

EXHIBIT 3
 DATE 01/21/05
 HB 2

Judiciary

PROGRAM 01 – SUPREME COURT OPERATIONS

NP 111 Support Information Technology for the Judicial Branch - The executive is requesting \$1,935,000 in FY 2006 and \$1,935,000 in FY 2007 in general fund to support the information technology program for the Judicial branch.

LFD COMMENT

The executive is requesting funding to support the Judiciary's information technology program that would include 17.00 FTE and provide services to the Supreme Court, all district courts and all courts of limited jurisdiction in the state.

This request is comprised of:

1. Personal service costs for 17.00 FTE as follows:
 - o 3.00 FTE as application developers
 - o 6.00 FTE as network support specialists
 - o 6.00 FTE as business analysts/trainers
 - o FTE as a user support/help desk personnel
 - o FTE as a data base administrator
2. Desktop network services – network connectivity and office productivity software provided by the Department of Administration to serve 672 end users.
3. Maintenance for computers and peripherals that are on a 4-year replacement schedule.
4. Case management system maintenance.

LFD ISSUE

The executive is requesting that the Judiciary's information technology program be funded with general fund. During the 2005 biennium this program was funded with state special revenue from a \$10.00 surcharge levied on all criminal and certain civil case filings in district court. However, the executive is requesting that any funds collected from this fee be deposited into the general fund. This fee was schedule to expire on June 30, 2005. The executive is requesting that this fee be continued. The executive expects that this fee will generate about \$1.6 million in each fiscal year of the biennium. However, the executive is requesting \$1.935 million in each fiscal year of the biennium for the information technology program. Given these estimates, the cost of the information technology program will be \$335,000 more in each fiscal year than that collected and deposited into the general fund.

Options for the legislature:

1. Approve the executive budget as presented.
2. Require that the information technology program be funded with the state special revenue as it has been during the 2005 biennium. The fee would need to be increased by \$2.00 per filing or from \$10.00 to \$12.00 cover the entire budget request.
3. Require that the information technology program be funded partly with the state special revenue and partly with general fund.

For a discussion of issues related to the Judiciary's information technology please refer to page A-27 in the budget analysis for the Judiciary in Volume 3 – Agency Budgets of the Legislative Budget Analysis 2007 Biennium.

Elected Official: New Proposals (Amended)

Information Technology – The Judiciary is requesting an additional \$937,258 for its information technology program for the 2007 biennium. This request is for \$299,259 in FY 2006 and for \$637,999 in FY 2007.

PROGRAM 06 - CLERK OF COURT

PL 222 – Restore Clerk of Court Operating Budget – The executive recommends that the Clerk of Court's operating budget receive a general fund increase \$6,000 in FY 2006 and \$6,000 in FY 2007. These funds will be used to bring this budget to that level supported by the FY 2004 level.

**LFD
COMMENT**

In recent years, the Clerk of Court has reduced operating expenses in order to adhere to vacancy saving requirements. This request by the executive is to replace those reductions. These funds would be used to pay for day-to-day expenditures incurred by the function. There is no vacancy savings proposed in the Judiciary's 2007 biennium budget submission. Therefore, personal services would be fully funded in Governor Schweitzer's budget.