

Program Budget Comparison

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

| Program Budget Comparison | | | | | | | | |
|-------------------------------|---------------------|---------------------|---------------------|---------------------|-----------------------|-----------------------|--------------------|-------------------|
| Budget Item | Base Fiscal 2012 | Approp. Fiscal 2013 | Budget Fiscal 2014 | Budget Fiscal 2015 | Biennium Fiscal 12-13 | Biennium Fiscal 14-15 | Biennium Change | Biennium % Change |
| FTE | 311.58 | 311.58 | 314.58 | 314.58 | 311.58 | 314.58 | 3.00 | 0.96% |
| Personal Services | 22,496,889 | 22,546,580 | 22,851,493 | 22,870,679 | 45,043,469 | 45,722,172 | 678,703 | 1.51% |
| Operating Expenses | 2,470,597 | 2,761,692 | 2,870,494 | 2,856,714 | 5,232,289 | 5,727,208 | 494,919 | 9.46% |
| Equipment & Intangible Assets | 19,723 | 25,399 | 19,723 | 19,723 | 45,122 | 39,446 | (5,676) | (12.58%) |
| Benefits & Claims | 0 | 0 | 0 | 0 | 0 | 0 | 0 | n/a |
| Debt Service | 0 | 3,750 | 0 | 0 | 3,750 | 0 | (3,750) | (100.00%) |
| Total Costs | \$24,987,209 | \$25,337,421 | \$25,741,710 | \$25,747,116 | \$50,324,630 | \$51,488,826 | \$1,164,196 | 2.31% |
| General Fund | 24,862,817 | 25,110,156 | 25,592,692 | 25,598,098 | 49,972,973 | 51,190,790 | 1,217,817 | 2.44% |
| State Special | 124,392 | 227,265 | 149,018 | 149,018 | 351,657 | 298,036 | (53,621) | (15.25%) |
| Federal Special | 0 | 0 | 0 | 0 | 0 | 0 | 0 | n/a |
| Total Funds | \$24,987,209 | \$25,337,421 | \$25,741,710 | \$25,747,116 | \$50,324,630 | \$51,488,826 | \$1,164,196 | 2.31% |

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"> ◆ Major funding increases were for: <ul style="list-style-type: none"> • Statewide present law adjustments • Funding to add 3.00 FTE judicial support staff for district court judges • Funding to annualize district court variable costs due to an abnormally low base year |

Funding

The following table shows program funding by source of authority for the 2015 biennium as adopted by the legislature.

| Total Judicial Branch Funding by Source of Authority 2015 Biennium Budget - District Court Operations | | | | | | | |
|--|---------------|--------------------------|-------------------------|-------------------|-------------------|---------------|--------------------|
| Funds | HB 2 | Non-Budgeted Proprietary | Statutory Appropriation | Total All Sources | % Total All Funds | MCA Reference | Statutory Category |
| General Fund | \$51,190,790 | \$0 | \$0 | \$51,190,790 | 99.4% | | |
| State Special Total | \$298,036 | \$0 | \$0 | \$298,036 | 0.6% | | |
| 02141 Youth Court Fees | \$181,194 | \$0 | \$0 | \$181,194 | 0.4% | | |
| 02788 Acc. Cty Sick/vacation Leave | \$116,842 | \$0 | \$0 | \$116,842 | 0.2% | | |
| Total All Funds | \$51,488,826 | \$0 | \$0 | \$51,488,826 | 100.0% | | |
| Percent - Total All Sources | 100.0% | 0.0% | 0.0% | | | | |

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 and county payments to the accrued sick/vacation leave fund made at the time of state assumption of District Court costs. Federal funds supporting the program are generally time limited grant awards that support special projects such as drug courts. No federal funds are anticipated in the 2015 biennium.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals.

| Budget Item | -----General Fund----- | | | | -----Total Funds----- | | | |
|--------------------------|------------------------|---------------------|-----------------------|-------------------|-----------------------|---------------------|-----------------------|-------------------|
| | Budget Fiscal 2014 | Budget Fiscal 2015 | Biennium Fiscal 14-15 | Percent of Budget | Budget Fiscal 2014 | Budget Fiscal 2015 | Biennium Fiscal 14-15 | Percent of Budget |
| Base Budget | 24,862,817 | 24,862,817 | 49,725,634 | 97.14% | 24,987,209 | 24,987,209 | 49,974,418 | 97.06% |
| Statewide PL Adjustments | 461,496 | 484,775 | 946,271 | 1.85% | 457,686 | 480,965 | 938,651 | 1.82% |
| Other PL Adjustments | 198,379 | 180,506 | 378,885 | 0.74% | 226,815 | 208,942 | 435,757 | 0.85% |
| New Proposals | 70,000 | 70,000 | 140,000 | 0.27% | 70,000 | 70,000 | 140,000 | 0.27% |
| Total Budget | \$25,592,692 | \$25,598,098 | \$51,190,790 | | \$25,741,710 | \$25,747,116 | \$51,488,826 | |

Present Law Adjustments

The “Present Law Adjustments” table shows the changes to the base budget adopted by the legislature.

| Present Law Adjustments | -----Fiscal 2014----- | | | | | -----Fiscal 2015----- | | | | |
|--|-----------------------|------------------|------------------|-----------------|------------------|-----------------------|------------------|------------------|-----------------|------------------|
| | FTE | General Fund | State Special | Federal Special | Total Funds | FTE | General Fund | State Special | Federal Special | Total Funds |
| Personal Services | | | | | 462,710 | | | | | 482,412 |
| Inflation/Deflation | | | | | (4,661) | | | | | (1,160) |
| Fixed Costs | | | | | (363) | | | | | (287) |
| Total Statewide Present Law Adjustments | | \$461,496 | (\$3,810) | \$0 | \$457,686 | | \$484,775 | (\$3,810) | \$0 | \$480,965 |
| DP 50 - Initial Motion to FY 2012 Base | 0.00 | (461,496) | 3,810 | 0 | (457,686) | 0.00 | (484,775) | 3,810 | 0 | (480,965) |
| DP 51 - Adjustment for Statewide Personal Services | 0.00 | 160,913 | (3,840) | 0 | 157,073 | 0.00 | 180,216 | (3,834) | 0 | 176,382 |
| DP 52 - Adjustment for Statewide Operations | 0.00 | (5,054) | 30 | 0 | (5,024) | 0.00 | (1,471) | 24 | 0 | (1,447) |
| DP 4001 - Minimum Standards - Judicial Support Staff | 3.00 | 201,516 | 0 | 0 | 201,516 | 3.00 | 184,036 | 0 | 0 | 184,036 |
| DP 4003 - Accrued Leave Payouts - State Special Revenue | 0.00 | 0 | 28,436 | 0 | 28,436 | 0.00 | 0 | 28,436 | 0 | 28,436 |
| DP 4004 - Increase for District Court Contracts & Transcript | 0.00 | 12,500 | 0 | 0 | 12,500 | 0.00 | 12,500 | 0 | 0 | 12,500 |
| DP 4005 - District Court Variable Base Adjustment | 0.00 | 250,000 | 0 | 0 | 250,000 | 0.00 | 250,000 | 0 | 0 | 250,000 |
| DP 4006 - HB 107 Transfer | 0.00 | 40,000 | 0 | 0 | 40,000 | 0.00 | 40,000 | 0 | 0 | 40,000 |
| Total Other Present Law Adjustments | 3.00 | \$198,379 | \$28,436 | \$0 | \$226,815 | 3.00 | \$180,506 | \$28,436 | \$0 | \$208,942 |
| Grand Total All Present Law Adjustments | 3.00 | \$659,875 | \$24,626 | \$0 | \$684,501 | 3.00 | \$665,281 | \$24,626 | \$0 | \$689,907 |

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services, with a 2% vacancy savings applied to all non-elected positions.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

DP 4001 - Minimum Standards - Judicial Support Staff - The legislature approved general fund for operating costs and personal services to add 3.00 FTE law clerks. In approving the funds, the legislature specified that 1.00 FTE each may be added only to Judicial District 7 (Dawson/Richland/McCone/ Prairie/Wibaux Counties); Judicial District 15 (Daniels/Roosevelt/Sheridan Counties); and Judicial District 16 (Carter/Custer/Fallon/Garfield/Powder River/Rosebud/Treasure Counties).

DP 4003 - Accrued Leave Payouts - State Special Revenue - The legislature approved state special revenue for projected retirement payouts of employees who became state employees at the time of district court assumption.

DP 4004 - Increase for District Court Contracts & Transcript - The legislature approved funding to increase rates to contractors in several areas for district courts: contracted court reporters (3 judicial Districts), relief court reporters (most judicial districts), court appointed special advocates (CASA) programs, and contracted guardians ad litem (GAL). The funding will also increase the statutory transcript rate.

DP 4005 - District Court Variable Base Adjustment - The legislature approved funding for anticipated increases in District Court variable costs. Among the functions covered are jury and witness costs, psychiatric evaluations, appointed guardians ad litem, court reporters, travel, and interpreters.

DP 4006 - HB 107 Transfer - The legislature passed HB 107 that transfers the expense for counsel assignments from the Office of State Public Defender to the courts for certain cases in abuse and neglect proceedings. This adjustment increases funding for the courts for these expenses per the coordinating language of HB 107. An offsetting adjustment is made in the Office of Public Defender Program of the Office of State Public Defender.

New Proposals

| New Proposals | | | | | | | | | | | |
|---|-------------|-----------------------|---------------|-----------------|-----------------|-------------|-----------------------|---------------|-----------------|-----------------|--|
| | | -----Fiscal 2014----- | | | | | -----Fiscal 2015----- | | | | |
| Program | FTE | General Fund | State Special | Federal Special | Total Funds | FTE | General Fund | State Special | Federal Special | Total Funds | |
| DP 4002 - Continued Guardian Ad Litem Funding | | | | | | | | | | | |
| 04 | 0.00 | 70,000 | 0 | 0 | 70,000 | 0.00 | 70,000 | 0 | 0 | 70,000 | |
| Total | 0.00 | \$70,000 | \$0 | \$0 | \$70,000 | 0.00 | \$70,000 | \$0 | \$0 | \$70,000 | |

DP 4002 - Continued Guardian Ad Litem Funding - The legislature approved funding for the guardian ad litem services in child abuse and neglect cases in Judicial District 2, Silver Bow County.