

### Program Budget Comparison

The following table compares the 2017 biennium appropriated budget to the 2019 biennium requested budget by type of expenditure and source of funding.

| Program Budget Comparison      |                              |                           |                    |                      |
|--------------------------------|------------------------------|---------------------------|--------------------|----------------------|
| Budget Item                    | Appropriated<br>Budget 16-17 | Requested<br>Budget 18-19 | Biennium<br>Change | Biennium<br>% Change |
| Personal Services              | 14,112,398                   | 14,100,624                | (11,774)           | (0.08)%              |
| Operating Expenses             | 10,579,612                   | 10,908,471                | 328,859            | 3.11%                |
| Equipment & Intangible Assets  | 86,270                       | 17,770                    | (68,500)           | (79.40)%             |
| Benefits & Claims              | 7,812,948                    | 10,990,704                | 3,177,756          | 40.67%               |
| Transfers                      | 3,181,841                    | 0                         | (3,181,841)        | (100.00)%            |
| <b>Total Expenditures</b>      | <b>\$35,773,069</b>          | <b>\$36,017,569</b>       | <b>\$244,500</b>   | <b>0.68%</b>         |
| General Fund                   | 34,634,766                   | 34,945,369                | 310,603            | 0.90%                |
| State/Other Special Rev. Funds | 882,892                      | 870,544                   | (12,348)           | (1.40)%              |
| Federal Spec. Rev. Funds       | 255,411                      | 201,656                   | (53,755)           | (21.05)%             |
| <b>Total Funds</b>             | <b>\$35,773,069</b>          | <b>\$36,017,569</b>       | <b>\$244,500</b>   | <b>0.68%</b>         |
| <b>Total Ongoing</b>           | <b>\$35,360,856</b>          | <b>\$35,505,357</b>       | <b>\$144,501</b>   | <b>0.41%</b>         |
| <b>Total OTO</b>               | <b>\$412,213</b>             | <b>\$512,212</b>          | <b>\$99,999</b>    | <b>24.26%</b>        |

### Program Description

The Supreme Court has appellate jurisdiction for the State of Montana. The court has original jurisdiction to issue, hear, and determine writs of habeas corpus and other writs provided by law. It also has general supervisory control over all other courts in the state. The Supreme Court is charged with establishing rules governing appellate procedure, the practice and procedure for all other courts, and admission to the bar and conduct of its members. Within the Supreme Court Operations program, the Office of Court Administrator provides centralized services to the Judicial Branch including information technology, budget and finance, payroll and human resource management, policy and technical support for the Youth Courts, judicial education, and services provided through the federal Court Assessment Program related to child abuse and neglect cases. The Boards and Commissions sub-program provides staff and other support to constitutionally and statutorily required commissions attached to the Montana Supreme Court, specifically the Judicial Standards Commission, the Sentence Review Board, and the Commission on Courts of Limited Jurisdiction. The sub-program also supports activities of the Commission on Practice. Other specialized commissions and task forces - not required by the Constitution and statute but created by the Supreme Court to address specific issues - receive minimal financial assistance with travel expenses and supplies.

Program Highlights

| <b>Supreme Court Operations<br/>Major Budget Highlights</b>   |
|---|
| <ul style="list-style-type: none"><li>• Staff turnover is driving down personal services funding requests</li><li>• Funding for information technology staff previously funded with one time appropriations is requested to continue funding the positions</li><li>• Funding is requested to continue for the 2019 biennium the child abuse court diversion pilot project</li><li>• General fund is requested to replace federal funds used to start treatment courts<ul style="list-style-type: none"><li>◦ Increases are requested for courts funded by the previous legislature due to higher costs to operate</li><li>◦ Some courts would be new to general fund support</li><li>◦ Two courts are in courts of limited jurisdiction</li></ul></li></ul> |
| <b>Major LFD Issues</b>   |
| <ul style="list-style-type: none"><li>• General fund is requested to replace federal funds used to start treatment courts</li><li>• General fund is requested to replace federal funds used to start treatment courts in courts of limited jurisdiction where funding is not the responsibility of the state</li></ul>  |

### Program Actuals and Budget Comparison

The following table compares the program's FY 2016 actual expenditures with FY 2016 and FY 2017 appropriations and with FY 2018 and FY 2019 requested appropriations.

| Program Actuals and Budget Comparison |                        |                        |                        |                        |                        |
|---------------------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|
| Budget Item                           | Actuals<br>Fiscal 2016 | Approp.<br>Fiscal 2016 | Approp.<br>Fiscal 2017 | Request<br>Fiscal 2018 | Request<br>Fiscal 2019 |
| FTE                                   | 82.75                  | 82.75                  | 82.75                  | 86.92                  | 87.25                  |
| Personal Services                     | 6,461,023              | 6,957,526              | 7,154,872              | 7,034,459              | 7,066,165              |
| Operating Expenses                    | 5,035,089              | 5,253,746              | 5,325,866              | 5,465,899              | 5,442,572              |
| Equipment & Intangible Assets         | 77,292                 | 77,385                 | 8,885                  | 8,885                  | 8,885                  |
| Benefits & Claims                     | 2,150,484              | 2,334,546              | 5,478,402              | 5,486,877              | 5,503,827              |
| Transfers                             | 3,181,841              | 3,181,841              | 0                      | 0                      | 0                      |
| <b>Total Expenditures</b>             | <b>\$16,905,729</b>    | <b>\$17,805,044</b>    | <b>\$17,968,025</b>    | <b>\$17,996,120</b>    | <b>\$18,021,449</b>    |
| General Fund                          | 16,580,408             | 17,233,775             | 17,400,991             | 17,460,058             | 17,485,311             |
| State/Other Special Rev. Funds        | 257,412                | 444,171                | 438,721                | 435,272                | 435,272                |
| Federal Spec. Rev. Funds              | 67,909                 | 127,098                | 128,313                | 100,790                | 100,866                |
| <b>Total Funds</b>                    | <b>\$16,905,729</b>    | <b>\$17,805,044</b>    | <b>\$17,968,025</b>    | <b>\$17,996,120</b>    | <b>\$18,021,449</b>    |
| <b>Total Ongoing</b>                  | <b>\$16,699,633</b>    | <b>\$17,598,769</b>    | <b>\$17,762,087</b>    | <b>\$17,740,152</b>    | <b>\$17,765,205</b>    |
| <b>Total OTO</b>                      | <b>\$206,096</b>       | <b>\$206,275</b>       | <b>\$205,938</b>       | <b>\$255,968</b>       | <b>\$256,244</b>       |

### Program Discussion -

#### *FY 2016 Appropriation Compared to FY 2016 Actual Expenditures*

The Supreme Court Operations program reverted 7%, or \$497,000 of its personal services budget due to vacancy savings with only 70% of the \$52,400 personal services federal funding for the court assessment program expended. Only 42.1% of federal funding in operating expenses for the court assessment program was expended. The largest single area of reversion was in state special revenue for juvenile delinquency intervention administration where all \$172,000 in benefits and claims funding was reverted.

#### *Treatment Courts*

#### Purpose for Treatment Courts

The legislature began funding treatment (drug) courts with state funds in FY 2008. Since then the legislature has provided the funding shown in the figure below. Treatment courts in Montana have first been established with federal funds established via budget amendments approved by the executive. Federal funds are typically limited to three years and are provided to startup a treatment court, establish a docket for the court, and prove to the funding jurisdiction that the court can be successful. When federal funds for the treatment courts are no longer available, the executive has requested state funds to continue the treatment courts. Figure 2 shows historical state funding for drug courts.

Figure 2

| Drug Court Historical Funding |          |              |             |
|-------------------------------|----------|--------------|-------------|
| Fiscal Year Basis             |          | General Fund | Total Funds |
| FY 2008                       | Actual   | \$326,202    | \$326,202   |
| FY 2009                       | Actual   | 1,012,139    | 1,012,139   |
| FY 2010                       | Actual   | 709,619      | 712,719     |
| FY 2011                       | Actual   | 752,428      | 757,764     |
| FY 2012                       | Actual   | 796,540      | 803,175     |
| FY 2013                       | Actual   | 758,469      | 771,835     |
| FY 2014                       | Actual   | 1,083,765    | 1,118,237   |
| FY 2015                       | Actual   | 1,034,729    | 1,070,981   |
| FY 2016                       | Actual   | 1,207,931    | 1,255,060   |
| FY 2017                       | Budget   | 1,312,374    | 1,373,585   |
| FY 2018                       | Proposed | 1,624,811    | 1,710,847   |
| FY 2019                       | Proposed | 1,673,576    | 1,759,612   |

Drug courts are specialized court dockets, or portions of judges' calendars of cases, that generally target nonviolent offenders with substance-abuse problems. These programs provide offenders with intensive court supervision, mandatory drug testing, substance-abuse treatment, and other social services as an alternative to adjudication or incarceration. In this way, drug courts are designed to break the cycle of substance abuse, addiction, and crime by changing the behavior of substance-abusing offenders. Participation in these programs is voluntary. Eligible defendants must agree to the program's requirements and successfully complete the program in exchange for avoiding incarceration, having their criminal charges reduced or dismissed, or having their sentences reduced. Drug courts encourage participants' compliance and impose sanctions on those who fail to comply with the program's requirements. The drug courts deal with crimes involving controlled substances, illegal drugs and alcohol. As such, a driving while intoxicated (DUI) court is a specific type of drug court. A co-occurring drug treatment court involves offenders who are addicted to alcohol and other drugs and may also have a mental illness.

#### Monitoring Performance of Treatment Courts

The Montana Judicial Branch (branch) monitors performance of state drug treatment courts and reports on several indicators of performance, including program completion rates, graduation rates, length of stay, retention rate, recidivism, and employment status: admission to discharge. If a drug treatment court is successful, reductions should be seen in the rates of recidivism, which according to the United States Department of Justice is the rate at which offenders are re-arrested within three years of being convicted and punished. The branch defines the term somewhat differently to mean a return to criminal activity by someone who has already been adjudicated guilty, delinquent, or has an open child abuse and neglect case. Montana drug courts report recidivism rates for the 6 month, 12 month, and 24 month intervals after discharge of the case.

A report prepared by the branch on drug court statistics and recidivism performance measures covering the period is also provided in the appendix and can be found on the Internet at:

[https://courts.mt.gov/portals/113/cao/ct\\_services/treatment/docs/2015rpt.pdf](https://courts.mt.gov/portals/113/cao/ct_services/treatment/docs/2015rpt.pdf)

The 2015 report for Montana drug courts identified that from May 2008 through October 2014, 2,197 participants entered Montana drug courts. Through participation in the drug court, 831 individuals were diverted from potential incarceration, thus potentially reducing incarceration costs to the state or local jurisdictions.

#### Treatment Courts Currently Funded with State Funds

The drug court report lists the Montana drug courts, their location, the jurisdiction of the court, primary funding source, and year the court began.

In FY 2016, general fund supported 96.2% of the expenditures of these treatment courts. The remaining funds were state special revenue from grants to treatment courts or fees collected by the treatment courts.

### Treatment Court Funding Requests

The executive has requested funding for three purposes associated with drug courts:

- Increase funding for existing drug courts
  - Would provide funding to address cost increases experienced in drug courts previously funded by the legislature
- Add funding to drug courts where grant funding is expiring
  - Would provide general fund to replace expiring federal funds used to start drug courts in courts that did not previously exist
- Fund the DUI courts where grants from federal highway safety funds are not assured in the future
  - Would provide general fund to replace federal highway safety funds that must be reapplied for each year. Two of the four courts that would be funded with this request are courts of limited jurisdiction where the state is not responsible for court costs

While all interrelated, there are three primary issues associated with the requests. Does the legislature wish to:

1. Continue funding the drug treatment courts as an ongoing function and if so, at what level?
2. Replace more federal funds used to help start drug treatment courts with ongoing general fund?
3. Fund some costs of municipal courts with general fund?

#### **LFD ISSUE**

#### Continue Funding Drug Treatment Courts

The FY 2017 legislative budget includes funding for drug treatment courts including \$1,312,374 general fund and \$1,373,585 total funds. These funds support the treatment courts listed in the drug court report and have served 2,197 offenders. Data for participants taken 48 months after being discharged from a Montana drug court showed that of the 1,083 participants discharged, 335 had a re-offense for a 30.9% re-offense rate after 48 months of discharge. Recidivism for participants 24 months after discharge shows that for 632 participants discharged, 167 had a re-offense, or a 26.4% re-offense rate after 24 months.

Given the information provided, does the legislature wish to continue to fund the treatment courts with state funds?

#### **LFD ISSUE**

#### Replacing Federal Funds With General Fund for Treatment Courts

Two of the three requests for funding associated with treatment courts are to replace federal funds that will be expiring in the 2019 biennium or would replace federal funds that must be continually requested with uncertainty of continuing. Federal funds used to start new drug courts were allocated according to federal priorities.

#### *Request to Replace Expiring Federal Funds with General Fund in District Courts*

The 8th Judicial District (Cascade County) Veterans Treatment Court was started using federal funds and general fund is now being requested to continue funding its operations - \$89,397 over the biennium.

#### *Request to Replace expiring Federal Funds with General Fund in Courts of Limited Jurisdiction*

The executive requests general fund to replace federal funding currently funding courts in the Butte-Silver Bow DUI Court and the Hill County DUI Court - \$70,512 over the biennium.

#### *The Issues*

The following issues arise regarding these two funding requests:

1. Does the legislature wish to increase the funding for additional treatment courts beyond those currently funded with state funds?

2. Does the legislature want to use state funds for costs that are the responsibility of a court created by a local jurisdiction? Montana laws define the creation, jurisdiction, and responsibilities for courts place the burden for funding courts of limited jurisdiction on the jurisdiction that created the court. Consequently, when a local jurisdiction makes the decision to establish a court, it makes the decision based on the knowledge that it will be responsible for costs to operate the court. Under state assumption of district courts, the general fund only funds certain operating costs for district courts. Courts of lower jurisdiction are funded by the entity with jurisdiction to establish the court. The funding for the Butte-Silver Bow DUI Court and the Hill County DUI Court are not currently the responsibility of the state to fund.

**Personal Services**

The LFD calculated an expected personal services budget as a comparison to the executive personal services request. The LFD calculation uses the 2017 base as a starting point, and calculates expected incremental increases based on legislatively approved increases such as the pay plan, workers compensation, longevity increases, health benefit increase, and other expected changes. An illustration of this calculation is included in the Budget Analysis appendix.

Figure 3 compares the executive budget for personal services to the legislative budget for the Supreme Court Operations program.

Figure 3

| Judicial Branch: 01 Supreme Court Operations<br>Personal Services Present Law Calculations |                                      |                  |                  |
|--|--------------------------------------|------------------|------------------|
| PS Base:   |                                      | \$6,964,851      |                  |
|  |                                      | FY 2018          | FY 2019          |
| Executive  | DP 1: SWPL Personal Services         | (\$68,380)       | (\$84,666)       |
| Legislative  | Statutory Personal Service Change    | <u>147,636</u>   | <u>167,388</u>   |
|  | Difference                           | (216,016)        | (252,054)        |
| Management Choices Explaining the Difference   |                                      |                  |                  |
|  | Additional 2% Vacancy Savings        | -                | -                |
|  | Broadband Pay Adjustments            | 60,507           | 60,507           |
|  | Benefits and Taxes on Pay Adjustment | 14,771           | 14,771           |
|  | Other                                | <u>(291,294)</u> | <u>(327,332)</u> |
|  | Total                                | (\$216,016)      | (\$252,054)      |

A number of offsetting changes, including some discretionary decisions of agency management combined for a lower than anticipated budget request. The pay increases management made in addition to the statutory \$0.50 per hour pay plan increase were for:

- Two career ladder increases for law clerks
- Three strategic increases for judicial assistants
- Three accounting and human resources positions were reclassified
- Two positions received increases above the legislative pay plan increases

These increases were offset by turnover of staff that generally lowered program salaries when more senior and higher paid employees were replaced by lower paid employees. Additionally, 1.00 FTE was moved during the 2017 biennium from the District Court Operations program to the Supreme Court Operations program to administer drug court operations. The legislature expected the budget for this position in the District Court Operations program but the budget is being requested in this program.

Funding

The following table shows proposed program funding by source of authority.

| Judicial Branch, 01-Supreme Court Operations<br>Funding by Source of Authority |                     |                  |                             |                            |                      |                      |  |
|--|---------------------|------------------|-----------------------------|----------------------------|----------------------|----------------------|--|
| Funds  | HB2<br>Ongoing      | HB2<br>OTO       | Non-Budgeted<br>Proprietary | Statutory<br>Appropriation | Total<br>All Sources | % Total<br>All Funds |  |
| 01100 General Fund   | 34,433,157          | 512,212          | 0                           | 0                          | 34,945,369           | 97.02 %              |  |
| 02141 Fines & Fees Fund  | 0                   | 0                | 0                           | 0                          | 0                    | 0.00 %               |  |
| 02151 YthCrt Intervention?evention   | 343,436             | 0                | 0                           | 0                          | 343,436              | 39.45 %              |  |
| 02342 Law Library Digital Project  | 780                 | 0                | 0                           | 0                          | 780                  | 0.09 %               |  |
| 02399 Judicial Education Conferences   | 122,918             | 0                | 0                           | 0                          | 122,918              | 14.12 %              |  |
| 02536 Legal Asistance  | 281,338             | 0                | 0                           | 0                          | 281,338              | 32.32 %              |  |
| 02961 State Grants to Drug Courts  | 122,072             | 0                | 0                           | 0                          | 122,072              | 14.02 %              |  |
| <b>State Special Total</b>   | <b>\$870,544</b>    | <b>\$0</b>       | <b>\$0</b>                  | <b>\$0</b>                 | <b>\$870,544</b>     | <b>2.42 %</b>        |  |
| 03041 Probation Training Fund  | 480                 | 0                | 0                           | 0                          | 480                  | 0.24 %               |  |
| 03083 Judicial Education Grant   | 0                   | 0                | 0                           | 0                          | 0                    | 0.00 %               |  |
| 03153 Court Improvement Prg Grants   | 0                   | 0                | 0                           | 0                          | 0                    | 0.00 %               |  |
| 03240 COURT ASSESSMENT PROGRAM   | 201,176             | 0                | 0                           | 0                          | 201,176              | 99.76 %              |  |
| 03352 NCHIP-MBCC Grant   | 0                   | 0                | 0                           | 0                          | 0                    | 0.00 %               |  |
| <b>Federal Special Total</b>   | <b>\$201,656</b>    | <b>\$0</b>       | <b>\$0</b>                  | <b>\$0</b>                 | <b>\$201,656</b>     | <b>0.56 %</b>        |  |
| <b>Proprietary Total</b>   | <b>\$0</b>          | <b>\$0</b>       | <b>\$0</b>                  | <b>\$0</b>                 | <b>\$0</b>           | <b>0.00 %</b>        |  |
| <b>Total All Funds</b>   | <b>\$35,505,357</b> | <b>\$512,212</b> | <b>\$0</b>                  | <b>\$0</b>                 | <b>\$36,017,569</b>  |                      |  |

General fund supports most costs of the program.

State special revenue supports administration of juvenile delinquency intervention prevention (JDIP) funds, training for judges from conference fees, legal assistance for indigent victims of domestic violence from court filing fees primarily from dissolution of marriage filings, and grants to drug courts from drug court fees charged to participants.

Federal special revenue primarily supports assessments of state courts and have a 10% state match.

Program Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

| Budget Summary by Category |                        |                       |                          |                      |                       |                       |                          |                      |
|----------------------------|------------------------|-----------------------|--------------------------|----------------------|-----------------------|-----------------------|--------------------------|----------------------|
| Budget Item                | -----General Fund----- |                       |                          |                      | -----Total Funds----- |                       |                          |                      |
|                            | Budget<br>Fiscal 2018  | Budget<br>Fiscal 2019 | Biennium<br>Fiscal 18-19 | Percent<br>of Budget | Budget<br>Fiscal 2018 | Budget<br>Fiscal 2019 | Biennium<br>Fiscal 18-19 | Percent<br>of Budget |
| 2017 Base Budget           | 17,195,053             | 17,195,053            | 34,390,106               | 98.41 %              | 17,762,087            | 17,762,087            | 35,524,174               | 98.63 %              |
| SWPL Adjustments           | 150,021                | 101,814               | 251,835                  | 0.72 %               | 122,138               | 74,007                | 196,145                  | 0.54 %               |
| PL Adjustments             | 12,500                 | 0                     | 12,500                   | 0.04 %               | 12,500                | 0                     | 12,500                   | 0.03 %               |
| New Proposals              | 102,484                | 188,444               | 290,928                  | 0.83 %               | 99,395                | 185,355               | 284,750                  | 0.79 %               |
| <b>Total Budget</b>        | <b>\$17,460,058</b>    | <b>\$17,485,311</b>   | <b>\$34,945,369</b>      |                      | <b>\$17,996,120</b>   | <b>\$18,021,449</b>   | <b>\$36,017,569</b>      |                      |

Present Law Adjustments -

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget proposed by the executive. "Statewide Present Law" adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

|  | -----Fiscal 2018----- |                  |                |                   |                  | -----Fiscal 2019----- |                  |                |                   |                 |
|--|-----------------------|------------------|----------------|-------------------|------------------|-----------------------|------------------|----------------|-------------------|-----------------|
|  | FTE                   | General Fund     | State Special  | Federal Special   | Total Funds      | FTE                   | General Fund     | State Special  | Federal Special   | Total Funds     |
| DP 1 - Personal Services                       | 0.00                  | (40,868)         | 0              | (27,512)          | (68,380)         | 0.00                  | (57,230)         | 0              | (27,436)          | (84,666)        |
| DP 2 - Fixed Costs                             | 0.00                  | 198,493          | (360)          | 0                 | 198,133          | 0.00                  | 163,757          | (360)          | 0                 | 163,397         |
| DP 3 - Inflation Deflation                     | 0.00                  | (7,604)          | 0              | (11)              | (7,615)          | 0.00                  | (4,713)          | 0              | (11)              | (4,724)         |
| DP 9 - Judicial Standards                      | 0.00                  | 12,500           | 0              | 0                 | 12,500           | 0.00                  | 0                | 0              | 0                 | 0               |
| <b>Grand Total All Present Law Adjustments</b> | <b>0.00</b>           | <b>\$162,521</b> | <b>(\$360)</b> | <b>(\$27,523)</b> | <b>\$134,638</b> | <b>0.00</b>           | <b>\$101,814</b> | <b>(\$360)</b> | <b>(\$27,447)</b> | <b>\$74,007</b> |

\*"Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 1 - Personal Services -

The executive requests adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 2 - Fixed Costs -

The executive requests adjustments to provide the funding required in the budget to pay increases in fixed costs assessed by other agencies within state government for the services they provide. The rates charged for these services are approved in the section of the budget for the programs that provide the services.

DP 3 - Inflation Deflation -

The executive requests adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 9 - Judicial Standards -

The executive requests general fund for the constitutionally mandated Judicial Standards Commission. This appropriation pays for the commission to investigate complaints against judges.

**New Proposals -**

The "New Proposals" table shows new changes to spending.

| New Proposals   | -----Fiscal 2018----- |                  |                  |                 |                 | -----Fiscal 2019----- |                  |                  |                 |                  |
|---|-----------------------|------------------|------------------|-----------------|-----------------|-----------------------|------------------|------------------|-----------------|------------------|
|   | FTE                   | General Fund     | State Special    | Federal Special | Total Funds     | FTE                   | General Fund     | State Special    | Federal Special | Total Funds      |
| DP 5 - Expiring Federally Funded Court                        | 0.17                  | 22,455           | 0                | 0               | 22,455          | 0.50                  | 66,942           | 0                | 0               | 66,942           |
| DP 8 - Continue Child Abuse Crt Diversion Prjct (HB612) (OTO) | 1.00                  | 75,313           | 0                | 0               | 75,313          | 1.00                  | 75,365           | 0                | 0               | 75,365           |
| DP 15 - Information Technology Increased Staffing (OTO)       | 3.00                  | 180,655          | 0                | 0               | 180,655         | 3.00                  | 180,879          | 0                | 0               | 180,879          |
| DP 555 - Appropriation Rebase                                 | 0.00                  | (175,939)        | (3,089)          | 0               | (179,028)       | 0.00                  | (134,742)        | (3,089)          | 0               | (137,831)        |
| <b>Total</b>  | <b>4.17</b>           | <b>\$102,484</b> | <b>(\$3,089)</b> | <b>\$0</b>      | <b>\$99,395</b> | <b>4.50</b>           | <b>\$188,444</b> | <b>(\$3,089)</b> | <b>\$0</b>      | <b>\$185,355</b> |

\*\*\*Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 5 - Expiring Federally Funded Court -

The executive requests general fund to fund 0.17 FTE in FY 2018 and 0.50 FTE in FY 2019 for the 8th Judicial District (Cascade County) Veterans Treatment Court that was started with federal funding that will expire with four months remaining in FY 2018 (February 28, 2018). The funding would be used to fund a drug court coordinator and participant services such as: treatment, drug testing, surveillance, and other client related services.

|                  |  |
|------------------|--|
| <b>LFD ISSUE</b> | <p><u>General Fund Requested to Replace Federal Startup Funds for Treatment Courts</u></p> <p>For further information on this request, refer to the narrative in the Program Discussion section.</p> |
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DP 8 - Continue Child Abuse Crt Diversion Prjct (HB612) (OTO) -

The executive requests general fund to fund 1.00 FTE to continue the court diversion project that was started by HB 612 of the 2015 Legislature. The executive recommends designating funding as one time only due to the contingency of statutory changes contained in LC0189.

|                    |  |
|--------------------|--|
| <b>LFD COMMENT</b> | <p>HB 612 of the 2015 Legislature established a child abuse court diversion pilot project the purpose of which was to use meetings facilitated by a court diversion officer to informally resolve cases, prior to the filing of an abuse and neglect petition in which the Department of Public Health and Human Service has exercised emergency protective services and has removed a child from the custody of a parent, guardian, or other person having physical or legal custody of the child. HB 612 required the Office of the Court Administrator to select courts in which to implement the pilot and establish and measure performance benchmarks. The Office of Court Administrator was also required to report on the progress of the pilot project to the Law and Justice Interim Committee.</p> <p>In the first fiscal year of operating, the pilot project saw little success, but this was largely due to a low number of referrals to the diversion officer. Statutory concerns were raised with the guidelines for the project and as stated, legislation is proposed to address these concerns.</p> |
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DP 15 - Information Technology Increased Staffing (OTO) -

The executive requests general fund to continue 3.00 FTE information technology (IT) staff that were funded with one time only appropriations by the 2013 and 2015 Legislatures. These IT staff provide the following functions:

- Full Court business analyst and systems trainer
- Network administrator and technician
- E-Filing business analyst and systems trainer

The executive recommends designating funding for these positions as one time only.

DP 555 - Appropriation Rebase -

The executive proposes reductions to the present law budget. The reductions are based on plans submitted as part of the budget under 17-7-111, MCA. This statute requires that agencies submit plans to reduce general fund and certain state special revenue funds by 5%.