

Agency Proposed Budget								
Budget Item	Base Budget Fiscal 1998	PL Base Adjustment Fiscal 2000	New Proposals Fiscal 2000	Total Leg. Budget Fiscal 2000	PL Base Adjustment Fiscal 2001	New Proposals Fiscal 2001	Total Leg. Budget Fiscal 2001	Total Leg. Budget Fiscal 00-01
FTE	94.25	.00	6.50	100.75	.00	8.00	102.25	102.25
Personal Services	5,914,114	1,057,117	379,053	7,350,284	1,019,267	539,723	7,473,104	14,823,388
Operating Expenses	1,293,566	158,603	419,363	1,871,532	130,386	423,051	1,847,003	3,718,535
Equipment	250,778	0	0	250,778	0	0	250,778	501,556
Grants	0	0	593,026	593,026	0	593,026	593,026	1,186,052
Debt Service	28,510	0	0	28,510	0	0	28,510	57,020
Total Costs	\$7,486,968	\$1,215,720	\$1,391,442	\$10,094,130	\$1,149,653	\$1,555,800	\$10,192,421	\$20,286,551
General Fund	6,923,648	1,132,301	212,041	8,267,990	1,082,975	376,399	8,383,022	16,651,012
State/Other Special	563,320	83,419	995,676	1,642,415	66,678	995,676	1,625,674	3,268,089
Federal Special	0	0	183,725	183,725	0	183,725	183,725	367,450
Total Funds	\$7,486,968	\$1,215,720	\$1,391,442	\$10,094,130	\$1,149,653	\$1,555,800	\$10,192,421	\$20,286,551

Agency Description

The judicial branch of state government is provided for in Article III, Section I, and Article VII of the 1972 Montana Constitution. The jurisdiction of the Supreme Court consists of all appellate and original jurisdiction in petitions for writs of habeas corpus and other such writs, general supervisory control over all courts, and rule making powers for Montana courts. The court also supervises the reimbursement to district courts of certain costs of criminal cases and administers the local citizen review board pilot program for foster care placements.

Summary of Legislative Action

The legislature approved increases to the 1998 base budget of the Judiciary of \$5.3 million, of which \$2.8 million was general fund. Significant increases include: 1) \$2.0 million in present law adjustments for personal services, primarily to continue the 1999 pay plan into the 2001 biennium; 2) \$288,989 in present law adjustments to operations; 3) \$410,500 general fund and 2.5 FTE as the result of the enactment of SB 273, which created a new 22nd Judicial District and added an additional judge for the 11th and 20th Judicial Districts; 4) \$367,450 in new federal funds to continue the court assessment program and to expand the citizen review boards; 5) \$2.0 in state special revenue and 5.0 FTE due to the passage of HB 41, which extended the surcharge in criminal, civil and probate proceedings to provide funding for the enhancement and development of electronic technology in the district courts and in the courts of limited jurisdiction; and 6) \$43,570 general fund to fund an additional 0.5 FTE for the Clerk of the Court's office.

Other Legislation

House Bill 41 - HB 41 extended the user surcharge for court information technology until June 30, 2003. This surcharge was last extended by the 1995 legislature to June 30, 1999. This legislation requires that all courts of original jurisdiction impose: 1) on a defendant in a criminal case a \$5 user surcharge upon conviction for any conduct made criminal by state statute or upon forfeiture of bond or bail; 2) a \$5 user surcharge on the initiating party in a civil or probate case; and 3) a \$5 user surcharge on each defendant or respondent in civil cases. The revenues collected by these surcharges are then transferred to a state special revenue account to be used for state funding of court technology. As a result of the passage of HB 41, \$995,676 per year of state special revenue was appropriated to the District Court Operations program.

House Bill 207 - HB 207 expands the list of district court expenses that can be reimbursed to district courts and counties under section 3-5-901, MCA, to include expenses incurred for proceedings involving abused and neglected children. Funds for district court reimbursement are statutorily appropriated.

House Bill 244 - This legislation revises the amount of compensation a retired judge is entitled to receive when called to serve temporarily to assist the supreme court, any district court, or water court. Under this legislation a retired judge or justice is entitled to actual expenses plus the daily compensation rate of the judicial position in which the duty is rendered, up to a total of 180 days in a calendar year. For each day of duty after 180 days the retired judge shall receive one-twentieth of the monthly salary applicable to the judicial position in which the duty is rendered minus an amount equal to the monthly retirement benefit that the retired justice or judge is receiving. As a result of the passage and approval of this

legislation \$53,892 in general fund was added to the biennial budget of the Judiciary's District Court program.

Senate Bill 273 - This legislation added a new 22nd Judicial District in Montana. The 22nd District is comprised of Stillwater, Carbon, and Bighorn County. In addition, SB 273 added an additional judge to the 11th Judicial District in Flathead County and the 20th Judicial District encompassing Lake and Sanders Counties. As a result of the passage and approval of this legislation, \$410,500 in general fund was added to the biennial budget of the Judiciary's District Court program to fund the three new judges.

Agency Budget Comparison								
Budget Item	Base Budget Fiscal 1998	Executive Budget Fiscal 2000	Legislative Budget Fiscal 2000	Leg - Exec. Difference Fiscal 2000	Executive Budget Fiscal 2001	Legislative Budget Fiscal 2001	Leg - Exec. Difference Fiscal 2001	Biennium Difference Fiscal 00-01
FTE	94.25	95.25	100.75		95.25	102.25		
Personal Services	5,914,114	7,004,251	7,350,284	346,033	6,966,149	7,473,104	506,955	852,988
Operating Expenses	1,293,566	1,766,884	1,871,532	104,648	1,739,931	1,847,003	107,072	211,720
Equipment	250,778	305,017	250,778	(54,239)	253,837	250,778	(3,059)	(57,298)
Grants	0	0	593,026	593,026	0	593,026	593,026	1,186,052
Debt Service	28,510	28,510	28,510	0	28,510	28,510	0	0
Total Costs	\$7,486,968	\$9,104,662	\$10,094,130	\$989,468	\$8,988,427	\$10,192,421	\$1,203,994	\$2,193,462
General Fund	6,923,648	8,351,114	8,267,990	(83,124)	8,251,606	8,383,022	131,416	48,292
State/Other Special	563,320	644,823	1,642,415	997,592	628,096	1,625,674	997,578	1,995,170
Federal Special	0	108,725	183,725	75,000	108,725	183,725	75,000	150,000
Total Funds	\$7,486,968	\$9,104,662	\$10,094,130	\$989,468	\$8,988,427	\$10,192,421	\$1,203,994	\$2,193,462

Executive Budget Comparison

The legislature approved increases of \$2.2 million over the executive budget. Significant increases over the Executive Budget include:

- 1) \$2.0 million in state special revenue as a result of the passage of HB 41, which extended the surcharge on court filings and directs that the revenue be used to improve court technology;
- 2) \$410,500 general fund due to the passage of SB 273, which created a new 22nd Judicial District and added an additional judge for the 11th and 20 Judicial District;
- 3) \$53,892 in general fund for payments to retired judges who are temporarily assigned to hear cases when the presiding judges is excused or unable to hear the case, this was a result of the passage of HB 244; and
- 4) \$150,000 in federal funds to expand the citizen review boards.

The legislature made the following reductions to the Executive Budget request:

- 1) reduced the Executive Budget new proposals for electronic imaging by \$78,600 over the biennium;
- 2) reduced present law adjustments for the Supreme Court Operations program by \$62,655 over the biennium;
- 3) reduced by approximately \$15,000 over the biennium the executive's request for the Judicial Standards Commission. The Executive Budget had requested approximately \$25,000 for the 2001 biennium;
- 4) reduced by \$20,000 over the biennium the executive's request for additional judges training;
- 5) did not approve the executive request to fund the Montana Judicial Institute, a reduction of \$60,000 over the biennium;
- 6) reduced by \$16,000 per year (from a requested increase of \$20,000 per year) the executive's request for publishing the district court judges deskbooks and benchbooks. The judiciary has \$7,440 in the base for these expenditures;
- 7) reduced by 0.5 FTE and approximately \$37,000 over the biennium the Clerk of Court's request for an additional FTE.
- 8) reduced the request for additional equipment by \$105,000 over the biennium.

Program Proposed Budget								
Budget Item	Base Budget Fiscal 1998	PL Base Adjustment Fiscal 2000	New Proposals Fiscal 2000	Total Leg. Budget Fiscal 2000	PL Base Adjustment Fiscal 2001	New Proposals Fiscal 2001	Total Leg. Budget Fiscal 2001	Total Leg. Budget Fiscal 00-01
FTE	32.75	.00	5.00	37.75	.00	5.00	37.75	37.75
Personal Services	1,738,409	167,012	223,138	2,128,559	156,826	223,138	2,118,373	4,246,932
Operating Expenses	664,288	127,686	398,476	1,190,450	113,078	398,476	1,175,842	2,366,292
Equipment	0	0	0	0	0	0	0	0
Grants	0	0	593,026	593,026	0	593,026	593,026	1,186,052
Total Costs	\$2,402,697	\$294,698	\$1,214,640	\$3,912,035	\$269,904	\$1,214,640	\$3,887,241	\$7,799,276
General Fund	2,402,697	294,698	35,239	2,732,634	269,904	35,239	2,707,840	5,440,474
State/Other Special	0	0	995,676	995,676	0	995,676	995,676	1,991,352
Federal Special	0	0	183,725	183,725	0	183,725	183,725	367,450
Total Funds	\$2,402,697	\$294,698	\$1,214,640	\$3,912,035	\$269,904	\$1,214,640	\$3,887,241	\$7,799,276

Program Description

The Supreme Court has appellate jurisdiction for the State of Montana. It has original jurisdiction to issue, hear, and determine writs of habeas corpus and other such writs as may be provided by law. It also has general supervisory control over all other courts in the state. The Supreme Court is also charged with establishing rules governing appellate procedure, the practice and procedure for all other courts, admission to the bar, and the conduct of its members. The Supreme Court consists of a chief justice and six justices. The Supreme Court Operations program manages the day-to-day operations of the court and administers the local citizen review board pilot program for foster care placements, the federal court assessment program, and the district court criminal reimbursement program.

Funding

The Supreme Court Operations program is funded with general fund. State special revenue is appropriated to continue to upgrade the electronic technology in the state's district courts and courts of limited jurisdiction. Federal funds of \$108,750 were appropriated each year to continue the Federal Court Assessment study, and an additional \$75,000 of federal fund each year was approved to expand the citizen review boards into additional counties.

Present Law Adjustments		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	Fiscal 2001
Present Law Description		FTE	General Fund	Total Funds	FTE	General Fund	Total Funds
Statewide Present Law							
	Personal Services			167,012			156,826
	Inflation/Deflation			665			613
	Fixed Costs			110,852			96,289
	Total Statewide Adjustments			\$278,529			\$253,728
Present Law Adjustments							
1001	Fixed Costs Reductions	.00	(12,831)	(12,831)	.00	(12,824)	(12,824)
1011	Legal Research and Association Cost	.00	5,000	5,000	.00	5,000	5,000
1012	District Clerk Training	.00	9,000	9,000	.00	9,000	9,000
1014	Electronic Document Retention	.00	15,000	15,000	.00	15,000	15,000
	Total PL Adjustments	.00	\$16,169	\$16,169	.00	\$16,176	\$16,176
	Present Law Adjustments Total			\$294,698			\$269,904

Present Law Adjustments

The table above shows the changes made by the legislature to the adjusted base budget. Statewide adjustments are standard categories of adjustments globally applied by the legislature to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

DP 1001 - Fixed Costs Reductions - The legislature reduced the rate charged for state owned buildings and computer network fees. This action resulted in general fund reductions of \$12,831 in fiscal 2000 and \$12,824 in fiscal 2001.

DP 1011 - Legal Research and Association Cost - This adjustment includes \$5,000 for increases to the contract with Westlaw, a research service for justices and law clerks to perform on-line research.

DP 1012 - District Clerk Training - The legislature approved \$9,000 in training funds for the 56 district court clerks throughout the state.

DP 1014 - Electronic Document Retention - The legislature approved an additional \$15,000 general fund each year to provide electronic imaging for programs within the judicial branch. This increase, when added to \$20,000 which exists in the base for imaging, authorizes a total of \$70,000 over the biennium for this purpose. This amount was restricted in the budget and approved as a biennial appropriation.

New Proposals		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	Fiscal 2001
Description		FTE	General Fund	Total Funds	FTE	General Fund	Total Funds
2012	Citizen Review Boards	.00	0	75,000	.00	0	75,000
2111	Federal Court Assessment Program	.00	35,239	143,964	.00	35,239	143,964
2113	Court Information Technology	5.00	0	995,676	5.00	0	995,676
Total New Proposals		5.00	\$35,239	\$1,214,640	5.00	\$35,239	\$1,214,640

New Proposals

DP 2012 - Citizen Review Boards - This new proposal adds \$75,000 per year of federal funds to allow for expansion of citizen review boards.

DP 2111 - Federal Court Assessment Program - The Federal Court Assessment program evaluates how the Montana legal system is handling child abuse and neglect proceedings. The legislature approved \$108,725 federal funds and \$35,239 general fund each year of the 2001 biennium for this program. The legislature authorized this program as one-time-only.

DP 2113 - Court Information Technology - The legislature passed HB 41 which reinstated the surcharge on court filings to support and improved the state's district courts and courts of limited jurisdiction's data and information systems. As a result of this legislation, the legislature appropriated state special revenue to the Supreme Court operations program of \$995,676 per fiscal year.

Language

"Item 1c [imaging equipment], is intended to provide imaging services for all programs in the department."

"The Supreme Court is encouraged to work with the Department of Public Health and Human Services to develop joint rules, regulations, and procedures for the foster care review process."

"The Supreme Court is requested to report to the 57th Legislature regarding policies and procedures established by the citizen review board program to: (1) operate the citizen review boards; and (2) clarify the oversight role of the citizen review boards."

Program Proposed Budget								
Budget Item	Base Budget Fiscal 1998	PL Base Adjustment Fiscal 2000	New Proposals Fiscal 2000	Total Leg. Budget Fiscal 2000	PL Base Adjustment Fiscal 2001	New Proposals Fiscal 2001	Total Leg. Budget Fiscal 2001	Total Leg. Budget Fiscal 00-01
FTE	2.00	.00	.00	2.00	.00	.00	2.00	2.00
Personal Services	68,170	5,181	0	73,351	5,184	0	73,354	146,705
Operating Expenses	173,569	3,150	0	176,719	3,128	0	176,697	353,416
Equipment	0	0	0	0	0	0	0	0
Total Costs	\$241,739	\$8,331	\$0	\$250,070	\$8,312	\$0	\$250,051	\$500,121
General Fund	241,739	8,331	0	250,070	8,312	0	250,051	500,121
State/Other Special	0	0	0	0	0	0	0	0
Federal Special	0	0	0	0	0	0	0	0
Total Funds	\$241,739	\$8,331	\$0	\$250,070	\$8,312	\$0	\$250,051	\$500,121

Program Description

The Boards and Commissions program oversees functions assigned to the Supreme Court either by legislative or constitutional mandate. The program manages judicial discipline, rules, admissions to the bar, and other substantive matters aimed at improving and maintaining the administration of justice. Commissions and boards included in the program are the Judicial Standards Commission, Sentence Review Division, Commission on Practice, Board of Bar Examiners, Commission on Courts of Limited Jurisdiction, and the Judicial Nominations Commission.

Funding

The Boards and Commissions program is funded with general fund. However, a portion of the cost is recovered through deposit of fee revenue from Courts of Limited Jurisdiction (CLJ) training and attorney investigation repayments.

Present Law Adjustments		Fiscal 2000 FTE	Fiscal 2000 General Fund	Fiscal 2000 Total Funds	Fiscal 2001 FTE	Fiscal 2001 General Fund	Fiscal 2001 Total Funds
Present Law Description							
Statewide Present Law							
	Personal Services			5,181			5,184
	Inflation/Deflation			593			571
	Fixed Costs			0			0
	Total Statewide Adjustments			\$5,774			\$5,755
Present Law Adjustments							
1021	Jud. Standards Rst. Appropriation	.00	2,557	2,557	.00	2,557	2,557
	Total PL Adjustments	.00	\$2,557	\$2,557	.00	\$2,557	\$2,557
	Present Law Adjustments Total			\$8,331			\$8,312

Present Law Adjustments

The table above shows the changes made by the legislature to the adjusted base budget. Statewide adjustments are standard categories of adjustments globally applied by the legislature to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

DP 1021 - Jud. Standards Rst. Appropriation - The legislature approved a biennial appropriation of \$10,000 general fund for the 2001 biennium for the Judicial Standards Commission to investigate complaints and make recommendations regarding the conduct of judicial officers. This annual adjustment of \$2,557 is in addition to \$2,443 included in the base.

Program Proposed Budget								
Budget Item	Base Budget Fiscal 1998	PL Base Adjustment Fiscal 2000	New Proposals Fiscal 2000	Total Leg. Budget Fiscal 2000	PL Base Adjustment Fiscal 2001	New Proposals Fiscal 2001	Total Leg. Budget Fiscal 2001	Total Leg. Budget Fiscal 00-01
FTE	7.50	.00	.00	7.50	.00	.00	7.50	7.50
Personal Services	277,122	15,634	0	292,756	14,447	0	291,569	584,325
Operating Expenses	82,131	677	0	82,808	651	0	82,782	165,590
Equipment	244,587	0	0	244,587	0	0	244,587	489,174
Debt Service	28,510	0	0	28,510	0	0	28,510	57,020
Total Costs	\$632,350	\$16,311	\$0	\$648,661	\$15,098	\$0	\$647,448	\$1,296,109
General Fund	632,350	16,311	0	648,661	15,098	0	647,448	1,296,109
Total Funds	\$632,350	\$16,311	\$0	\$648,661	\$15,098	\$0	\$647,448	\$1,296,109

Program Description

The State Law Library houses reference materials used by the Supreme Court, lower courts, the legislature, state officers and employees, members of the bar, and the general public. The collection includes legal materials from the federal government and all 50 states, as well as Canada. Some of the books and materials contained in the library include treatises, law reviews, reports, microfilm, and audio/video tapes for continuing legal education. Access to much of the information is also provided from the library's Internet site. A Board of Trustees, which consists of the Supreme Court justices, governs the State Law Library.

Funding

The Law Library is funded with general fund. However, a portion of the costs is recovered through fees deposited to the general fund. Fees are charged for copies, faxes, and rental of audio/video cassettes.

Present Law Adjustments	Fiscal 2000		Fiscal 2000		Fiscal 2001	
	Fiscal 2000 FTE	General Fund	Total Funds	Fiscal 2001 FTE	General Fund	Total Funds
Statewide Present Law						
Personal Services			15,634			14,447
Inflation/Deflation			677			651
Fixed Costs			0			0
Total Statewide Adjustments			\$16,311			\$15,098
Present Law Adjustments						

Proprietary Rates

Program Description

Law Library Searches/Research Enterprise Fund - the on-line provider bills the law library for the airtime and the law library in turn bills the requesting entity for the cost of the search performed.

Rate Explanation

The agency bills the requesting party for the actual cost of the research service used.

Significant Present Law Adjustments

On-line Searches and Research Adjustments

This \$22,284 adjustment each year of the 2001 biennium provides proprietary fund authority so state and county agencies,

courts, private businesses and citizens can pay for costs incurred by the Law Library to perform on-line searches and research. The on-line service provider (Lexus) invoices the Law Library for the time spent on-line and, in turn, the Law Library invoices the client, collects the payment, and remits it to the service provider.

Program Proposed Budget	Base Budget Fiscal 1998	PL Base Adjustment Fiscal 2000	New Proposals Fiscal 2000	Total Leg. Budget Fiscal 2000	PL Base Adjustment Fiscal 2001	New Proposals Fiscal 2001	Total Leg. Budget Fiscal 2001	Total Leg. Budget Fiscal 00-01
FTE	37.00	.00	1.00	38.00	.00	2.50	39.50	39.50
Personal Services	3,169,322	793,859	134,059	4,097,240	771,992	294,871	4,236,185	8,333,425
Operating Expenses	239,647	7,077	20,887	267,611	7,076	24,575	271,298	538,909
Equipment	0	0	0	0	0	0	0	0
Total Costs	\$3,408,969	\$800,936	\$154,946	\$4,364,851	\$779,068	\$319,446	\$4,507,483	\$8,872,334
General Fund	3,408,969	800,936	154,946	4,364,851	779,068	319,446	4,507,483	8,872,334
State/Other Special	0	0	0	0	0	0	0	0
Total Funds	\$3,408,969	\$800,936	\$154,946	\$4,364,851	\$779,068	\$319,446	\$4,507,483	\$8,872,334

Program Description

The District Court Operations Program funds salaries, travel, and training for Montana's elected district judges. Other state agencies and local governments pay other operational costs of the district courts. District courts are general jurisdiction trial courts having original jurisdiction in all criminal felony cases, civil matters, and cases of law.

Funding

District court operations are funded with general fund.

Present Law Adjustments	Fiscal 2000 FTE	Fiscal 2000 General Fund	Fiscal 2000 Total Funds	Fiscal 2001 FTE	Fiscal 2001 General Fund	Fiscal 2001 Total Funds
Statewide Present Law						
Personal Services			793,859			771,992
Inflation/Deflation			77			76
Fixed Costs			0			0
Total Statewide Adjustments			\$793,936			\$772,068
Present Law Adjustments						
10401 Benchbook & Deskbook Update	.00	4,000	4,000	.00	4,000	4,000
10402 Vehicle Lease	.00	3,000	3,000	.00	3,000	3,000
Total PL Adjustments	.00	\$7,000	\$7,000	.00	\$7,000	\$7,000
Present Law Adjustments Total			\$800,936			\$779,068

Present Law Adjustments

The table above shows the changes made by the legislature to the adjusted base budget. Statewide adjustments are standard categories of adjustments globally applied by the legislature to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

DP 10401 - Benchbook & Deskbook Update - The district court judges benchbook and deskbook must be updated every year with changes from the legislative sessions and present case law. The legislature approved a \$4,000 general fund increase each year of the 2001 biennium, which provides funding to contract with an individual(s) to provide the required updates.

DP 10402 - Vehicle Lease - The court leases seven vehicles for district court judges who have multi-county jurisdictions. The current lease expires in mid-year of fiscal 2000. The legislature approved a \$3,000 general fund adjustment each year of the 2001 biennium, which provides for a 3 percent increase.

New Proposals		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	Fiscal 2001
Description		FTE	General Fund	Total Funds	FTE	General Fund	Total Funds
20401	New Judges Training	.00	5,000	5,000	.00	5,000	5,000
20402	New Judicial District Judges	1.00	123,000	123,000	2.50	287,500	287,500
20403	HB244 - Recusal pay for Judges	.00	26,946	26,946	.00	26,946	26,946
Total New Proposals		1.00	\$154,946	\$154,946	2.50	\$319,446	\$319,446

New Proposals

DP 20401 - New Judges Training - The legislature approved \$5,000 each year of the 2001 biennium for new judges to receive basic training.

DP 20402 - New Judicial District Judges - The legislature approved SB273, which create a new 22nd Judicial District and added an additional judge for the 11th and 20 Judicial Districts. The legislature approved general fund of \$123,000 in fiscal 2000 and \$287,500 in fiscal 2001 to fund the three new judges.

DP 20403 - HB244 - Recusal pay for Judges - HB 244 made adjustments in the compensation allowed for payment to retired judges serving temporarily in an active role to assist the supreme court, district courts or a water court. As a result of the passage of this legislation the legislature appropriated general fund of \$26,946 per fiscal year to the District Court operations program.

Program Proposed Budget								
Budget Item	Base Budget Fiscal 1998	PL Base Adjustment Fiscal 2000	New Proposals Fiscal 2000	Total Leg. Budget Fiscal 2000	PL Base Adjustment Fiscal 2001	New Proposals Fiscal 2001	Total Leg. Budget Fiscal 2001	Total Leg. Budget Fiscal 00-01
FTE	11.00	.00	.00	11.00	.00	.00	11.00	11.00
Personal Services	464,676	67,463	0	532,139	64,282	0	528,958	1,061,097
Operating Expenses	98,644	15,956	0	114,600	2,396	0	101,040	215,640
Equipment	0	0	0	0	0	0	0	0
Total Costs	\$563,320	\$83,419	\$0	\$646,739	\$66,678	\$0	\$629,998	\$1,276,737
State/Other Special	563,320	83,419	0	646,739	66,678	0	629,998	1,276,737
Total Funds	\$563,320	\$83,419	\$0	\$646,739	\$66,678	\$0	\$629,998	\$1,276,737

Program Description

The Water Courts Supervision Program, located in Bozeman, adjudicates claims of existing water rights in Montana and supervises the distribution of water among the four water divisions of the state, as defined in 3-7-102, MCA.

Funding

The Water Courts Supervision program is funded with state special revenue funds from the Renewable Resource Grant and Loan account. The main sources of revenue to the Renewable Resource Grant and Loan account are proceeds from the Resource Indemnity and Ground Water Assessment (RIGWA) tax and interest earnings on the Resource Indemnity Tax Trust (RIT).

Present Law Adjustments		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	Fiscal 2001
Present Law Description		FTE	General Fund	Total Funds	FTE	General Fund	Total Funds
Statewide Present Law							
Personal Services				64,647			61,480
Inflation/Deflation				780			780
Fixed Costs				0			0
Total Statewide Adjustments				\$65,427			\$62,260
Present Law Adjustments							
10501	Overtime for Hearings	.00	0	900	.00	0	900
10502	Computer Network Maintenance	.00	0	3,560	.00	0	0
10503	Leases - Copy Machine/Postage Meter	.00	0	1,616	.00	0	1,616
10504	Telephone System	.00	0	10,000	.00	0	0
10505	Retirement Adjustment	.00	0	1,916	.00	0	1,902
Total PL Adjustments		.00	\$0	\$17,992	.00	\$0	\$4,418
Present Law Adjustments Total				\$83,419			\$66,678

Present Law Adjustments

The table above shows the changes made by the legislature to the adjusted base budget. Statewide adjustments are standard categories of adjustments globally applied by the legislature to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

DP 10501 - Overtime for Hearings - The legislature funded an additional \$900 for overtime expenses due to staff travel.

DP 10502 - Computer Network Maintenance - This adjustment funds \$3,560 in fiscal 2000 to purchase computers and related hardware on a four-year replacement cycle.

DP 10503 - Leases - Copy Machine/Postage Meter - The legislature funded \$1,616 each year of the 2001 biennium for the lease/purchase of a copy machine and postage meter. During the 1999 biennium, the Water Court copy machine had to be

replaced. The postage meter is used to accommodate the large volume of mail the Water Courts process.

DP 10504 - Telephone System - This legislature approved \$10,000 in fiscal 2000 as a one-time-only appropriation to purchase a new telephone system.

DP 10505 - Retirement Adjustment - This present law adjustment increases the state's share of retirement to correct an amount not included in the base budget of the water court.

Program Proposed Budget								
Budget Item	Base Budget Fiscal 1998	PL Base Adjustment Fiscal 2000	New Proposals Fiscal 2000	Total Leg. Budget Fiscal 2000	PL Base Adjustment Fiscal 2001	New Proposals Fiscal 2001	Total Leg. Budget Fiscal 2001	Total Leg. Budget Fiscal 00-01
FTE	4.00	.00	.50	4.50	.00	.50	4.50	4.50
Personal Services	196,415	7,968	21,856	226,239	6,536	21,714	224,665	450,904
Operating Expenses	35,287	4,057	0	39,344	4,057	0	39,344	78,688
Equipment	6,191	0	0	6,191	0	0	6,191	12,382
Total Costs	\$237,893	\$12,025	\$21,856	\$271,774	\$10,593	\$21,714	\$270,200	\$541,974
General Fund	237,893	12,025	21,856	271,774	10,593	21,714	270,200	541,974
Total Funds	\$237,893	\$12,025	\$21,856	\$271,774	\$10,593	\$21,714	\$270,200	\$541,974

Program Description

The Clerk of Court Program performs support and operational duties for the Supreme Court, as outlined in Title 3, Chapter 2, part 4, MCA. The program keeps the court records and files, issues writs and certificates, approves bonds, files all papers and transcripts, and performs other duties as required.

Funding

The Clerk of Court is funded with general fund.

Present Law Adjustments		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	Fiscal 2001
Present Law Description		FTE	General Fund	Total Funds	FTE	General Fund	Total Funds
Statewide Present Law							
Personal Services				2,433			1,018
Inflation/Deflation				611			611
Fixed Costs				0			0
Total Statewide Adjustments				\$3,044			\$1,629
Present Law Adjustments							
10601	Clerk of Court Operations	.00	3,446	3,446	.00	3,446	3,446
10604	Retirement and Insurance Adjustment	.00	5,535	5,535	.00	5,518	5,518
Total PL Adjustments		.00	\$8,981	\$8,981	.00	\$8,964	\$8,964
Present Law Adjustments Total				\$12,025			\$10,593

Present Law Adjustments

The table above shows the changes made by the legislature to the adjusted base budget. Statewide adjustments are standard categories of adjustments globally applied by the legislature to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

DP 10601 - Clerk of Court Operations - The legislature increased the present law budget for operational expenses of the Clerk of Court by \$3,446 each year of the 2000 biennium. According to the Clerk of Court, the annual caseload has increased by over 100 cases, a nearly 20 percent increase since January of 1996.

DP 10604 - Retirement and Insurance Adjustment - This present law adjustment increases the amounts for retirement and insurance not properly calculated in the executive budget.

New Proposals		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	Fiscal 2001
Description		FTE	General Fund	Total Funds	FTE	General Fund	Total Funds
20601	Half Time Position	.50	21,856	21,856	.50	21,714	21,714
Total New Proposals		.50	\$21,856	\$21,856	.50	\$21,714	\$21,714

New Proposals

DP 20601 - Half Time Position - The legislature approved a 0.5 FTE additional staff position at a general fund cost of \$21,856 in fiscal 2000 and \$21,714 in fiscal 2001. This additional 0.5 FTE is to address increases in workloads, increases in filings, and other court activity.