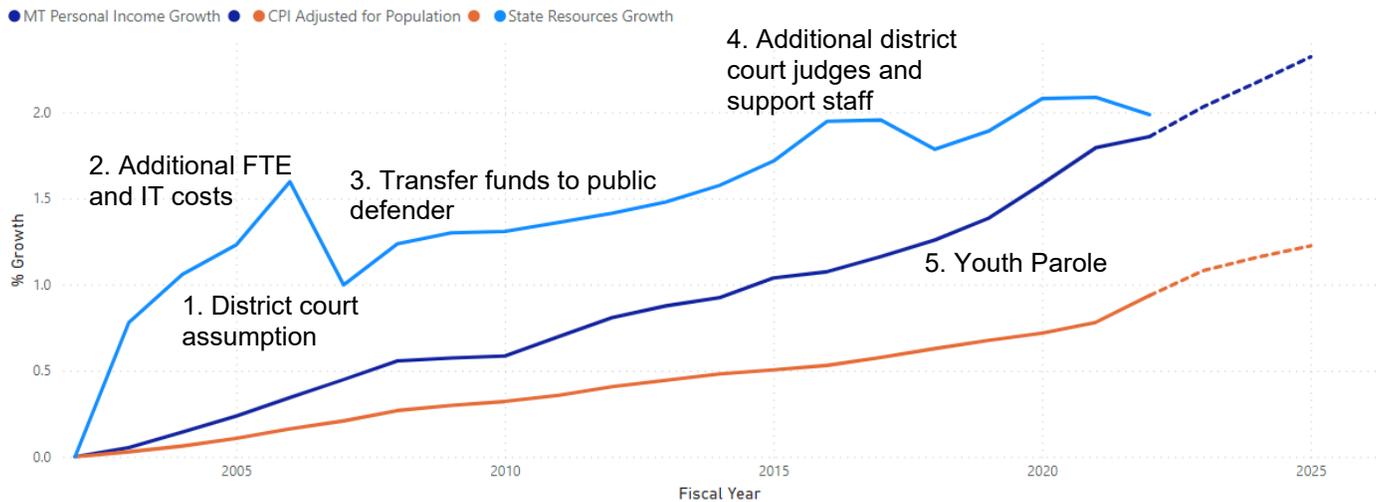


# Judicial Branch

The chart shows the growth in state resource expenditures compared to the growth in personal income and growth in inflation.



This report includes a series of charts that compare state resource expenditure growth to the growth in personal income and growth in inflation adjusted for population. Montana statute, 17-8-106, MCA, recommends using growth in personal income for comparison purposes. Personal income is a measure for growth in the economy. Comparing growth allows financial planners to consider past and future demands in services or changes in revenues.

The following list discusses the most notable changes from the chart above in more detail:

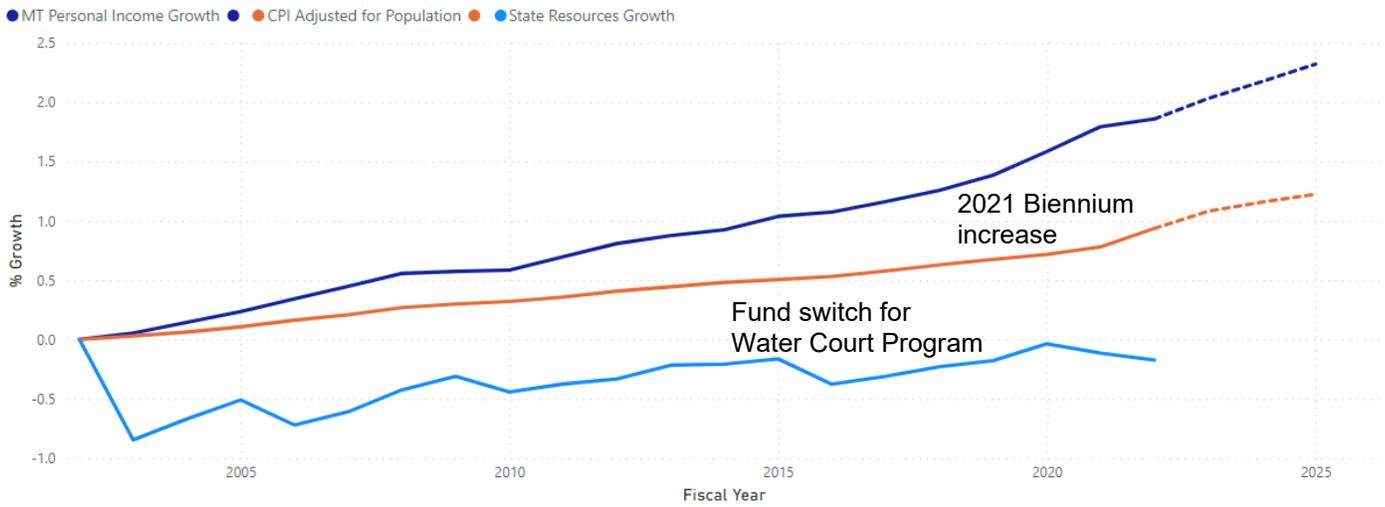
1. The Judicial Branch saw an increase in expenditures in FY 2003 due to SB 176, which required state assumption of administrative responsibilities of the district courts. Approximately 265.00 FTE became new state employees, and the state assumed the cost of district court staff including secretaries, court reporters, juvenile probation officers, special masters to the judges, and law clerks at their current salaries and benefits. SB 176 also transferred financial responsibility for public defender costs associated with the district courts.
2. In FY 2005, the district court assumption budget was established as a \$37.3 million biennial appropriation, including 245.18 FTE. HB 18 also added 14.00 FTE and \$3.6 million for IT costs, which were previously in the budget, but covered by a court surcharge.
3. The decrease in expenditures in FY 2007 included the transfer of all the Judiciary's public defender functions, costs totaling \$8.1 million and 1.50 FTE, to the statewide Public Defender Office.
4. Expenditures steadily increased over the next several years, with an increase in FY 2016 and FY 2017 due to: moving juvenile delinquency intervention program (JDIP) funds including 4.00 FTE from the Department of Corrections (HB 233), 3.00 FTE information technology positions, 5.00 FTE to support the court help program, 3.5 FTE for district courts, and elected official pay increases. The legislature also funded 13.00 FTE in supreme court operations, including 3.00 FTE new district court judges and the 8.00 FTE staff associated with the new judges.

5. During the 2019 Legislative Session, responsibilities associated with Youth Parole were moved from the Department of Corrections to Supreme Court Operations which included 2.00 FTE and \$1.2 million over the biennium.

Due to the partial shutdown of the Montana court system and the governor's shelter-in-place directives in FY 2020 many cases and court services were delayed. Services delayed during the COVID-19 shutdown still needed to be provided as the court system worked through the backlog of cases created by the shutdown.

## State Special Revenue

The chart shows the growth in state resource expenditures compared to the growth in personal income and growth in inflation.

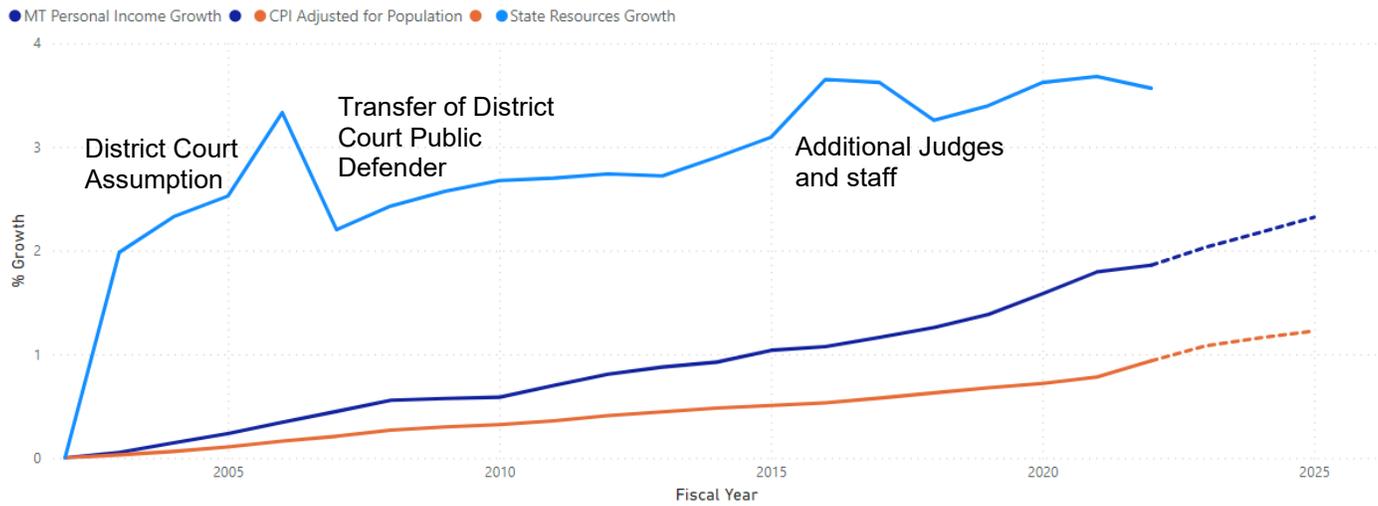


State special revenue growth remained fairly constant during this time with the exception of a decrease in FY 2016 due to general fund increases which include a funding switch from state special revenue to general fund of \$1.1 million for the water court program.

In FY 2020 and 2021, the Legislature approved an increase in state special funding in the amount of \$600,000 each fiscal year for statutorily required costs related the appointment of court appointed special advocates (CASA) and guardians ad litem (GAL) in child abuse and neglect cases.

# General Fund

The chart shows the growth in state resource expenditures compared to the growth in personal income and growth in inflation.



The general fund increased in FY 2003 due to the state assumption of administrative responsibilities of the district courts. The decrease in operating expenses starting in FY 2007 were related to the transfer of district court public defender costs to the newly created Office of Public Defender. In FY 2016 and FY 2017, general fund increased by \$19.7 million, including the addition of three new district court judges and associated support staff.