTE	<u>0.0</u>	<u>5.0</u>
General Fund	0	0
FTE	0.0	5.0
Cash Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
This supplemental is the result of a <i>technical error</i> .	

Staff Recommendation: Staff recommends making a technical adjustment to the appropriation for “Language Interpreters”. This line item provides funding for foreign language interpreter services for indigent individuals. The appropriation supports Department staff at the State Court Administrator’s Office and in judicial districts, as well as payments to certified language interpreters who provide contract services. The number of FTE in each judicial district fluctuates based on the demand for such services. The Department currently uses regional managers to oversee interpreter services for groups of districts with relatively low demand for services, a single managing interpreter for other districts, and a managing interpreter and one or more staff interpreters in districts with a relatively high need for services.

Last Spring, staff recommended (and the Committee approved) a reduction in the FTE associated with this line item from 25.0 to 20.0, based on the actual mix of employees and contractors. Subsequently, staff has learned that this recommendation was not appropriate and will likely understate the number of staff required to administer the program and comply with federal law. **Staff thus recommends reversing this decision and increasing the FTE associated with this line item by 5.0 FTE to better reflect the actual number of FTE and allow the Department a reasonable amount of flexibility to administer the program in the most cost-effective manner.**

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Previously Approved Interim Supplemental (for the Office of the Child's Representative)
Court Appointed Counsel (FY 2008-09)

Previously Approved Adjustment for FY 2008-09	
Total - GF*	\$1,137,229

Summary: This *FY 2008-09* supplemental, approved by the Joint Budget Committee on June 22, 2009, provides the Office of the Child's Representative with an additional \$1,437,229 General Fund to cover higher than anticipated costs of providing legal representation for children involved in the court system. The anticipated over expenditure was primarily due to increases in the average cost per case for dependency and neglect, domestic relations, and truancy cases. In order to mitigate the General Fund impact of approving the Office' request, this supplemental also reduced the appropriation to the Department for Court Costs, Jury Costs, and Court-appointed Counsel by \$300,000.

The rules governing interim supplementals in Section 24-75-109 (5), C.R.S., require the Committee to introduce all interim supplementals that it approves. Staff will include this new line item appropriation in the Department's supplemental bill.

Previously Approved Interim Supplemental (for the Public Defender)
Spending Authority for Grant (FY 2009-10)

Previously Approved Adjustment for FY 2008-09	
Total Cash Funds - Grants	\$40,000
FTE	1.0

Summary: This supplemental, approved by the Joint Budget Committee on September 21, 2009, authorizes the Public Defender to receive a \$40,000 grant to support 1.0 FTE Family Advocate in their Boulder field office. This individual assists Spanish-speaking families in navigating the juvenile justice system more effectively by bridging language and cultural gaps between families and court personnel. This position was previously supported through a federal grant, which expired in September 2009. In July 2009, Boulder County expressed its desire for the Public Defender's Office to continue providing these services and offered a \$40,000 grant for this purpose for the remainder of FY 2009-10. The Public Defender requires cash funds spending authority to receive and spend these grant moneys.

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The rules governing interim supplementals in Section 24-75-109 (5), C.R.S., require the Committee to introduce all interim supplementals that it approves. Staff will include this new line item appropriation in the Department's supplemental bill.

Statewide Common Policy Supplemental Requests

These requests are not prioritized and are not analyzed in this packet. The JBC will act on these items later when it makes decisions regarding common policies.

Department's Portion of Statewide Supplemental Request	Total	General Fund	Cash Funds	Reapprop. Funds	Federal Funds
Worker's Compensation - Reduction in liability, property, and workers' compensation volatility	(\$96,087)	(\$96,087)	\$0	\$0	\$0
Payment to Risk Management and Property Funds - Contract review and reduction and reduction in liability, property, and workers' compensation volatility	(14,147)	(14,147)	0	0	0
Vehicle Lease Payments - State fleet rebates and annual fleet vehicle replacement true-up	(13,488)	(13,488)	0	0	0
Administration, Operating - Mail equipment upgrade	(3,130)	(3,130)	0	0	0
Department's Total Statewide Supplemental Requests	(126,852)	(126,852)	0	0	0

Staff Recommendation: The staff recommendation for these requests is pending Committee approval of common policy supplementals. **Staff asks permission to include the corresponding appropriations in the Department's supplemental bill when the Committee approves this common policy supplemental.** If staff believes there is reason to deviate from the common policy, staff will appear before the Committee later to present the relevant analysis.

	FY 2008-09	FY 2009-10	Fiscal Year 2009-10 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
JUDICIAL BRANCH					
Chief Justice Mary Mullarkey					
Supplemental "A" - Budget Reductions					
<i>(1) Supreme Court/ Court of Appeals</i>					
Appellate Court Programs	11,205,403	11,848,560	(15,036)	(15,036)	11,833,524
FTE	<u>141.8</u>	<u>146.0</u>	<u>0.0</u>	<u>0.0</u>	<u>146.0</u>
General Fund	10,150,428	10,762,173	(15,036)	(15,036)	10,747,137
FTE	128.3	132.5	0.0	0.0	132.5
Cash Funds	1,054,975	1,086,387	0	0	1,086,387
FTE	13.5	13.5	0.0	0.0	13.5
 <i>(2) Courts Administration</i>					
<i>(A) Administration</i>					
Operating Expenses	<u>370,918</u>	<u>371,106</u>	<u>(3,483)</u>	<u>(3,483)</u>	<u>367,623</u>
General Fund	370,396	370,106	(3,483)	(3,483)	366,623
Cash Funds	522	1,000	0	0	1,000
 Courthouse Capital/ Infrastructure					
Maintenance	<u>1,000,000</u>	<u>4,100,000</u>	<u>(1,000,000)</u>	<u>(1,000,000)</u>	<u>3,100,000</u>
General Fund	1,000,000	1,000,000	(1,000,000)	(1,000,000)	0
Cash Funds	0	3,100,000	0	0	3,100,000

	FY 2008-09	FY 2009-10	Fiscal Year 2009-10 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
<i>(A) Administrative Special Purpose</i>					
Health, Life and Dental	<u>16,106,295</u>	<u>18,141,821</u>	<u>(225,000)</u>	<u>(225,000)</u>	<u>17,916,821</u>
General Fund	13,905,933	16,302,590	(225,000)	(225,000)	16,077,590
Cash Funds	2,200,362	1,839,231	0	0	1,839,231
Short-term Disability	<u>200,386</u>	<u>308,097</u>	<u>(80,000)</u>	<u>(80,000)</u>	<u>228,097</u>
General Fund	166,112	272,515	(80,000)	(80,000)	192,515
Cash Funds	34,274	35,582	0	0	35,582
Leased Space	<u>843,850</u>	<u>828,175</u>	<u>311,340</u>	<u>311,340</u>	<u>1,139,515</u>
General Fund	809,675	788,935	179,100	179,100	968,035
Cash Funds	34,175	39,240	132,240	132,240	171,480
<i>(C) Integrated Information Services</i>					
Operating Expenses	<u>327,888</u>	<u>227,604</u>	<u>(22,760)</u>	<u>(22,760)</u>	<u>204,844</u>
General Fund	177,888	177,604	(22,760)	(22,760)	154,844
Cash Funds	150,000	50,000	0	0	50,000
Information Technology Infrastructure	<u>4,284,397</u>	<u>3,961,486</u>	<u>(1,000,000)</u>	<u>(1,000,000)</u>	<u>2,961,486</u>
General Fund	1,353,094	1,353,094	(1,000,000)	(1,000,000)	353,094
Cash Funds	2,931,303	2,608,392	0	0	2,608,392

	FY 2008-09	FY 2009-10	Fiscal Year 2009-10 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
<i>(3) Trial Courts</i>					
Trial Courts Programs	115,637,931	126,801,115	(4,023,678)	(4,023,678)	122,777,437
FTE	<u>1,751.1</u>	<u>1,900.9</u>	<u>0.0</u>	<u>(108.8)</u>	<u>1,792.1</u>
General Fund	93,620,721	101,923,098	(4,023,678)	(4,023,678)	97,899,420
FTE	1,619.2	1,637.4	0.0	(108.8)	1,528.6
Cash Funds	22,017,210	23,913,017	0	0	23,913,017
FTE	131.9	263.5	0.0	0.0	263.5
Federal Funds	0	965,000	0	0	965,000
Capital Outlay	<u>1,450,806</u>	<u>1,353,895</u>	<u>(62,724)</u>	<u>(62,724)</u>	<u>1,291,171</u>
General Fund	0	62,724	(62,724)	(62,724)	0
Cash Funds	1,450,806	1,291,171	0	0	1,291,171
<i>(4) Probation and Related Services</i>					
Personal Services	68,108,725	71,763,731	(3,100,000)	(3,100,000)	68,663,731
FTE	<u>1,081.2</u>	<u>1,139.6</u>	<u>0.0</u>	<u>(59.9)</u>	<u>1,079.7</u>
General Fund	58,805,464	62,125,104	(3,100,000)	(3,100,000)	59,025,104
FTE	927.3	985.7	0.0	(59.9)	925.8
Cash Funds	9,303,261	9,638,627	0	0	9,638,627
FTE	153.9	153.9	0.0	0.0	153.9
Operating Expenses	<u>2,589,368</u>	<u>3,117,267</u>	<u>(309,721)</u>	<u>(309,721)</u>	<u>2,807,546</u>
General Fund	2,262,118	2,298,418	(309,721)	(309,721)	1,988,697
Cash Funds	327,250	818,849	0	0	818,849
Capital Outlay - GF	168,604	81,622	(81,622)	(81,622)	0

	FY 2008-09	FY 2009-10	Fiscal Year 2009-10 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
Total for Budget Reductions - Courts, Probation, and Administration	222,294,571	242,904,479	(9,612,684)	(9,612,684)	233,291,795
FTE	<u>2,974.1</u>	<u>3,186.5</u>	<u>0.0</u>	<u>(168.7)</u>	<u>3,017.8</u>
General Fund	182,790,433	197,517,983	(9,744,924)	(9,744,924)	187,773,059
FTE	2,674.8	2,755.6	0.0	(168.7)	2,586.9
Cash Funds	39,504,138	44,421,496	132,240	132,240	44,553,736
FTE	299.3	430.9	0.0	0.0	430.9
Federal Funds	0	965,000	0	0	965,000
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Supplemental "B" - Public Access System					
(2) Courts Administration					
(C) Integrated Information Services					
Personal Services	3,224,060	3,488,481	43,445	43,445	3,531,926
FTE	<u>43.4</u>	<u>44.9</u>	<u>1.0</u>	<u>1.0</u>	<u>45.9</u>
General Fund	3,187,012	3,270,771	0	0	3,270,771
FTE	43.4	44.9	0.0	0.0	44.9
Cash Funds	37,048	0	43,445	43,445	43,445
FTE	0.0	0.0	1.0	1.0	1.0
Reappropriated Funds	0	217,710	0	0	217,710
Operating Expenses	<u>327,888</u>	<u>227,604</u>	<u>28,800</u>	<u>28,800</u>	<u>256,404</u>
General Fund	177,888	177,604	0	0	177,604
Cash Funds	150,000	50,000	28,800	28,800	78,800

	FY 2008-09	FY 2009-10	Fiscal Year 2009-10 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
Total for Public Access System	3,551,948	3,716,085	72,245	72,245	3,788,330
FTE	<u>43.4</u>	<u>44.9</u>	<u>1.0</u>	<u>1.0</u>	<u>45.9</u>
General Fund	3,364,900	3,448,375	0	0	3,448,375
FTE	43.4	44.9	0.0	0.0	44.9
Cash Funds	187,048	50,000	72,245	72,245	122,245
FTE	0.0	0.0	1.0	1.0	1.0
Reappropriated Funds	0	217,710	0	0	217,710
<hr/>					
Supplemental "C" - Courthouse Security Grant Program					
<i>(2) Courts Administration</i>					
<i>(A) Administration</i>					
Courthouse Security - CF	1,813,352	3,194,622	476,000	476,000	3,670,622
FTE	1.0	1.0	0.0	0.0	1.0
<hr/>					
Supplemental "D" - Federal Funds and Grants					
<i>(3) Trial Courts</i>					
Federal Funds and Other Grants	1,602,789	2,400,000	500,000	500,000	2,900,000
FTE	<u>8.5</u>	<u>14.0</u>	<u>0.0</u>	<u>0.0</u>	<u>14.0</u>
Cash Funds	305,991	475,000	500,000	500,000	975,000
FTE	0.0	3.0	0.0	0.0	3.0
Reappropriated Funds	133,012	300,000	0	0	300,000
FTE	6.0	6.0	0.0	0.0	6.0
Federal Funds	1,163,786	1,625,000	0	0	1,625,000
FTE	2.5	5.0	0.0	0.0	5.0

	FY 2008-09	FY 2009-10	Fiscal Year 2009-10 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
<i>(4) Probation and Related Services</i>					
Federal Funds and Other Grants	3,529,754	4,850,000	750,000	750,000	5,600,000
FTE	<u>32.3</u>	<u>33.0</u>	<u>0.0</u>	<u>0.0</u>	<u>33.0</u>
Cash Funds	1,011,041	1,200,000	750,000	750,000	1,950,000
FTE	2.0	2.0	0.0	0.0	2.0
Reappropriated Funds	822,563	850,000	0	0	850,000
FTE	17.8	18.0	0.0	0.0	18.0
Federal Funds	1,696,150	2,800,000	0	0	2,800,000
FTE	12.5	13.0	0.0	0.0	13.0
Total for Federal Funds and Grants	5,132,543	7,250,000	1,250,000	1,250,000	8,500,000
FTE	<u>40.8</u>	<u>47.0</u>	<u>0.0</u>	<u>0.0</u>	<u>47.0</u>
Cash Funds	1,317,032	1,675,000	1,250,000	1,250,000	2,925,000
FTE	2.0	5.0	0.0	0.0	5.0
Reappropriated Funds	955,575	1,150,000	0	0	1,150,000
FTE	23.8	24.0	0.0	0.0	24.0
Federal Funds	2,859,936	4,425,000	0	0	4,425,000
FTE	15.0	18.0	0.0	0.0	18.0

	FY 2008-09	FY 2009-10	Fiscal Year 2009-10 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
(5) PUBLIC DEFENDER					
Douglas Wilson, State Public Defender					
Supplemental "E" - Budget Reductions					
<i>(5) Public Defender</i>					
Personal Services	35,641,348	38,468,649	(578,311)	(578,311)	37,890,338
FTE	<u>510.3</u>	<u>576.3</u>	<u>0.0</u>	<u>(38.7)</u>	<u>537.6</u>
General Fund	35,416,348	38,468,649	(578,311)	(578,311)	37,890,338
FTE	506.3	576.3	0.0	(38.7)	537.6
Cash Funds	225,000	0	0	0	0
FTE	4.0	0.0	0.0	0.0	0.0
Health, Life, and Dental - GF	2,642,260	3,683,543	(627,325)	(627,325)	3,056,218
Short-term Disability	<u>40,831</u>	<u>54,015</u>	<u>(3,163)</u>	<u>(3,163)</u>	<u>50,852</u>
General Fund	40,814	54,015	(3,163)	(3,163)	50,852
Cash Funds	17	0	0	0	0
S.B. 04-257 Amortization					
Equalization Disbursement	<u>492,072</u>	<u>690,464</u>	<u>(39,768)</u>	<u>(39,768)</u>	<u>650,696</u>
General Fund	491,865	690,464	(39,768)	(39,768)	650,696
Cash Funds	207	0	0	0	0

	FY 2008-09	FY 2009-10	Fiscal Year 2009-10 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
S.B. 06-235 Supplemental Amortization					
Equalization Disbursement	<u>222,483</u>	<u>424,572</u>	<u>(52,692)</u>	<u>(52,692)</u>	<u>371,880</u>
General Fund	222,386	424,572	(52,692)	(52,692)	371,880
Cash Funds	97	0	0	0	0
Operating Expenses	<u>1,169,809</u>	<u>1,240,001</u>	<u>(235,533)</u>	<u>(235,533)</u>	<u>1,004,468</u>
General Fund	1,152,309	1,210,001	(235,533)	(235,533)	974,468
Cash Funds	17,500	30,000	0	0	30,000
Capital Outlay - GF	62,760	219,576	(119,576)	(119,576)	100,000
Leased Space/Utilities - GF	4,105,017	5,177,879	(562,164)	(562,164)	4,615,715
Automation Plan - GF	1,084,390	894,768	(211,598)	(211,598)	683,170
Mandated Costs - GF	2,954,166	3,567,671	(227,085)	(227,085)	3,340,586
Total for Budget Reductions - Public Defender					
FTE	48,415,136	54,421,138	(2,657,215)	(2,657,215)	51,763,923
General Fund	<u>510.3</u>	<u>576.3</u>	<u>0.0</u>	<u>(38.7)</u>	<u>537.6</u>
Cash Funds	48,172,315	54,391,138	(2,657,215)	(2,657,215)	51,733,923
FTE	506.3	576.3	0.0	(38.7)	537.6
Cash Funds	242,821	30,000	0	0	30,000
FTE	4.0	0.0	0.0	0.0	0.0

	FY 2008-09	FY 2009-10	Fiscal Year 2009-10 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
JBC Staff-Initiated #1 - Technical Corrections to Informational Appropriations					
<i>(1) Supreme Court/ Court of Appeals</i>					
Attorney Regulation Committees - CF	5,527,576	4,700,000	0	1,300,000	6,000,000
FTE	40.5	40.5	0.0	0.0	40.5
Continuing Legal Education - CF	353,169	325,000	0	45,000	370,000
FTE	4.0	4.0	0.0	0.0	4.0
Law Examiner Board - CF	897,853	850,000	0	50,000	900,000
FTE	8.2	8.2	0.0	0.0	8.2
Total for Staff Initiated #1 - CF	6,778,598	5,875,000	0	1,395,000	7,270,000
FTE	52.7	52.7	0.0	0.0	52.7
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JBC Staff-Initiated #2 - Technical Correction to Language Interpreters line item					
<i>(3) Trial Courts</i>					
Language Interpreters	3,390,105	3,396,568	0	0	3,396,568
FTE	<u>22.3</u>	<u>20.0</u>	<u>0.0</u>	<u>5.0</u>	<u>25.0</u>
General Fund	3,343,467	3,346,568	0	0	3,346,568
FTE	22.3	20.0	0.0	5.0	25.0
Cash Funds	46,638	50,000	0	0	50,000
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	FY 2008-09	FY 2009-10	Fiscal Year 2009-10 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
Previously Approved Interim Supplemental - Spending Authority for Grant					
<i>(5) Public Defender</i>					
Grants	40,647	63,745	40,000	40,000	103,745
FTE	<u>0.0</u>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	<u>2.0</u>
Cash Funds	0	56,245	40,000	40,000	96,245
FTE	0.0	1.0	1.0	1.0	2.0
Reappropriated Funds	40,647	7,500	0	0	7,500
Totals Excluding Pending Items					
Judicial Branch					
Totals for ALL Departmental line items	427,461,409	450,663,656	(10,431,654)	(9,036,654)	441,627,002
FTE	<u>3,862.9</u>	<u>4,148.2</u>	<u>2.0</u>	<u>(200.4)</u>	<u>3,947.8</u>
General Fund	326,564,145	336,357,516	(12,402,139)	(12,402,139)	323,955,377
Cash Funds	92,808,725	102,266,844	1,970,485	3,365,485	105,632,329
Reappropriated Funds	5,228,603	7,608,876	0	0	7,608,876
Federal Funds	2,859,936	4,430,420	0	0	4,430,420
Statewide Common Policy Supplementals					
(see narrative for more detail)	<u>N.A.</u>	<u>N.A.</u>	<u>(126,852)</u>	<u>Pending</u>	<u>N.A.</u>
General Fund			(126,852)		
Cash Funds			0		

	FY 2008-09	FY 2009-10	Fiscal Year 2009-10 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
Totals Including Pending Items					
Judicial Branch					
Totals for ALL Departmental line items	427,461,409	450,663,656	(10,558,506)	(9,036,654)	441,627,002
FTE	<u>3,862.9</u>	<u>4,148.2</u>	<u>2.0</u>	<u>(200.4)</u>	<u>3,947.8</u>
General Fund	326,564,145	336,357,516	(12,528,991)	(12,402,139)	323,955,377
Cash Funds	92,808,725	102,266,844	1,970,485	3,365,485	105,632,329
Reappropriated Funds	5,228,603	7,608,876	0	0	7,608,876
Federal Funds	2,859,936	4,430,420	0	0	4,430,420

Key:

N.A. = Not Applicable or Not Available