

5% Base Budget Reduction Form
[17-7-111-3\(f\)](#)

AGENCY CODE & NAME:

		Minimum Requirement	
		General Fund	State Special Revenue Fund
TARGETED REDUCTION TO EQUAL 5% OF CURRENT BASE BUDGET		\$ 1,696,263	\$ 67,243
Priority	SERVICE(S) TO BE ELIMINATED OR REDUCED	General Fund Annual Savings	State Special Revenue Annual Savings
1	Supreme Court Operations Program - Civil Legal Assistance		\$ 7,567
2	Boards and Commissions - Operational Categories		\$ 4,005
3	District Court Operations - Probation Fees		\$ 6,478
4	Water Court Operations - Operational Categories		\$ 49,193
5	Supreme Court Operations - Reduce Operating Expenses	\$ 23,310	
6	Boards and Commissions - Reduce Operating Expenses	\$ 21,828	
7	Law Library - Operational Categories	\$ 45,182	
8	Clerk of Court - Operational Categories	\$ 22,420	
9	District Court Operations - Reduce Operating Expenses	\$ 47,583	
10	District Court Operations - Reduce Payments to Contract Court Reporters	\$ 31,417	
11	District Court Operations - Eliminate Funding for Tumbleweed Contract	\$ 59,280	
12	District Court Operations - Fixed Contracts for GALs	\$ 115,160	
13	Supreme Court Operations Program - 2% Vacancy Savings	\$ 80,443	
14	Boards and Commissions - 2% Vacancy Savings	\$ 3,932	
15	District Court Operations - 2% Vacancy Savings	\$ 318,676	
16	Supreme Court Operations - Reduce CAP by 35%	\$ 14,254	
17	District Court Operations - Reduce Family Evaluator Services by 35%	\$ 124,154	
18	Supreme Court Operations - Reduce Drug Courts by 35%	\$ 247,949	
19	Boards and Commissions - Reduce FTE	\$ 12,069	
20	Supreme Court Operations - Reduce FTE	\$ 91,478	
21	District Court Operations - Reduce FTE (Youth Court)	\$ 172,100	
22	District Court Operations - Reduce FTE	\$ 265,028	
	TOTAL SAVINGS	\$ 1,696,263	\$ 67,243
	DIFFERENCE	0	0

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Supreme Court Operations

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR *ELIMINATION OR REDUCTION*:

Reduction of spending authority to transfer filing fee state special revenue to Montana Legal Services for providing legal representation for indigent victims in civil matters in domestic violence cases and for alternative dispute resolution initiatives in family law cases.

#2 THE SAVINGS THAT ARE EXPECTED:

\$7,567 State Special Revenue

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED *ELIMINATION OR REDUCTION*:

Payment to Montana Legal Services Association would be reduced, which may result in revenue exceeding spending authority. Services provided by Montana Legal Services Association to indigent victims of domestic violence cases would be reduced.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED

The Judicial Branch does not currently have any other option to mitigate this reduction.

#5 OR NO:

Yes. 3-2-714 and 25-1-201 (3) (a) MCA

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Boards and Commissions

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR *ELIMINATION OR REDUCTION*:

Reduction of operational categories, including printing, contracted services, office supplies, post long distance and other telephone costs, travel, and meeting costs. State special expenditure reduction due to funds collected for training conferences for Courts of Limited Jurisdiction Judge

#2 THE SAVINGS THAT ARE EXPECTED:

\$4,005 State Special Revenue Funds

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED *ELIMINATION OR REDUCTION*:

Reductions in costs related to statutorily mandated training of Courts of Limited Jurisdiction judge

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED

The Judicial Branch does not currently have any other option to mitigate this reduction.

#5 OR NO:

Yes. 3-10-203 MCA

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, District Court Operations

- #1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:**
Reduction of expenses related to probation fees revenue. Reduction would be to training, suppl and materials and other miscellaneous expenditure categories.
- #2 THE SAVINGS THAT ARE EXPECTED:**
\$6,478 State Special Revenue Fund
- #3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:**
Reduced operational costs in all areas affect staff efficiency and effectiveness. Reduction of tra and related travel directly affect the professional development of staff. Reductions in equipment maintenance and replacement threaten Branch missions. The Branch would be unable to comp with state standards, react to technological changes or provide the tools necessary for staff to
- #4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED**
The Judicial Branch does not currently have any other option to mitigate this reduction.
- #5 OR NO:**
Yes. Titls 41, MCA.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Water Courts Supervision

- #1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:**
Reduce all operational categories to meet the budget reduction target. If these reductions do not provide sufficient savings and depending on the circumstances at the time, delay issuing new Water Court decrees, delay filling any vacant positions, accept any staff offers to take voluntary leave without pay, and, finally, implement mandatory staff reductions.
- #2 THE SAVINGS THAT ARE EXPECTED:**
\$49,193 State Special Revenue Fund
- #3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:**
The 2005 Legislature set a Water Court goal of issuing initial decrees in all Montana drainage basins by 2020. Section 85-2-270(2), MCA. The Legislative Auditor's June 2010 Performance Audit noted that with adequate resources, the Water Court might achieve that 2020 goal by 2016 and that moving additional FTEs to the Court in the next biennium (from DNRC or Reserved Water Right Compact Commission FTE positions which are scheduled to sunset) could accelerate the decree issuance schedule. (Audit Report at pages 32 and 46.) If the projected cost savings are confined to the Water Court's operating expenses, there will be delays and inconvenience to some water users during the 2013 biennium. For example, reducing or eliminating in-person basin public meetings will reduce advertising and travel costs, but will likely decrease water user understanding of the adjudication process and require water users to seek professional assistance at greater cost. If projected cost savings require staff reductions, the pace of the adjudication process will slow down.
- #4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED**
The Judicial Branch does not currently have any other option to mitigate this reduction.
- #5 OR NO:**
Yes. Title 3, Chapter 7, MCA, and Section 85-2-270, MCA.

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5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Supreme Court Operations

- #1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:**
Eliminate or reduce certain operational expenses, including printing and mailing of pay advices, reducing the number of communication devices, and eliminating subscriptions for certain on-line
- #2 THE SAVINGS THAT ARE EXPECTED:**
\$23,310 General Fund
- #3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:**
The consequences of implementing these reductions would be minimal.
- #4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED**
No mitigation would be necessary because the impact is minimal.
- #5 OR NO:**
No.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Boards and Commissions

- #1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:**
The Judicial Branch currently provides two training conference per year for the District Court judges and Supreme Court justices. Under this proposal, only one training conference per year would be held.
- #2 THE SAVINGS THAT ARE EXPECTED:**
\$21,828 General Fund
- #3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:**
Elimination of one annual training conference for judges and justices continues the already significant cut to judicial training. In 2007, the Legislature allocated money specifically for judicial training, which was then reduced to meet the 2% across-the-board reduction imposed by the 2008 Legislature. With that reduction, the Branch eliminated almost all continuing education for judges including training at the National Judicial College. Elimination of one annual training conference would reduce by half the remaining amount of professional development training offered to judges.
- #4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED**
Individual judges could seek out training through electronic resources and other sources. The Judicial Branch could attempt to provide shared resources electronically, but cuts in the information technology budget may delay this type of assistance.
- #5 OR NO:**
No.

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5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Law Library

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR *ELIMINATION OR REDUCTION*:

Reduction in purchase of books and other library materials.

#2 THE SAVINGS THAT ARE EXPECTED:

\$45,182 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED *ELIMINATION OR REDUCTION*:

Cuts will be made to materials purchased and used by the legislative branch and executive agencies. In past years this has led to those agencies each purchasing duplicate titles, but being unaware of the redundancies in spending. The combination of this 5% reduction and lack of funds for book inflation will combine to cut the book budget by 12 – 20%. Required titles will not be available for loaning to public libraries, the other courts around the state, court officers, and the

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED

The Judicial Branch does not currently have any other option to mitigate this reduction.

#5 OR NO:

Yes. Title 22, Chapter 1, Part 5, MCA.

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5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Clerk of Court

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR *ELIMINATION OR REDUCTION*:

Reduction of all operational categories including copying, office supplies, postage, records storage, long distance and other telephone charges, travel, office equipment maintenance and training.

#2 THE SAVINGS THAT ARE EXPECTED:

\$22,420 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED *ELIMINATION OR REDUCTION*:

Reductions would severely impede the Clerk of Court from performing required duties in support of the Montana Supreme Court.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED

The Judicial Branch does not currently have any other option to mitigate this reduction.

#5 OR NO:

Yes, Title 3, Chapter 2, Part 4, MCA.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, District Court Operations

- #1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:**
Eliminate subscription for certain on-line legal research services and the annual evaluation of selected out-of-state placements, programs, and services for juveniles referred to the Youth Court.
- #2 THE SAVINGS THAT ARE EXPECTED:**
\$47,583 General Fund
- #3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:**
The consequences of implementing these reductions would be minimal. Judges and law clerks would continue to have access to another on-line legal research service. Although the annual evaluation of selected out-of-state juvenile placements, programs, and services is valuable, its elimination will not negatively impact Youth Court operations.
- #4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED**
Judges and law clerks would continue to have access to another on-line legal research service. Youth Court personnel would continue to obtain information on effectiveness of programs and services through review of outcome measures submitted as part of the approval process for
- #5 OR NO:**
Yes. 41-5-130 and 41-5-2033, MCA, refer to the annual evaluation.

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AGENCY CODE & NAME:

21100, Judicial Branch, District Court Operations

- #1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:**
Reduce the funding available to pay for contracted court reporters to fill in for state employee off
- #2 THE SAVINGS THAT ARE EXPECTED:**
\$31,417 General Fund
- #3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:**
District Courts are courts of record (3-1-102, MCA). The Branch would continue to attempt to use official court reporters to fill in for each other during vacation and sick leave. However, District Courts are thinly staffed, and if an official court reporter is already booked, court hearings may be
- #4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED**
The Branch would continue to work closely with court reporters to manage schedules.
- #5 OR NO:**
Yes. 3-5-603, MCA

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AGENCY CODE & NAME:

21100, Judicial Branch, District Court Operations

- #1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:**
Eliminate the contract with the Tumbleweed Runaway Program that provides services to low-risk juvenile offenders and their families in Yellowstone County. This long-standing program, which identifies and provides services to youth at risk of involvement with the criminal justice system,
- #2 THE SAVINGS THAT ARE EXPECTED:**
\$59,280 General Fund
- #3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:**
The program is a community standard that has traditionally diverted low-risk juvenile offenders with family or mental health issues to appropriate services. Juveniles are not required to interact with the criminal justice system and instead are referred to alternative services. If the program is completely eliminated, these youth would be referred to the Youth Court office.
- #4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED**
Elements of the program could be financially supported through the Juvenile Intervention and Prevention Program (JDIP), which funds Youth Court programs and services. If that funding is reduced, the program would be eliminated.
- #5 OR NO:**
No.

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5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, District Court Operations

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR *ELIMINATION OR REDUCTION*:

would specifically target services offered in the 2nd Judicial District (Butte-Silver Bow County). The Branch intends to negotiate contracts with providers and significantly reduce the payments for these services.

#2 THE SAVINGS THAT ARE EXPECTED:

\$115,160 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED *ELIMINATION OR REDUCTION*:

Judges are required to appoint, and the Branch is required to fund, guardians ad litem for children involved in abuse and neglect cases. By reducing the funding available, the Branch would be taking a risk that experienced providers would be unwilling to continue to provide the services at a reduced rate. If experienced attorneys would be unwilling to work at a reduced rate, less experienced attorneys may need to be appointed to represent the best interest of the child.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED

The Branch would attempt to work with the judges and the state non-profit Court-Appointed Special Advocate (CASA) office to develop a local CASA program to provide these services. It will take time to develop a program and recruit and train volunteers, which means this action would not mitigate the impact of this reduction for several years.

#5 OR NO:

Yes. 41-3-112 and 3-5-901, MCA

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AGENCY CODE & NAME:

21100, Judicial Branch, Supreme Court Operations

- #1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:**
Apply 2% vacancy savings to all positions in the Supreme Court Operations Program, except for justices whose salaries may not be reduced during their term of office. (Montana Constitution,
- #2 THE SAVINGS THAT ARE EXPECTED:**
\$80,443 General Fund
- #3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:**
It is unlikely that the program would be able to achieve the proposed vacancy savings through attrition alone because the Branch's turnover rate has decreased as the economic climate has worsened. Therefore, vacant positions would need to remain open for extended periods of time to generate the necessary vacancy savings. Because this program provides centralized services to the Judicial Branch, keeping positions open for lengthy periods would result in less timely support for courts of limited jurisdiction, District Courts, and Supreme Court, especially in the area of court technology.
- #4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED**
The impact of keeping positions open for extended periods of time could be mitigated by reassigning the workload of these positions to remaining staff. However, this would create a significant burden on employees over time.
- #5 OR NO:**
No.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Boards & Commissions

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Apply 2% vacancy savings to all positions (3.0 FTE) in the Boards and Commissions Program. Employees assigned to the program process complaints and manage commissions charged with investigating complaints against attorneys and judges. Commission staff also manage mandatory training for judges in the courts of limited jurisdiction and judges in the District Courts. In addition, the program provides staff support to the Sentence Review Board.

#2 THE SAVINGS THAT ARE EXPECTED:

\$3,932 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

It is unlikely that the program would be able to achieve the proposed vacancy savings through attrition alone because the Branch's turnover rate has decreased as the economic climate has worsened. Therefore, vacant positions would need to remain open for extended periods of time to generate the necessary vacancy savings. Because this program is so very small, keeping a position open for a lengthy period would hamper the timely completion of work such as processing complaints against attorneys and judges.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED

The impact of keeping positions open for extended periods of time could be mitigated by reassigning the workload of these positions to remaining staff or staff within other programs. However, this would create a significant burden on employees over time.

#5 WHETHER THE SERVICE IS SPECIFICALLY REQUIRED BY STATE & /OR FEDERAL STATUTE - YES OR NO:

No.

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, District Court Operations

- #1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:**
Apply 2% vacancy savings to all positions in the District Court Operations Program, except for the judges whose salaries may not be reduced during their term of office. (Montana Constitution, Article VII, Section 10)
- #2 THE SAVINGS THAT ARE EXPECTED:**
\$318,676 General Fund
- #3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:**
It is unlikely that the program would be able to achieve the proposed vacancy savings through attrition alone because the Branch's turnover rate has decreased as the economic climate has worsened. Therefore, vacant positions would need to remain open for extended periods of time to generate the necessary vacancy savings. Because a judge typically has only three direct support staff (i.e., a judicial assistant, a court reporter, and a law clerk), keeping these positions open for lengthy periods of time would significantly impede the day-to-day operations of the court. Youth Court staffing also is lean, and because of the direct service nature of the juvenile probation program, it is difficult to reassign staff to other areas.
- #4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED**
The impact of keeping positions open for extended periods of time could be mitigated by reassigning the workload of these positions to remaining staff. However, this would create a significant burden on the remaining staff.
- #5 OR NO:**
Yes. Title 41, chapter 5, MCA

Form B

5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Supreme Court Operations

- #1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:**
Reduce funding for Court Assessment Program by 35%. The Court Assessment Program is a federally funded program requiring a state general fund match that assesses and assists district courts in moving child abuse and neglect cases through the court system and achieving permanency.
- #2 THE SAVINGS THAT ARE EXPECTED:**
\$14,254 General Fund
- #3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:**
Reducing the general fund match by 35% for the Court Assessment Program reduces federal funding for the program by the same percentage, a loss of \$42,761 in federal funds. The funding reductions would result in fewer subgrants to persons involved in resolving child abuse and neglect cases, including judges, Court-Appointed Special Advocates (CASA), prosecutors, public defenders, and child protection workers. These subgrants typically provide much needed training.
- #4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED**
The impact cannot be mitigated because the Judicial Branch does not have an alternative funding source for subgrants to stakeholders in abuse and neglect cases.
- #5 OR NO:**
No.

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5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, District Court Operations

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

evaluations and recommendations to the court in contested parenting or custody matters. Program staff conduct parenting investigations in contested cases and make recommendations to the court in the most difficult or contested parenting cases. With the investigations, Judges are able to make decisions more efficiently in these cases. Without parenting investigations, contested custody cases take an extraordinary amount of court time. The programs are long-standing and were created prior to the state assumption of District Court costs in 2002. The services will be reduced by 35%.

#2 THE SAVINGS THAT ARE EXPECTED:

\$124,154 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

The reduction will have a direct impact on the ability of judges to move contested custody cases through the court system. Fewer cases will be referred to a smaller staff, which reduces the number of families and children served by this program. Instead of referring to a complete investigation and report, the judge will have to evaluate individual claims in these often very emotional cases. This slows the court process, which pushes other cases aside and will overburden already very crowded courts.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED

Litigants with resources may be ordered to seek private parenting evaluations although these are generally very expensive and not financially feasible for most parents. Judges will continue to assign the most difficult cases to the in-house staff but it is impossible to mitigate the overall impact to the courts. Delays will result for families and children as each case requires more court time.

#5 OR NO:

No.

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5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Supreme Court Operations

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR *ELIMINATION OR REDUCTION*:

Reduce funding for drug courts by 35%. The current general fund appropriation supports statewide administrative and technical services, local drug court coordination services, and client treatment and support services for the following drug courts: Billings Adult Misdemeanor Drug Court; Butte Silver Bow Family Drug Court; 4th Judicial District Youth Drug Court; 4th Judicial District Family Drug Court; 4th Judicial District Drug Court Co-Occurring Docket; 7th Judicial District Youth Treatment Court; 8th Judicial District Adult Drug Treatment Court; 8th Judicial District Juvenile Treatment Court; 16th Judicial District Treatment Court; Gallatin County Treatment Court; Miner

#2 THE SAVINGS THAT ARE EXPECTED:

\$247,949 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED *ELIMINATION OR REDUCTION*:

and/or drug abuse dependency to give them the tools and incentives necessary to conquer their substance abuse problems. Drug court programs have resulted in lower recidivism rates for offenders, allowed offenders to stay in their communities to support their families and pay taxes, reduced the number of babies born drug addicted, and reduced the need for foster care. A 35% funding cut would significantly reduce the number of offenders who could be served by these courts thereby diminishing the societal benefits derived from the programs. Furthermore, statewide support for the drug courts would be reduced, including technical assistance; data collection, analysis and reporting to the Legislature; and training development and delivery for drug court personnel.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED

Federal or local government funding may be available to mitigate some of the impact of reduced

#5 OR NO:

No.

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5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, Boards and Commissions

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR *ELIMINATION OR REDUCTION*:

Reduce one of the three positions assigned to the program to a 0.6 FTE. Employees assigned to the program process complaints and manage Commissions charged with investigating complaints against attorneys and judges. Commission staff also manage mandatory training for judges in the courts of limited jurisdiction and judges in the District Courts. In addition, the program provides support to the Sentence Review Board.

#2 THE SAVINGS THAT ARE EXPECTED:

\$12,069 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED *ELIMINATION OR REDUCTION*:

The program is very small so any reduction will have a negative effect on completing work in a timely manner. Complaints against attorneys and judges could be delayed if employees are not in the office to process the complaints. It is possible that overtime will be accrued when the workload is heavy.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED:

Other programs within the Supreme Court may have to provide assistance when the workload is heavy.

#5 OR NO:

The following functions supported by the program are required by the Montana Constitution or statute: Judicial Standards Commission; Sentence Review Board; and twice yearly training and certification of judges in the courts of limited jurisdiction. The following functions supported by the program are required by Supreme Court rules: Commission on Practice; training for District Court judges.

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AGENCY CODE & NAME:

21100, Judicial Branch, Supreme Court Operations

- #1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:**
Eliminate an information technology business analyst and trainer position (1.0 FTE) and one-half a financial analyst position (0.5 FTE).
- #2 THE SAVINGS THAT ARE EXPECTED:**
\$91,478 General Fund
- #3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:**
These positions provide centralized information technology and finance support services to the Judicial Branch. Elimination of the IT business analyst and trainer position would result in slower response times in meeting the needs of IT users in the courts of limited jurisdiction and district courts; it also will slow down the deployment schedule for new releases of the FullCourt case management system. Elimination of the financial analyst would result in slower processing of
- #4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED**
The impact could be mitigated by reassigning work to remaining staff. However, this creates a significant burden on employees over time.
- #5 OR NO:**
No.

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5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, District Court Operations

- #1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:**
Eliminate four positions (4.0 FTE) in the juvenile probation offices that provide services to juveniles referred to Youth Court.
- #2 THE SAVINGS THAT ARE EXPECTED:**
\$172,100 General Fund
- #3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:**
Because personal services costs comprise over three-fourths of the Judicial Branch's budget, it would be necessary to eliminate four positions in the Youth Courts in order to achieve the total 5% reduction amount. These positions would be eliminated in various judicial districts throughout the state and would impact the delivery of services to juveniles referred to Youth Court.
- #4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED**
The workload of the positions could be reassigned to other staff, which may reduce the efficiency of the probation offices and have an impact on services provided to youth. If JDIP funding remains intact, the judicial districts could potentially contract for some services that were delivered by the positions. If the JDIP budget is decreased, programs and services in those districts would need to be reduced.
- #5 OR NO:**
Yes. Title 41, chapter 5, MCA

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5% Base Budget Reduction Form

AGENCY CODE & NAME:

21100, Judicial Branch, District Court Operations

#1 BRIEF DESCRIPTION OF SERVICE TO BE CONSIDERED FOR ELIMINATION OR REDUCTION:

Eliminate six positions (6.0 FTE) that provide support services to the District Courts.

#2 THE SAVINGS THAT ARE EXPECTED:

\$265,028 General Fund

#3 THE CONSEQUENCES OR IMPACTS OF THE PROPOSED ELIMINATION OR REDUCTION:

would be necessary to eliminate six positions in the District Court Program in order to achieve the total 5% reduction amount. These positions would be eliminated in various judicial districts throughout the state and would reduce administrative, clerical, and courtroom support for the District Courts. The elimination of these positions would place an additional burden on the courts in processing cases. Applying CY 2009 case filings to the Judicial Workload Assessment model indicates that for many judicial districts, the caseload has reached a point at which timely processing of cases, even those with statutory priority for adjudication, is nearly impossible. As a result, cases with no priority -- business disputes, domestic relation cases, debt collection cases, etc. -- are being scheduled further and further out on judges' calendars stranding many Montanans in legal limbo.

#4 HOW THE IMPACT TO CONSTITUENTS AND STAFF MIGHT BE MITIGATED

The impact of eliminating these could be mitigated by reassigning the workload of these positions to remaining staff. However, this would create a significant burden on employees over time.

#5 OR NO:

No.

Form B