

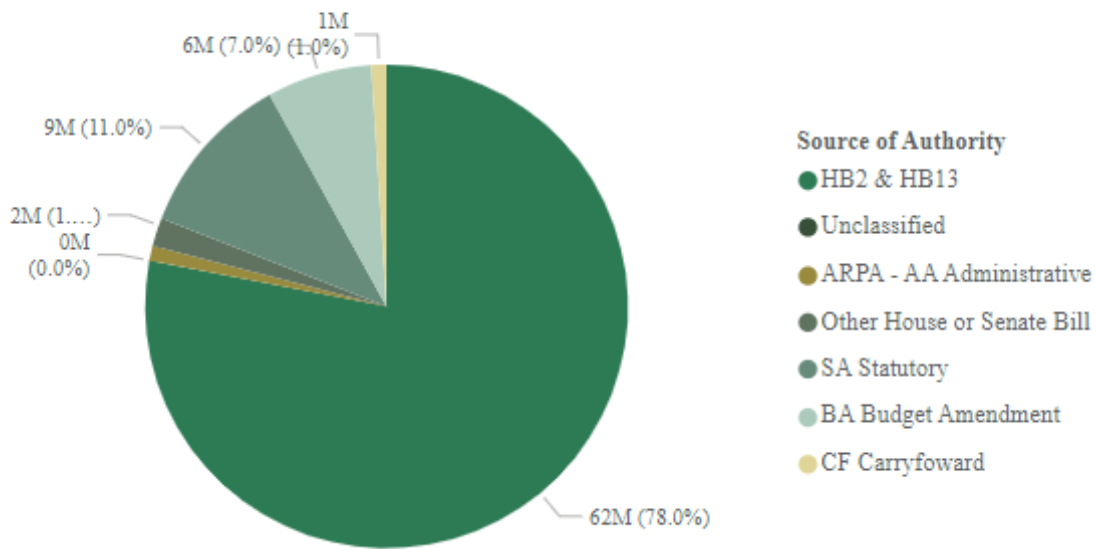
JUDICIAL BRANCH

(Spending report July 1 through February 2024)

TOTAL APPROPRIATION AUTHORITY

The total appropriation authority for the Judicial Branch is shown in the pie chart below. HB 2 and HB 13 provide 78.0% 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	128,186	16.3%
Unclassified	6,374		
SA Statutory	8,779,790	1,668,488	19.0%
Other House or Senate Bill	1,507,500	52,991	3.5%
CF Carryforward	809,324		
BA Budget Amendment	5,588,385	981,286	17.6%
HB2 & HB13	62,115,823	32,248,145	51.9%
Total	79,593,191	35,079,096	44.1%

Budget Amendments

The Judicial Branch (Judiciary) budget for FY 2024 contains budget amended federal authority of \$5.6 million, and through February, has expended approximately \$980,000, or 17.6%, of the authority. This budget amendment authority supports:

- substance abuse and mental health services within family, veteran, and adult drug treatment courts
- data sharing between courts
- implementing crisis response teams
- Expansion of DUI Court, STEER, and VTC, CAMO in the 13th Judicial District

Carryforward

The Judicial Branch has \$809,324 of carryforward authority from qualified unspent FY 2022 appropriations. Of this, \$655,429 is general fund, \$148,908 is remaining from state special revenue, and \$4,987 is federal authority.

Other House or Senate Bill

House Bill 16 authorizes \$225,000 to pay for the costs of training and hiring facilitators for the prehearing conferences for FY 2024. Only \$12,344 has been spent. This bill increases the statutory timeframe for holding Emergency Protective Services hearings from three days to five days.

House Bill 10 authorizes \$782,500 for the biennium for a courtroom remote appearance video system in the Judicial Branch. So far, \$40,646 of these funds have been spent.

Non-budgeted proprietary funding

Not seen in the chart above, the Judiciary has \$277,988 in non-budgeted proprietary funding, which supports online search functions related to the Lexis system within the Law Library. Through February, the Judiciary expended \$139,769, or 50.3% of this authority.

COVID-19 Authority

The authority from the American Rescue Plan Act (ARPA) funds are for the Simplify Family Law Resolution. These funds total \$785,995 and are 16.3% expended as of February 29, 2024, and provide a three-year pilot project to implement remote mediation services and streamline family law cases. 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 July 1, 2023 through February 28, 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	62,122,197	62,115,823	-6,374
▣ 01 SUPREME COURT OPERATIONS	22,844,032	22,842,612	-1,420
▣ 03 LAW LIBRARY	951,382	951,337	-45
▣ 04 DISTRICT COURT OPERATIONS	35,046,291	35,041,801	-4,490
▣ 05 WATER COURT	2,648,590	2,648,243	-347
▣ 06 CLERK OF COURT	631,902	631,829	-73
Total	62,122,197	62,115,823	-6,374

Expenditure Type	HB 2 Budget	Modified Budget	Net Modifications
▣ 61000 Personal Services	44,538,306	44,531,932	-6,374
▣ 62000 Operating Expenses	10,130,643	10,130,643	
▣ 63000 Equipment & Intangible Assets	183,116	183,116	
▣ 66000 Grants	715,000	715,000	
▣ 67000 Benefits & Claims	6,170,825	6,170,825	
▣ 69000 Debt Service	384,307	384,307	
Total	62,122,197	62,115,823	-6,374

Fund Type	HB 2 Budget	Modified Budget	Net Modifications
▣ 01 General	58,257,801	58,251,685	-6,116
▣ 02 State/Other Spec Rev	3,485,093	3,484,840	-253
▣ 03 Fed/Other Spec Rev	379,303	379,298	-5
Total	62,122,197	62,115,823	-6,374

Unclassified

The Judicial Branch has performed one budget modification between December 1, 2023 and February 29, 2024.

Per 39-71-403(1)(b)(iv), MCA, when workers' compensation premiums are lower than the previous year, state agencies shall reduce personal service appropriations by the amount of the premium reduction. To track the changes in appropriation authority, total appropriations are not reduced, instead the Governor's Office of Budget and Program Planning (OBPP) requires state agencies to:

- Reduce HB 2, statutory, and proprietary appropriations
- Create a separate offsetting entry on the financial statements in the same amount using an identifying number for workers' compensation entries (shown in the Total Appropriation Authority figure above as "Unclassified")

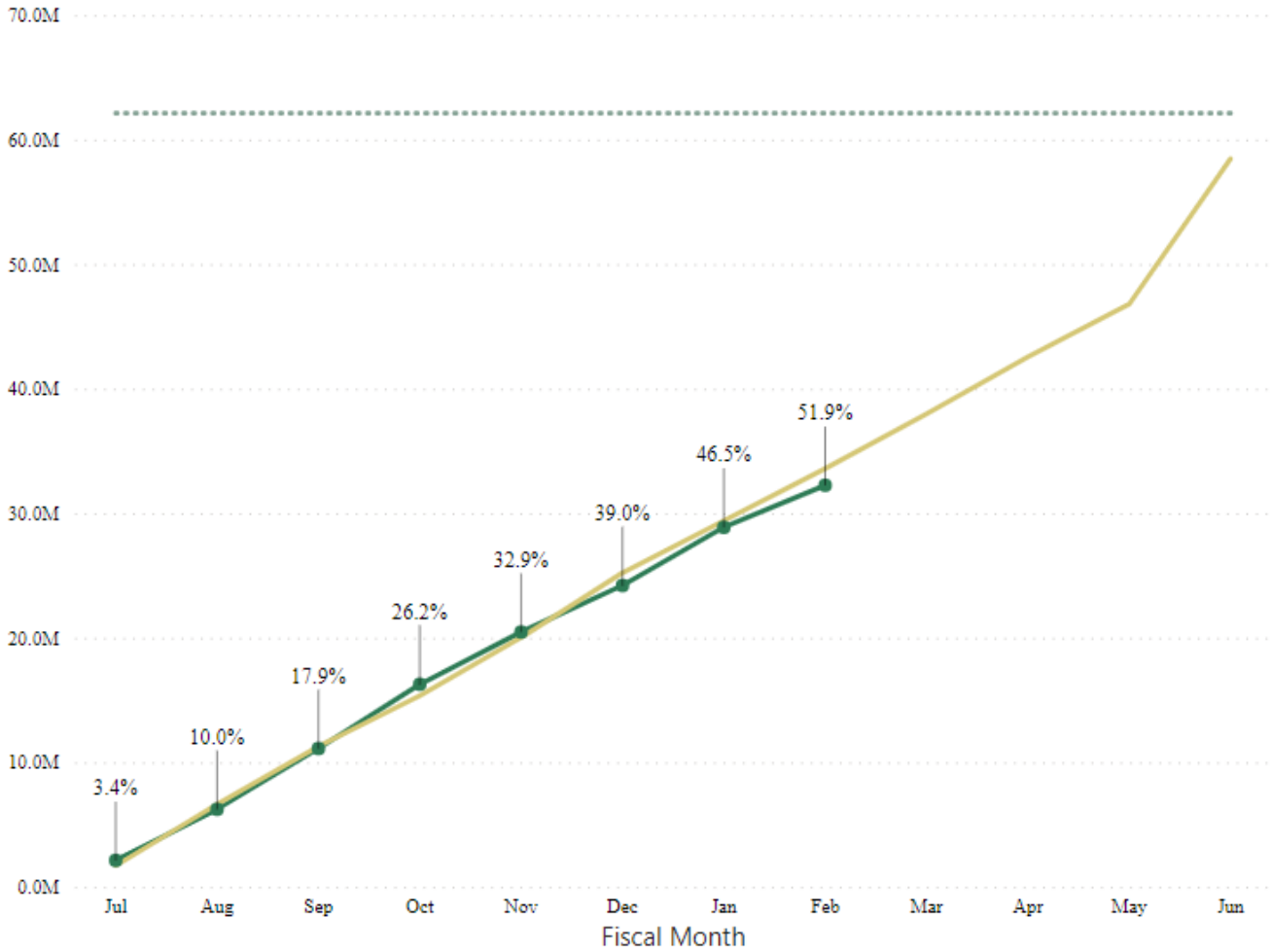
The offsetting entries are identified as "frozen" appropriations, which means the appropriations will not be spent unless authorized by OBPP. The total Judicial Branch personal services budget has been reduced by \$6,374 and has an offsetting unclassified appropriation of a like amount.

HB 2 APPROPRIATION AUTHORITY

The following chart shows the appropriated budget for the agency compared to expenditures through February 29, 2024.

Monthly Expenditures Compared to Historical Average

● FY 2024 Budget ● Cumulative Monthly FY 2024 Expenditures ● Cumulative Historical Monthly Average Expended



Program Name	Modified Budget	Expended Budget	% Expended
☐ 01 SUPREME COURT OPERATIONS	22,842,612	10,124,511	44.3%
☐ 03 LAW LIBRARY	951,337	531,792	55.9%
☐ 04 DISTRICT COURT OPERATIONS	35,041,801	19,635,313	56.0%
☐ 05 WATER COURT	2,648,243	1,597,605	60.3%
☐ 06 CLERK OF COURT	631,829	358,924	56.8%
Total	62,115,823	32,248,145	51.9%

Expenditure Type	Modified Budget	Expended Budget	% Expended
⊕ Personal Services	44,531,932	25,477,729	57.2%
⊕ Operating Expenses	10,130,643	5,082,229	50.2%
⊕ Equipment & Intangible Assets	183,116	78,921	43.1%
⊕ Grants	715,000	217,147	30.4%
⊕ Benefits & Claims	6,170,825	1,103,924	17.9%
⊕ Debt Service	384,307	288,195	75.0%
Total	62,115,823	32,248,145	51.9%

Fund Type	Modified Budget	Expended Budget	% Expended
⊖ 01 General	58,251,685	30,387,178	52.2%
⊖ 02 State/Other Spec Rev	3,484,840	1,788,725	51.3%
⊖ 03 Fed/Other Spec Rev	379,298	72,241	19.0%
Total	62,115,823	32,248,145	51.9%

The Judicial Branch has expended 51.9% of its \$62.1 million HB 2 modified budget through February 28, 2024. Overall, this spending pattern tracks very closely with the five-year Olympic average.

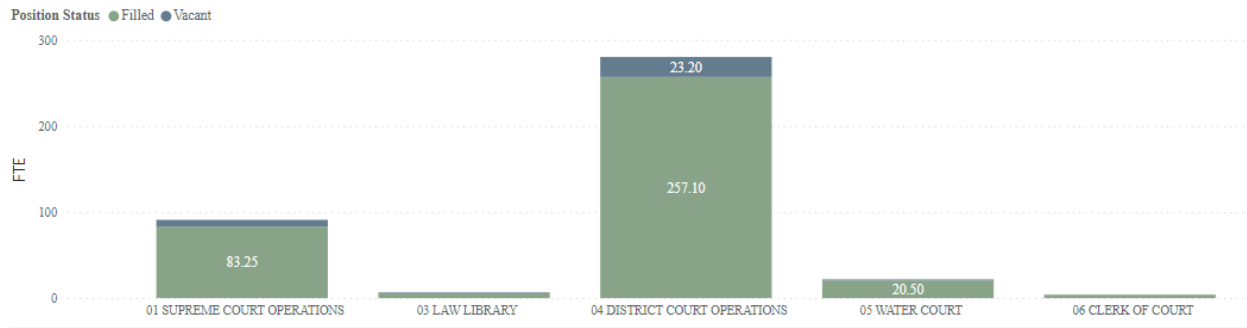
Only 17.9% of the \$6.2 million benefits and claims authority for juvenile placement funds has been spent through February 1, 2024. According to 41-5-2011, MCA, unspent juvenile placement funds are transferred at the end of the fiscal year to the youth court intervention and prevention account and can be spent in the next two fiscal years on prevention services for youth.

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 eight) which are transitioning from federal grant funding. Only 15.3% of this \$405,764 authority has been spent because three of these federal grants have been extended through September 2024, and a fourth has received a verbal extension though is still 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 year
- The Judicial Branch has spent none of its \$300,000 one-time-only restricted general fund authority for the Continued Family Mediation program. See the “Covid-19” section above for more information about the federal appropriations for this program. This authority is also biennial and can be spent next year
- The Judicial Branch has spent 40.0% of its \$843,848 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 total \$44.5 million and are 50.0% expended as of February 1, 2024. The department has 402.8 HB 2 FTE, not accounting for elected official or aggregate positions, and 91.8% of these positions are filled as of February 29, 2024. The following chart shows the filled and vacant FTE within the agency.



The chart below shows the yearly utilization percentage for the Judicial Branch between July 1 and February 29 for each fiscal year. Overall in FY 2024, the department has utilized 91.7% of the hours budgeted for July through February, as shown in the chart below, which is slightly below the five-year average of 96.2%.



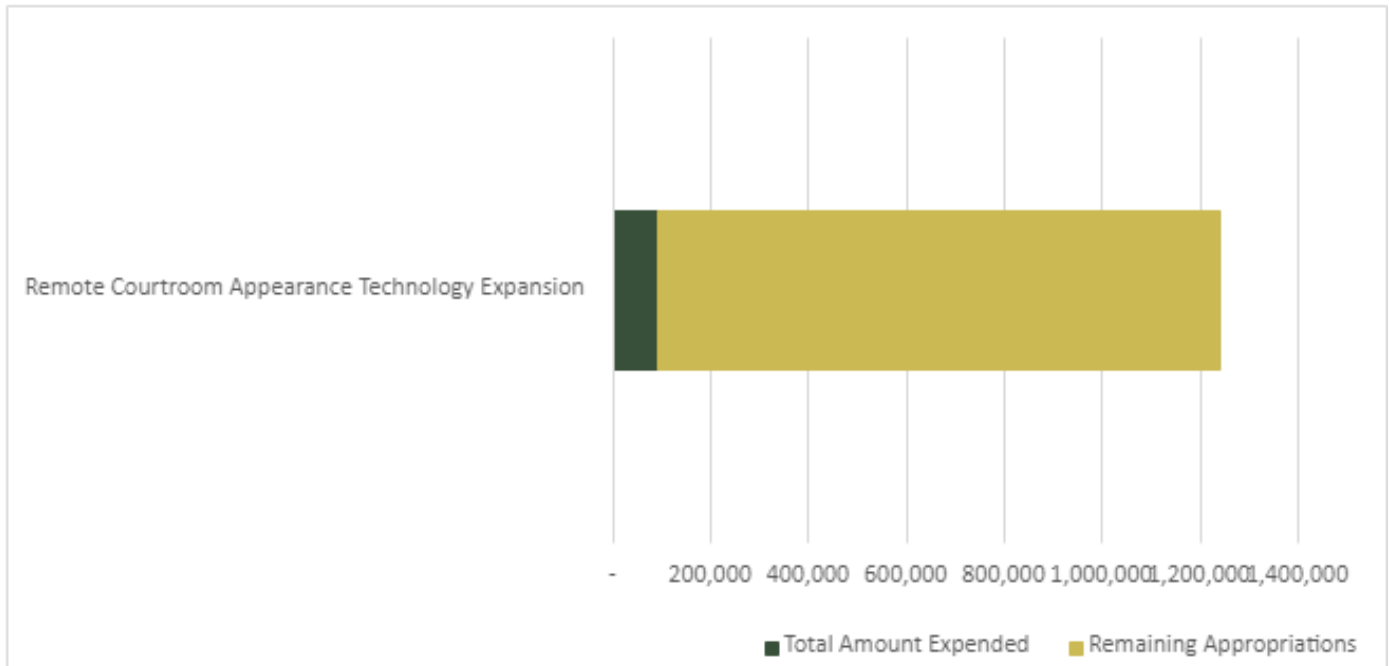
The chart below shows the vacant FTE in each division, the number of months each position has been vacant, and the midpoint hourly pay rate. Of the 32.95 FTE that are vacant, 16.70 FTE have been vacant for more than 12 months. Half of those extended vacancies are for Deputy Juvenile Probation Officer I positions. (The chart below shows only 30.95 FTE vacant, but that is because that chart utilizes a data set with slightly different timing so it shows a small difference.)

Vacant Positions Report

DEPT NUM/NAME	FTE	Median Months Vacant	Market Midpoint (Hourly)
21100 JUDICIARY	30.95	9.80	29.76
01 SUPREME COURT OPERATIONS	6.75	7.05	35.50
InfoTech Support Spec I	0.75	15.31	30.96
Pro Bono Coordinator	1.00	1.02	35.50
Regional YC Financial Speciali	1.00	23.25	28.31
Treatment Court Coordinator	3.00	7.05	35.50
Youth Placement Specialist	1.00	8.92	30.08
03 LAW LIBRARY	0.75	24.95	19.99
Office Assistant III	0.75	24.95	19.99
04 DISTRICT COURT OPERATIONS	22.20	10.49	29.76
Court Reporter-Steno	1.00	7.05	26.96
DeputyJuvenileProbationOff I	8.00	16.82	29.76
DeputyJuvenileProbationOff II	1.00	7.05	35.50
Judicial Admin Assistant I	1.00	11.64	26.68
Law Clerk I	5.00	0.85	30.62
Office Assistant II	1.00	1.08	16.96
Office Assistant III	1.20	16.46	19.99
Official Court Rpt-Steno	2.00	17.84	26.96
Probation Program Assistant	1.00	32.13	23.62
Standing Master	1.00	19.38	56.30
05 WATER COURT	1.25	15.44	37.60
Deputy Water Court Clerk	0.25	5.48	18.89
Water Master	1.00	25.41	56.30
Total	30.95	9.80	29.76

OTHER ISSUES (UPDATED JANUARY 31, 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 \$1,240,099 general fund and as of January 31, 2024, \$92,433 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 \$944,721 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.

The submission of this report for the second quarter of the 2024 biennium will be posted on the Section D IBC webpage with the March meeting materials as they are provided.

CONTRACTORS AND VACANCIES

Awaiting update from agency.