

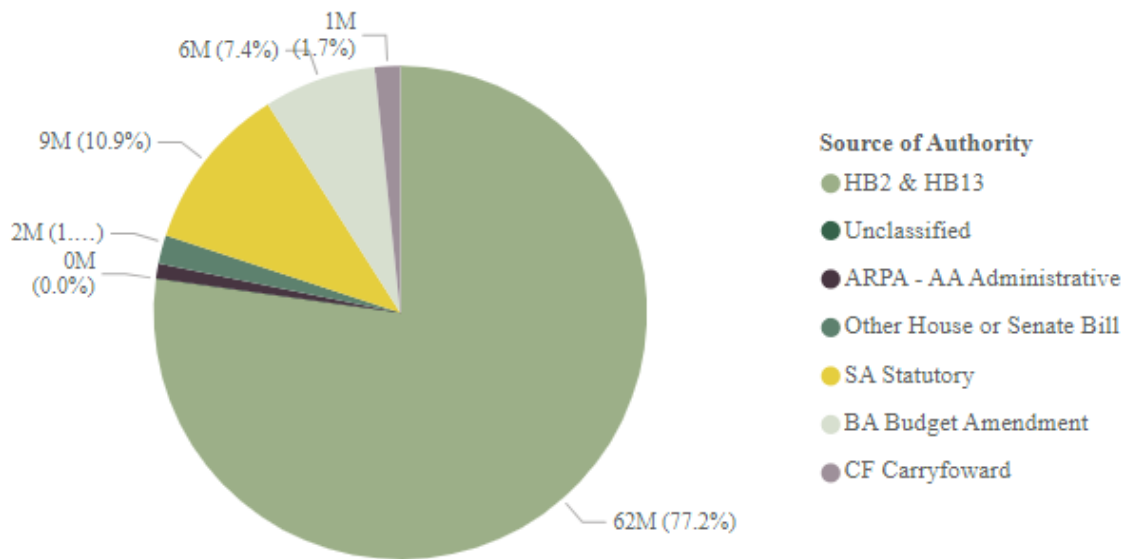
JUDICIAL BRANCH

FYE 2024 Financial Report

TOTAL APPROPRIATION AUTHORITY

The total appropriation authority for the Judicial Branch is shown in the pie chart below. HB 2 and HB 13 provide 77.2% of the total authority for this agency. All types of appropriation authority for this agency are described below, including total budget and the percent expended by source of authority.

Total Modified Budget by Source of Authority



Source of Authority	Modified Budget	Expended Budget	% Expended
ARPA	785,995	55,232	7.0%
Unclassified	6,374		
SA Statutory	8,779,790	4,389,894	50.0%
Other House or Senate Bill	1,507,500	117,525	7.8%
CF Carryforward	1,330,961	803,953	60.4%
BA Budget Amendment	5,918,957	1,713,078	28.9%
HB2 & HB13	62,115,823	56,732,864	91.3%
Total	80,445,400	63,812,546	79.3%

Budget Amendments

The Judicial Branch (Judiciary) budget for FY 2024 contains budget amended federal authority of \$5.9 million, and through fiscal year-end (FYE) 2024, has expended approximately \$1.7 million, or 28.9%, of the authority. The majority of the federal authority is set to expire in September 2024. This budget amendment authority supports:

- Substance abuse and mental health services within family, veteran, and adult drug treatment courts
- Data sharing between courts
- Expansion of Driving Under the Influence (DUI) Court and Veterans Treatment Court in the 13th Judicial District

Carryforward

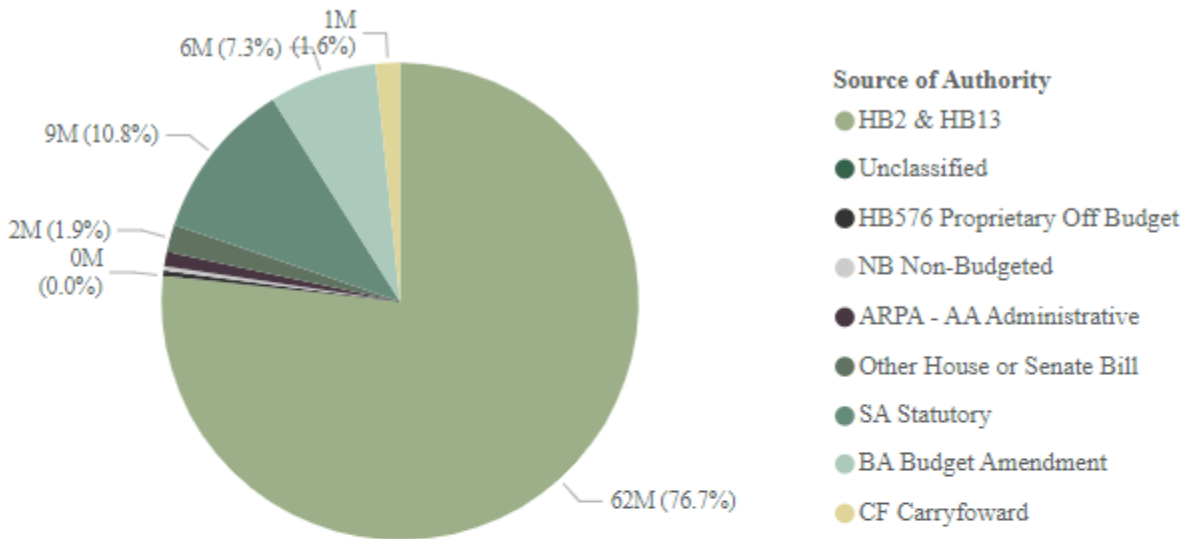
The Judicial Branch has \$809,000 of carryforward authority from qualified unspent FY 2022 appropriations. Of this, \$655,000 is general fund, \$149,000 is state special revenue, and \$5,000 is federal special revenue. As of the end of FY 2024, 99.3% of this funding has been expended. The agency also has an additional \$522,000 of FY 2023 carryforward authority, and none of this has been expended. The FY 2023 carryforward will continue to be available in FY 2025.

Other House or Senate Bill

HB 16 authorizes \$225,000 to pay for the costs of training and hiring facilitators for the prehearing conferences for FY 2024. Of this, about \$74,000 has been spent. This bill increases the statutory timeframe for holding Emergency Protective Services hearings from three days to five days.

HB 10 authorizes \$783,000 for the biennium for a courtroom remote appearance video system in the Judicial Branch. To date, \$44,000 of these funds have been spent. HB 10 authorizes another \$500,000 for security at court buildings. So far none of this authority has been spent, but a security analyst (with HB 2 funding) has done assessments of buildings and will make security improvement recommendations. The legislature can expect this spending to begin in FY 2025 as the recommendations are implemented.

Modified Budget & Expended Budget by Source of Authority



Source of Authority	Modified Budget	Expended Budget	% Expended
HB2 & HB13	62,115,823	56,732,864	91.3%
BA Budget Amendment	5,918,957	1,713,078	28.9%
CF Carryforward	1,330,961	803,953	60.4%
HB576 Proprietary Off Budget	277,988	277,987	100.0%
NB Non-Budgeted	242,566	49,707	20.5%
Other House or Senate Bill	1,507,500	117,525	7.8%
SA Statutory	8,779,790	4,389,894	50.0%
Unclassified	6,374		
ARPA	785,995	55,232	7.0%
Total	80,965,954	64,140,240	79.2%

EXPENDITURE AUTHORITY

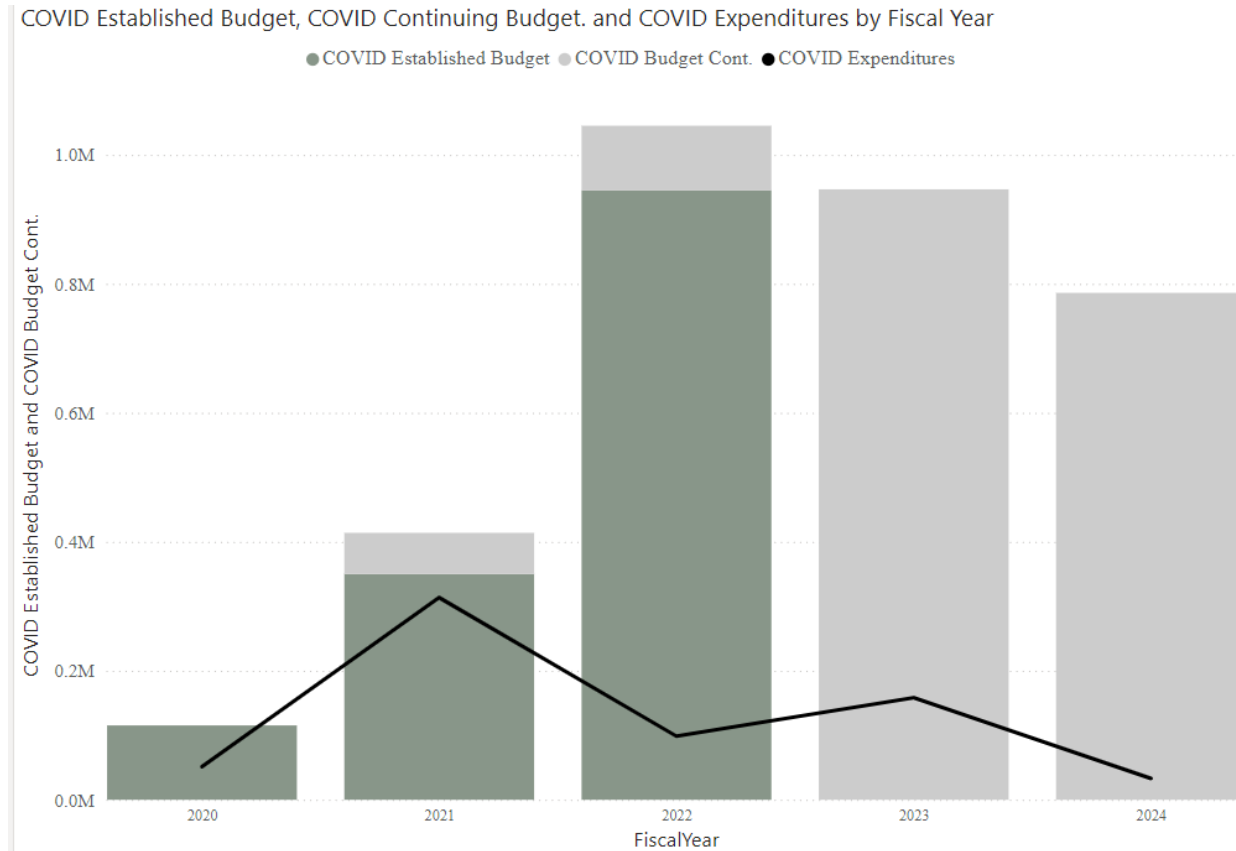
The total expenditure authority for the agency is shown in the following pie chart. Total expenditure authority includes non-budgeted proprietary funding and non-budgeted expenditures such as transfers or indirect costs which are not included in the previous pie chart as the expenditures are not appropriated.

Non-budgeted proprietary funding

The Judiciary has \$278,000 in non-budgeted proprietary funding, which supports online search functions related to the Lexis system within the Law Library. The Judiciary expended the entirety of this authority in FY 2024.

COVID-19 Authority

The following chart is provided to allow the legislature to examine the funding that is available to the agency for COVID-19 impacts.



The authority from the American Rescue Plan Act (ARPA) funds are for the Simplify Family Law Resolution. These funds total \$786,000 and are 7.0% expended as of June 30, 2024, and provide a three-year pilot project to implement remote mediation services and streamline family law cases. The agency shifted some of what would have been ARPA funds to use HB 2 funding, allowing the ARPA program to be extended to December 31, 2026. The funding has been used to help clear the backlog in family law cases in district courts where criminal cases were prioritized during the pandemic.

HB 2 BUDGET MODIFICATIONS

The following chart shows the HB 2 budget as passed by the legislature, including the pay plan, and the HB 2 modified budget from June 1, 2024, through June 30, 2024. Net modifications to the budget include operating plan changes from one expenditure account to another, program transfers, reorganizations, and agency transfers of authority. The **positive modifications** and **negative modifications** are shown by program, expenditure account, and fund type.

Legislative Budget Compared to Modified Budget - HB 2 Only

Agency Name	HB 2 Budget	Modified Budget	Net Modifications
⊞ Judiciary	62,115,823	62,115,823	0
⊞ 01 SUPREME COURT OPERATIONS	22,687,647	22,687,647	0
⊞ 03 LAW LIBRARY	951,337	951,337	0
⊞ 04 DISTRICT COURT OPERATIONS	35,196,766	35,196,766	0
⊞ 05 WATER COURT	2,648,243	2,648,243	0
⊞ 06 CLERK OF COURT	631,829	631,829	0
Total	62,115,823	62,115,823	0

Expenditure Type	HB 2 Budget	Modified Budget	Net Modifications
⊞ 61000 Personal Services	44,655,902	44,686,015	30,113
⊞ 62000 Operating Expenses	10,161,638	10,249,615	87,977
⊞ 63000 Equipment & Intangible Assets	183,116	250,141	67,025
⊞ 66000 Grants	715,000	715,000	0
⊞ 67000 Benefits & Claims	6,015,860	1,440,268	-4,575,592
⊞ 68000 Transfers-out	384,307	4,389,895	4,389,895
⊞ 69000 Debt Service	384,307	384,889	582
Total	62,115,823	62,115,823	0

Fund Type	HB 2 Budget	Modified Budget	Net Modifications
⊞ 01 General	58,251,685	58,251,685	0
⊞ 02 State/Other Spec Rev	3,484,840	3,484,840	0
⊞ 03 Fed/Other Spec Rev	379,298	379,298	0
Total	62,115,823	62,115,823	0

The Judicial Branch made several budget changes to their HB 2 modified budget between June 1 and June 30, 2024, described below:

An operation plan adjustment which moved \$4.4 million in authority from benefits and claims to transfers-out to transfer unused funds to the youth court intervention and prevention account (JDIP), consistent with statute. Only 50% of the \$8.8 million benefits and claims authority for juvenile placement funds has been spent through June 30, 2024. According to 41-5-2011, MCA, unspent juvenile placement funds are transferred at the end of the fiscal year to the youth court intervention and prevention state special revenue account and can be statutorily spent in the next two fiscal years on prevention services for youth.

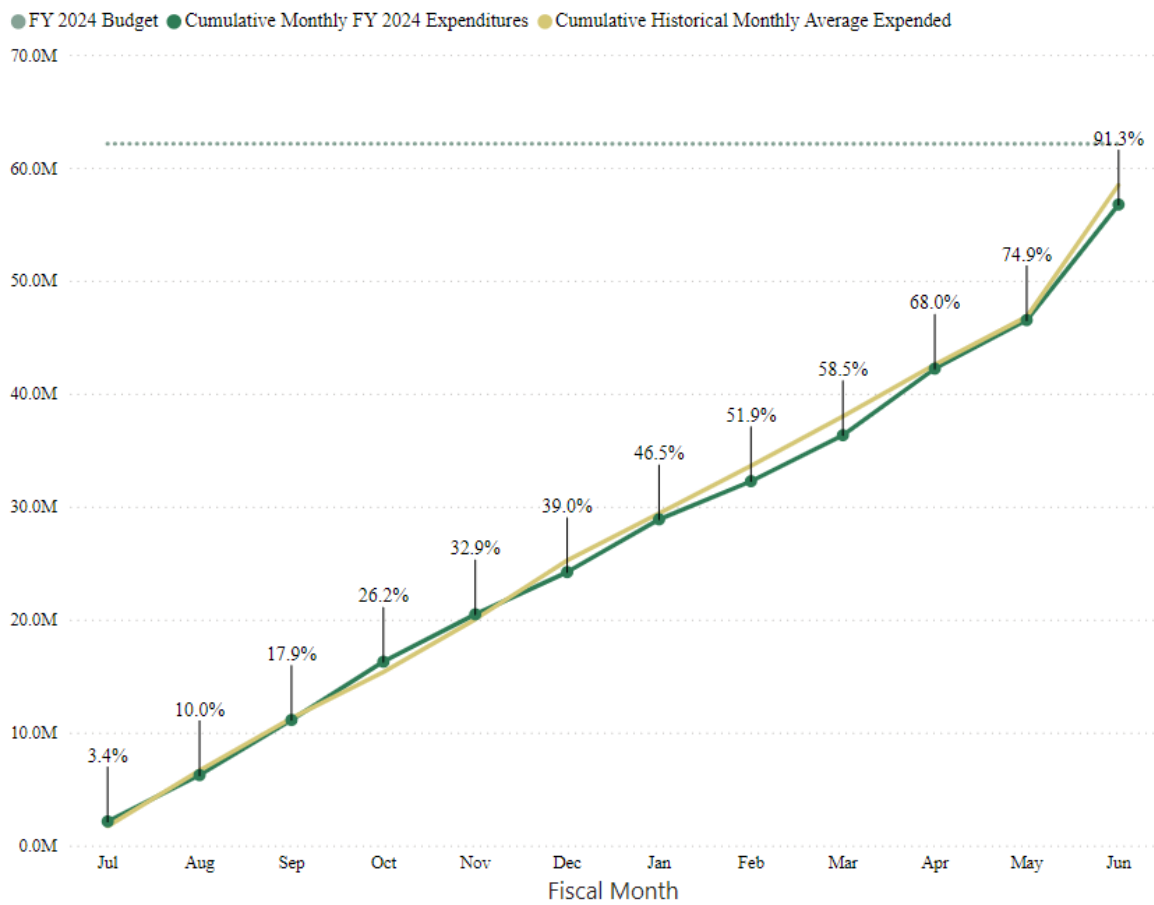
- Other adjustments to align expenditures with appropriations and to balance costs in funds. The total moved was \$186,000. The larger entries follow:
 - In the Supreme Court, \$148,000 of Benefits and Claims authority was transferred to Personal Services (\$2,000) and Equipment & Intangible Assets (\$115,000) for lease payments, and \$32,000 of authority was transferred from the treatment court support account to the consumer education settlement account to fund expiring drug courts through the opioid abatement funds.
 - In the District Court, \$30,000 of Operating authority was transferred to Equipment & Intangible Assets for the purchase of a couple newer used vehicles for the Branch's fleet.

- In the Law Library, \$31,000 of Operating authority was transferred to Equipment & Intangible Assets to align organizational authority with actual expenditures at fiscal year end.

HB 2 APPROPRIATION AUTHORITY

The following chart shows the appropriated budget for the agency compared to expenditures through June 30, 2024.

Monthly Expenditures Compared to Historical Average



Program Name	Modified Budget	Expended Budget	% Expended
☐ 01 SUPREME COURT OPERATIONS	22,687,647	20,305,768	89.5%
☐ 03 LAW LIBRARY	951,337	828,738	87.1%
☐ 04 DISTRICT COURT OPERATIONS	35,196,766	32,483,587	92.3%
☐ 05 WATER COURT	2,648,243	2,539,312	95.9%
☐ 06 CLERK OF COURT	631,829	575,460	91.1%
Total	62,115,823	56,732,864	91.3%

Expenditure Type	Modified Budget	Expended Budget	% Expended
☐ Transfers-out	4,389,895	4,389,895	100.0%
☐ Debt Service	384,889	384,887	100.0%
☐ Equipment & Intangible Assets	250,141	245,841	98.3%
☐ Personal Services	44,686,015	41,539,971	93.0%
☐ Grants	715,000	642,616	89.9%
☐ Operating Expenses	10,249,615	8,579,691	83.7%
☐ Benefits & Claims	1,440,268	949,962	66.0%
Total	62,115,823	56,732,864	91.3%

Fund Type	Modified Budget	Expended Budget	% Expended
☐ 01 General	58,251,685	53,596,353	92.0%
☐ 02 State/Other Spec Rev	3,484,840	2,994,150	85.9%
☐ 03 Fed/Other Spec Rev	379,298	142,361	37.5%
Total	62,115,823	56,732,864	91.3%

The Judicial Branch has expended 91.3% of its \$62.1 million HB 2 modified budget through June 30, 2024. Overall, this spending pattern tracks almost exactly with the five-year Olympic average. (see graph above)

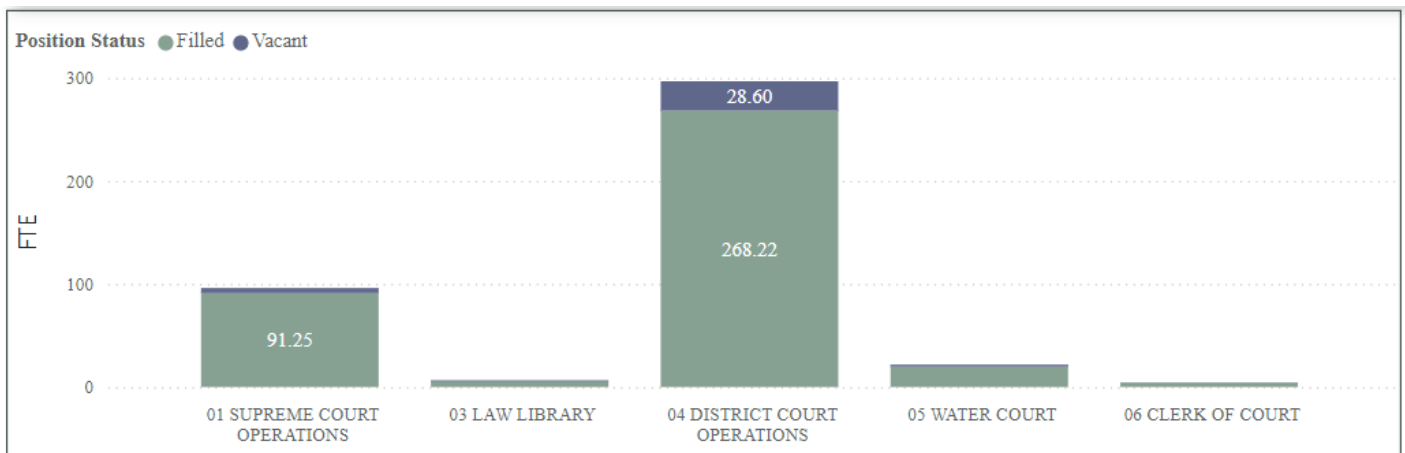
HB 2 Line Items:

- The Judicial Branch was provided additional restricted state special revenue authority to fund 5.00 FTE and five drug courts in FY 2024, with an additional 3.00 FTE and three courts in FY 2025 (for a total of 8.00 FTE) which are transitioning from federal grant funding. Of this \$421,000, 59.0% has been spent, but three of these federal grants have been extended through September 2024, with a fourth having received a verbal extension waiting for formal documentation
- The Judicial Branch has spent none of its one-time-only, restricted general fund authority for the Correctional Program Checklist (CPC) Evaluations. This is a biennial appropriation, so the funds may be expended next fiscal year

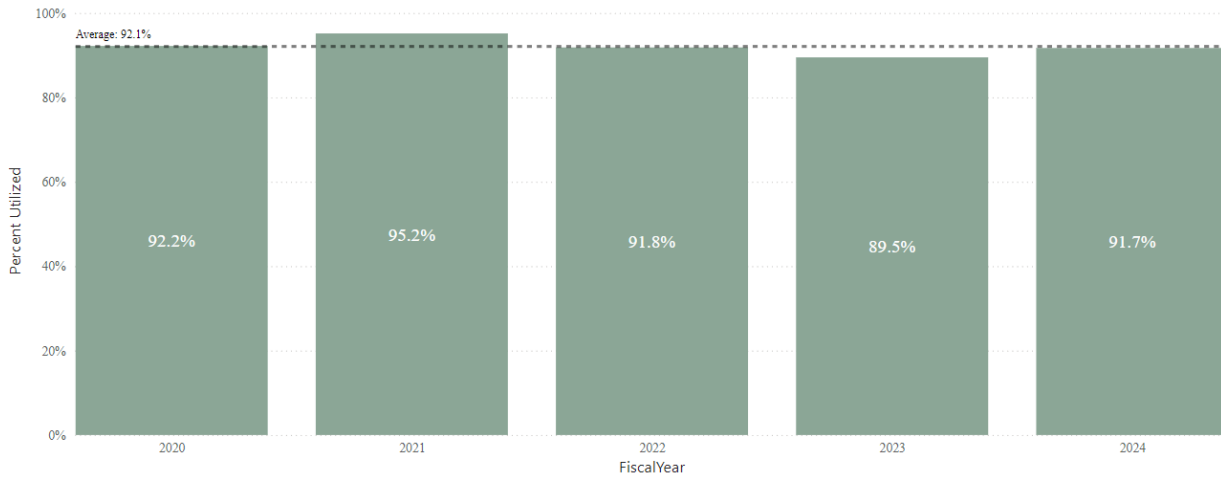
- The Judicial Branch has spent \$173,000 or 57.7% of its \$300,000 one-time-only, restricted general fund authority for the Continued Family Mediation Program. This authority is also biennial and can be spent in either fiscal year
- The Judicial Branch has spent 97.4% of its \$844,000 one-time-only general fund authority for the Pretrial Program currently being piloted in five Montana counties

Personal Services

Appropriations for personal services in the Judicial Branch totaled \$44.7 million and was 93.0% expended in FY 2024. The department has 402.80 HB 2 FTE, not accounting for elected officials or aggregate positions, and 92.6% of these positions are filled as of June 30, 2024. This represents a decrease of 6.75 vacant FTE from May. There are also 61.00 FTE elected official (Judge) positions in this agency, with none of these being vacant. The following chart shows the filled and vacant non-elected FTE within the agency.



The chart below shows the yearly utilization percentage for the Judicial Branch for each fiscal year. Overall, at FYE 2024, the department has utilized 91.7% of the hours budgeted for FY 2024, as shown in the chart below, which is slightly below the five-year average of 92.1%.



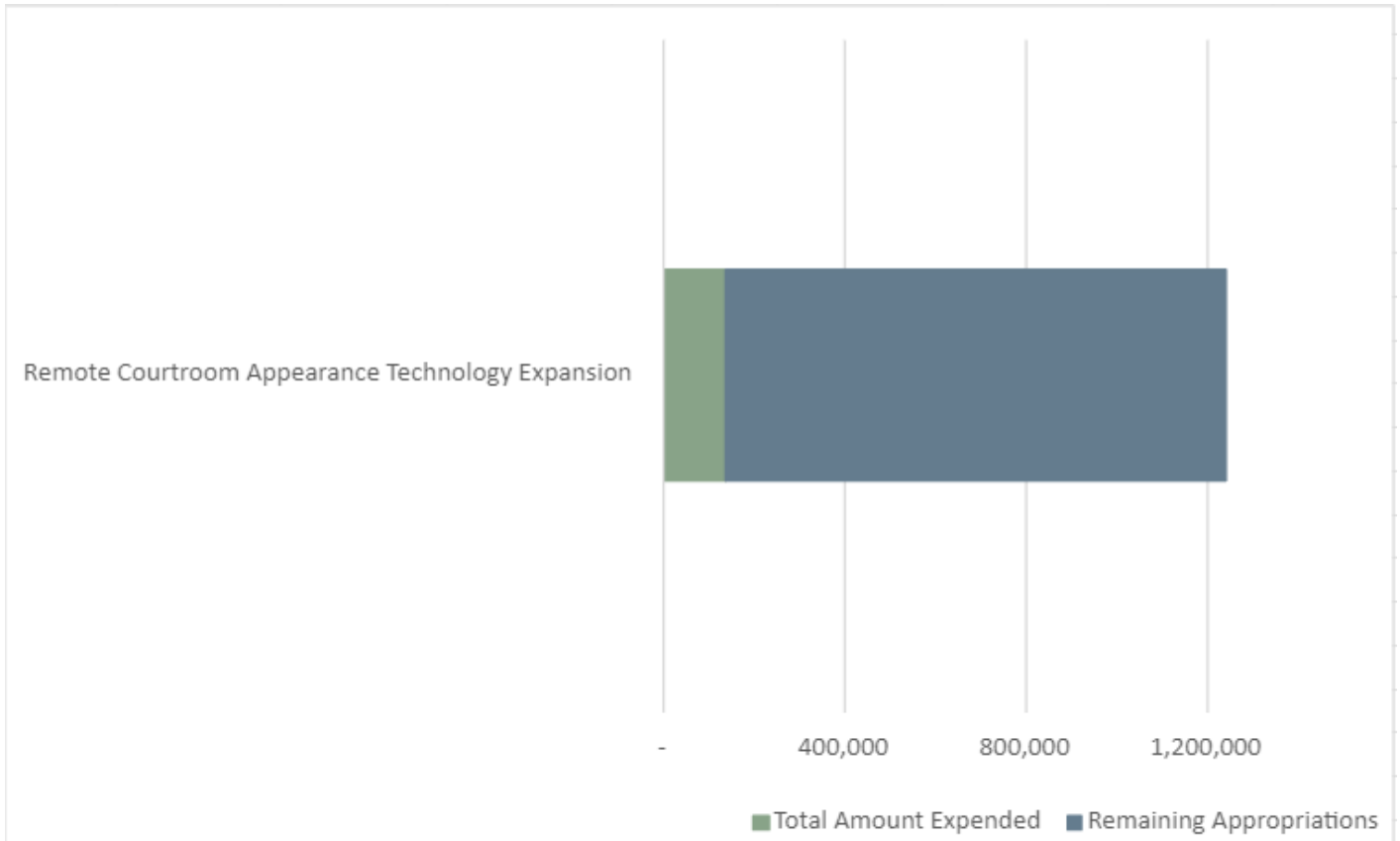
The chart below shows the vacant FTE in each division, the number of months each position has been vacant, and the midpoint hourly pay rate. Of the 29.75 FTE that are vacant, 15.95 FTE have been vacant for more than 12 months. Half of those extended vacancies are for Deputy Juvenile Probation Officer I positions which has stayed steady at 8.00 openings since March 2024. Three law clerk I positions, and two senior law clerk positions were filled in June.

There has been a total of 55.00 FTE that have turned over since the beginning of FY 2024. Of these positions, 42 have left employment with the state, seven have retired, and six individuals transferred to a different state agency.

Vacant Positions Report

	FTE	Median Months Vacant	Market Midpoint (Hourly)
⊖ 21100 JUDICIARY	29.75	7.75	28.45
⊖ 01 SUPREME COURT OPERATIONS	3.50	2.67	29.47
⊕ Accting/Fiscal Policy Analyst	1.00	3.97	36.56
⊕ Law Clerk II	1.00	1.38	30.62
⊕ Regional YC Financial Speciali	1.00	0.52	28.31
⊕ Self Help Law Facilitator	0.50	4.00	23.89
⊖ 03 LAW LIBRARY	0.75	29.90	19.99
⊕ Office Assistant III	0.75	29.90	19.99
⊖ 04 DISTRICT COURT OPERATIONS	23.50	12.00	28.45
⊕ ChiefJuvenileProbationOff II	1.00	0.07	43.97
⊕ Community Programs Specialist	1.80	3.57	28.45
⊕ Court Reporter-Steno	2.00	6.49	26.96
⊕ DeputyJuvenileProbationOff I	8.00	18.49	29.76
⊕ Judicial Admin Assistant I	1.50	1.36	26.68
⊕ Law Clerk I	2.00	5.69	30.62
⊕ Office Assistant II	1.00	1.25	16.96
⊕ Office Assistant III	1.20	21.41	19.99
⊕ Official Court Rpt-Steno	3.00	14.75	26.96
⊕ Probation Program Assistant	1.00	37.08	23.62
⊕ Standing Master	1.00	24.33	56.30
⊖ 05 WATER COURT	2.00	16.89	37.60
⊕ Deputy Water Court Clerk	1.00	3.41	18.89
⊕ Water Master	1.00	30.36	56.30
Total	29.75	7.75	28.45

OTHER ISSUES (UPDATED JUNE 30, 2024)
Information Technology Project Expenditures



The Judicial Branch is in the execution phase of a Remote Courtroom Appearance Technology Expansion project which began July 1, 2023. This project is budgeted for \$1.2 million of general fund and as of June 30, 2024, \$138,000 had been spent. The project is expected to be completed by December 31, 2027.

Large Information Technology Projects Original and Revised Budgets			
Project	Original Budget	Revised Budget	Change from Original Budget
Remote Courtroom Appearance Technology Expansion	1,240,099	1,240,099	-

REQUIRED REPORTS

The Judicial Branch is required to report quarterly on ARPA program implementation, expenditure of funds, and measurable outcomes. The Branch was allocated approximately \$945,000 in HB 632 to streamline and expediate the processing of family law matters, which were delayed by the COVID-19 pandemic. The funding is supporting early mediation and simplified case processing for self-represented and low-income litigants.

This report will be posted on the Section D IBC webpage with the September meeting materials as they are provided.