

Program Budget Comparison

The following table summarizes the total proposed budget by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2014	Approp. Fiscal 2015	Budget Fiscal 2016	Budget Fiscal 2017	Biennium Fiscal 14-15	Biennium Fiscal 16-17	Biennium Change	Biennium % Change
FTE	314.08	314.08	314.08	314.08	314.08	314.08	0.00	0.00 %
Personal Services	22,978,861	24,744,848	25,640,182	25,626,427	47,723,709	51,266,609	3,542,900	7.42 %
Operating Expenses	2,426,256	2,795,714	2,420,891	2,420,995	5,221,970	4,841,886	(380,084)	(7.28)%
Equipment & Intangible Assets	44,977	19,723	44,977	44,977	64,700	89,954	25,254	39.03 %
Benefits & Claims	39,705	41,000	39,705	39,705	80,705	79,410	(1,295)	(1.60)%
Total Costs	\$25,489,799	\$27,601,285	\$28,145,755	\$28,132,104	\$53,091,084	\$56,277,859	\$3,186,775	6.00 %
General Fund	25,358,889	27,452,267	28,072,168	28,058,517	52,811,156	56,130,685	3,319,529	6.29 %
State/Other Special Rev. Funds	130,910	149,018	73,587	73,587	279,928	147,174	(132,754)	(47.42)%
Federal Spec. Rev. Funds	0	0	0	0	0	0	0	0.00 %
Total Funds	\$25,489,799	\$27,601,285	\$28,145,755	\$28,132,104	\$53,091,084	\$56,277,859	\$3,186,775	6.00 %

Program Description

The District Courts have original jurisdiction in all felony criminal cases, most civil matters and other cases in law, and in equity. These courts may issue all writs appropriate to their jurisdiction and hear appeals from Courts of Limited Jurisdiction pursuant to statutory parameters. The District Courts are also the state's Youth Courts, responsible for managing juvenile probation functions. There are 46 District Court judges in 22 judicial districts serving all 56 counties. The 2001 Legislature mandated state funding of District Court expenses, including salaries and operating expenses for judges and their employees. District Court costs are the largest segment of the Judicial Branch budget.

Program Highlights

District Court Operations Major Budget Highlights
<ul style="list-style-type: none"> • The only adjustments for this program are to: <ul style="list-style-type: none"> ◦ Annualize the pay plan passed by the 2013 Legislature ◦ Adjust certain expenditure accounts for inflation ◦ Adjust funding for fixed costs

Program Discussion -

This agency was exempt from the HB 2 boilerplate language.

Personal Services

In FY 2015 legislative budget, personal services comprised 89.6% of the program budget. The Governor proposes 91.1% in FY 2016 and FY 2017. The increases in costs are due to:

- Restoration of the 2% applied vacancy savings
- Funding to annualize of the legislative pay plan
- Funding to annualize elected official pay per the statutory salary survey

Not Funded by the Governor - Requested as an Elected Official Request

For this program, the Judicial Branch requested but the Governor did not include a request for personal services and operation costs to add 3.50 FTE to address staffing issues in the following district courts:

- 1.00 FTE law clerk in Judicial District 14 (Musselshell County)
- 1.00 FTE law clerk and 0.50 FTE judicial assistant in Judicial District 15 (Sheridan County)
- 1.00 FTE judicial assistant in Judicial District 11 (Flathead County)

LFD COMMENT	<p><u>Minimum Staffing Levels</u></p> <p>The district court council is charged in law with adopting policies and procedures for the state-funded district court program. Following a judicial workload study, the council has specified the minimum standards for staff of a district court judge to be:</p> <ol style="list-style-type: none"> 1. One court reporter, 2. One judicial assistant, and 3. One law clerk. <p>For a standing master the minimum standard is one 0.75 FTE judicial assistant or law clerk.</p> <p>If funded, the current district court judges would still be short of minimum staffing in aggregate by:</p> <ul style="list-style-type: none"> • 5.00 FTE judicial assistants • 2.00 FTE court reporter • 0.75 FTE law clerk
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Funding

The following table shows proposed program funding by source from all sources of authority.

Judicial Branch, 04-District Court Operations Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	56,130,685	0	0	56,130,685	99.74 %	
02141 Youth Court Fees	147,174	0	0	147,174	100.00 %	
02151 JDIP SURPLUS	0	0	0	0	0.00 %	
02183 CFSD Pilot Project Coordinator	0	0	0	0	0.00 %	
02788 Acc. Cty Sick/Vacation Leave	0	0	0	0	0.00 %	
State Special Total	\$147,174	\$0	\$0	\$147,174	0.26 %	
03035 clerk of SC Mgt Info System	0	0	0	0	0.00 %	
03045 COPS Technology Grant	0	0	0	0	0.00 %	
03077 Drug Trmt Court Fed Res 13VTC	0	0	0	0	0.00 %	
03078 PROJECT SAFE NEIGHBORHOOD GRANT	0	0	0	0	0.00 %	
03114 SMHSA Lewistown Drug Court	0	0	0	0	0.00 %	
03165 MISSOULA JAIB GRANT	0	0	0	0	0.00 %	
03177 Dawson JAIB Grant Fund	0	0	0	0	0.00 %	
03373 Drug Trmt Court Fed Res JD7	0	0	0	0	0.00 %	
03699 County Grants/Contracts	0	0	0	0	0.00 %	
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %	
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %	
Total All Funds	\$56,277,859	\$0	\$0	\$56,277,859		

The bulk of the funding for District Court Operations comes from the general fund. State special revenue supporting the program comes from court imposed fines and fees. 2015 biennium funding from state special revenue includes county payments to the accrued sick/vacation leave fund made at the time of state assumption of District Court costs. 2015 biennium funding does not include accrued sick/vacation leave funds and are the reason for the 47.4% funding reduction in state special revenue from the 2015 biennium to the 2017 biennium. At the end of FY 2014, the balance in the accrued sick/vacation fund was \$48,000.

Budget Summary by Category

The following summarizes the total budget utilizing the FY 2015 Legislative base, present law adjustments, and new proposals.

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Leg. Budget Fiscal 2016	Leg. Budget Fiscal 2017	Leg. Biennium Fiscal 16-17	Percent of Budget	Leg. Budget Fiscal 2016	Leg. Budget Fiscal 2017	Leg. Biennium Fiscal 16-17	Percent of Budget
2015 Budget	27,510,370	27,510,370	55,020,740	98.02 %	27,659,388	27,659,388	55,318,776	98.30 %
PL Adjustments	561,798	548,147	1,109,945	1.98 %	486,367	472,716	959,083	1.70 %
New Proposals	0	0	0	0.00 %	0	0	0	0.00 %
Total Budget	\$28,072,168	\$28,058,517	\$56,130,685		\$28,145,755	\$28,132,104	\$56,277,859	

Present Law Adjustments -

The "Present Law Adjustments" table shows the changes from FY 2015 legislative appropriation to the budget proposed by the executive. PSPL adjusts all personal services. LGPL provides for adjustments to other expenditures such as operating expenses. Each is discussed in the narrative that follows. Total funds in the Present Law Adjustments table do not include proprietary funds budgeted in House Bill 2.

Present Law Adjustments										
	-----Fiscal 2016-----				-----Fiscal 2017-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 98 - LEG. Personal Services Present Law	0.00	950,836	(93,605)	0	857,231	0.00	936,916	(93,440)	0	843,476
DP 99 - LEG. Present Law	0.00	(389,038)	18,174	0	(370,864)	0.00	(388,769)	18,009	0	(370,760)
Grand Total All Present Law Adjustments	0.00	\$561,798	(\$75,431)	\$0	\$486,367	0.00	\$548,147	(\$75,431)	\$0	\$472,716

DP 98 - LEG. Personal Services Present Law -

The following table outlines various components of the changes included in the PS PL adjustments.

Personal Services Present Law Adjustments					
FY 2016					
CP 98 PSPL Item	FTE	General Fund	State Special	Federal Special	Total Funds
State Share Health Insurance	314.08	\$152,643	\$0	\$0	\$152,643
Executive Implementation of 2015 Pay Increase		-	-	-	-
Fully Fund 2015 Legislatively Authorized FTE		-	-	-	-
Other		798,193	(93,605)	-	704,588
Personal Services Present Law Adjustments	314.08	\$950,836	(\$93,605)	\$0	\$857,231
FY 2017					
CP 98 PSPL Item	FTE	General Fund	State Special	Federal Special	Total Funds
State Share Health Insurance	314.08	\$152,643	\$0	\$0	\$152,643
Executive Implementation of 2015 Pay Increase		-	-	-	-
Fully Fund 2015 Legislatively Authorized FTE		-	-	-	-
Other		784,273	(93,440)	-	690,833
Personal Services Present Law Adjustments	314.08	\$936,916	(\$93,440)	\$0	\$843,476

The executive has proposed to increase funding for personal services by 3.4% in FY 2016 and FY 2017 compared to the FY 2015 legislative budget.

Changes that make up the other adjustments include the following:

- Elected official pay increases per the statutory survey
- Funding to restore 2% vacancy savings applied to non-elected official positions

DP 99 - LEG. Present Law -

The executive has proposed to reduce funding for all other expenditure categories excluding personal services by 12.9% in FY 2016 and FY 2017 compared to the FY 2015 legislative budget. Changes that make up the LGPL adjustment are due to FY 2014 expenditures less than budgeted for consultant and professional services, jury fees, and non-employee travel.