

Agency Budget Comparison

The following table compares the 2021 biennium appropriated budget and the 2023 biennium adopted budget by type of expenditure and source of funding.

Agency Budget Comparison				
Budget Item	Appropriated Budget 20-21	Legislative Budget 22-23	Biennium Change	Biennium % Change
Personal Services	78,775,851	77,516,471	(1,259,380)	(1.60)%
Operating Expenses	16,230,342	18,499,484	2,269,142	13.98 %
Equipment & Intangible Assets	311,219	366,232	55,013	17.68 %
Grants	1,013,497	1,380,000	366,503	36.16 %
Benefits & Claims	7,452,496	12,160,230	4,707,734	63.17 %
Transfers	4,389,895	0	(4,389,895)	(100.00)%
Debt Service	5,185	0	(5,185)	(100.00)%
Total Expenditures	\$108,178,485	\$109,922,417	\$1,743,932	1.61 %
General Fund	100,836,566	103,300,048	2,463,482	2.44 %
State/Other Special Rev. Funds	7,138,542	6,418,263	(720,279)	(10.09)%
Federal Spec. Rev. Funds	203,377	204,106	729	0.36 %
Total Funds	\$108,178,485	\$109,922,417	\$1,743,932	1.61 %
Total Ongoing	\$106,626,303	\$113,498,656	\$6,872,353	6.45 %
Total OTO	\$1,552,182	(\$3,576,239)	(\$5,128,421)	(330.40)%

Agency Description

Mission Statement: The Judicial Branch's mission is to provide an independent, accessible, responsive, impartial and timely forum to resolve disputes; to preserve the rule of law; and to protect the rights and liberties guaranteed by the Constitutions of the United States and Montana.

Article III, Section I, and Article VII of the Montana Constitution authorizes the Judicial Branch. There are five programs within the branch: 1) Supreme Court Operations; 2) Law Library; 3) District Court Operations; 4) Water Court Supervision; and 5) Clerk of the Supreme Court.

Agency Highlights

Judicial Branch Major Budget Highlights
<p>The Judicial Branch's 2023 biennium budget is approximately \$1.7 million or 1.6% greater than the 2021 biennium budget. Significant changes include:</p> <ul style="list-style-type: none"> • A one-time-only reduction of approximately \$4.3 million, the majority of which is in general fund, over the biennium in employer contributions to the judges' retirement system • An increase in the pretrial program of about \$1.7 million in general fund with 2.75 FTE associated with this increase as one-time-only • An increase of approximately \$890,000 in general fund over the biennium for new judges and associated staff in the 18th Judicial District and 11th Judicial District with 2.00 FTE in FY 2022 and 8.00 FTE in FY 2023 with approximately \$233,000 in the 11th Judicial District contingent on the establishment of a treatment court in the 11th Judicial District • Drug courts funding of approximately \$160,000 in general fund and \$475,000 in state special revenue with 0.75 FTE in FY 2022 and 6.00 FTE in FY 2023 with approximately \$355,000 in state special revenue contingent on implementation of the Corrections Institute of Cincinnati evidence-based evaluation protocols and the elimination of peer-reviewed evaluations • An increase of approximately \$754,000 and 3.00 FTE in Supreme Court Operations related to HB 701, recreational marijuana

Agency Actuals and Budget Comparison

The following table compares FY 2020 actual expenditures to the 2021 biennium appropriated budget and the 2023 biennium adopted budget by year, type of expenditure, and source of funding.

Agency Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2020	Approp. Fiscal 2020	Approp. Fiscal 2021	Legislative Fiscal 2022	Legislative Fiscal 2023
FTE	0.00	454.69	454.69	463.19	474.44
Personal Services	37,497,137	39,028,075	39,747,776	37,968,353	39,548,118
Operating Expenses	7,791,594	8,126,179	8,104,163	9,241,189	9,258,295
Equipment & Intangible Assets	129,012	138,103	173,116	183,116	183,116
Grants	439,925	456,510	556,987	690,000	690,000
Benefits & Claims	1,341,980	1,518,366	5,934,130	6,013,625	6,146,605
Transfers	4,389,895	4,389,895	0	0	0
Debt Service	5,175	5,185	0	0	0
Total Expenditures	\$51,594,718	\$53,662,313	\$54,516,172	\$54,096,283	\$55,826,134
General Fund	48,378,965	50,107,385	50,729,181	50,963,366	52,336,682
State/Other Special Rev. Funds	3,136,193	3,453,478	3,685,064	3,030,966	3,387,297
Federal Spec. Rev. Funds	79,560	101,450	101,927	101,951	102,155
Total Funds	\$51,594,718	\$53,662,313	\$54,516,172	\$54,096,283	\$55,826,134
Total Ongoing	\$50,933,681	\$52,886,222	\$53,740,081	\$56,344,022	\$57,154,634
Total OTO	\$661,037	\$776,091	\$776,091	(\$2,247,739)	(\$1,328,500)

Summary of Legislative Action

The legislature approved a one-time-only reduction of approximately \$4.3 million, the majority of which is in general fund, over the biennium in employer contributions to the judges’ retirement system. The Supreme Court Operations pretrial program increased by about \$1.7 million in general fund with 2.75 FTE associated with this increase as one-time-only. The legislature approved an increase of \$889,000 in general fund over the biennium for new judges and associated staff in the 18th Judicial District and 11th Judicial District with 2.00 FTE in FY 2022 and 8.00 FTE in FY 2023 with approximately \$233,000 in the 11th Judicial District contingent on the establishment of a treatment court in the 11th Judicial District. Funding for drug courts increased by about \$160,000 in general fund and \$475,000 in state special revenue with 0.75 FTE in FY 2022 and 6.00 FTE in FY 2023 with approximately \$355,000 in state special revenue contingent on implementation of the Corrections Institute of Cincinnati evidence-based evaluation protocols and the elimination of peer-reviewed evaluations. The legislature approved an increase of approximately \$754,000 and 3.00 FTE in Supreme Court Operations related to HB 701 and the implementation of recreational marijuana.

Funding

The following table shows adopted agency funding by source of authority.

Funds	HB2 Ongoing	HB2 OTO	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
General Fund	106,804,817	(3,504,769)	0	0	103,300,048	93.53 %
State Special Total	6,489,733	(71,470)	0	0	6,418,263	5.81 %
Federal Special Total	204,106	0	0	0	204,106	0.18 %
Proprietary Total	0	0	525,311	0	525,311	0.48 %
Other Total	0	0	0	0	0	0.00 %
Total All Funds	\$113,498,656	(\$3,576,239)	\$525,311	\$0	\$110,447,728	
Percent - Total All Sources	102.76 %	(3.24)%	0.48 %	0.00 %		

The Judicial Branch is primarily supported by general fund. State special revenue supports specific functions, the largest of which is the Water Court. The water adjudication fund supports a little over half of the funding for the Water Court. Other sources of state special revenue include fines, fees, assessments for training events, and the youth court intervention and prevention account that derives revenue from the transfer of unexpended general fund juvenile placement funds. The branch receives a small amount of federal special revenues for grants supporting specific projects such as the Court Assessment Program.

Budget Summary by Category

The following table summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the [glossary](#).

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget
2021 Base Budget	50,729,181	50,729,181	101,458,362	98.22 %	53,740,081	53,740,081	107,480,162	97.78 %
SWPL Adjustments	1,705,371	1,796,267	3,501,638	3.39 %	1,803,123	1,895,653	3,698,776	3.36 %
PL Adjustments	20,854	20,854	41,708	0.04 %	20,854	20,854	41,708	0.04 %
New Proposals	(1,492,040)	(209,620)	(1,701,660)	(1.65)%	(1,467,775)	169,546	(1,298,229)	(1.18)%
Total Budget	\$50,963,366	\$52,336,682	\$103,300,048		\$54,096,283	\$55,826,134	\$109,922,417	

Other Legislation

HB 632 - The legislature appropriated \$944,721 in federal funds received pursuant to the American Rescue Plan Act of 2021, Public Law 117-2 (602), to support court operations impacted by the

pandemic by streamlining the resolution of family law cases through early mediation and simplified proceedings in judicial districts with heavy caseloads or in remote areas of the state

HB 693 - This bill includes reporting requirements for the Department of Justice including information on the number of civil cases that have been pending for more than two years by judicial district. This bill also includes legislative intent that the judicial branch confer with the Montana State Library and other states' law libraries to evaluate whether a fee for service model would be appropriate given the services offered by the state law library. This bill also includes information on the new judges added in the 18th and 11th judicial districts.

HB 537 - This bill revises venue laws for judicial review of cases from the first judicial district in Lewis and Clark County to the judicial district in which the violation occurs or in which the appealing party resides. The fiscal impact of this legislation is related to potential travel costs of state legal staff and other staff.

HB 701 - This bill revises marijuana laws. This includes an increase of \$754,000 and 3.00 FTE in personal services and operating expenses in Supreme Court Operations

SB 140 - This bill revises laws related to the judiciary including certain judicial appointments including a direct appointment process for the Governor to appoint District Court judges and Supreme Court justices to fill judicial vacancies and repealing the Judicial Nomination Commission.

SB 175 - This bill generally revises laws related to the judges' retirement system. This bill proposes to temporarily suspend the judges' retirement system employer contributions beginning the first full pay period in FY 2022 through the last full pay period in FY 2023. Beginning July 1st, 2023, the state shall pay employer contributions at 14% of compensation.

Executive Budget Comparison

Executive Budget Comparison								
Budget Item	Approp. Fiscal 2021	Executive Budget Fiscal 2022	Legislative Budget Fiscal 2022	Leg — Exec. Difference Fiscal 2022	Executive Budget Fiscal 2023	Legislative Budget Fiscal 2023	Leg — Exec. Difference Fiscal 2023	Biennium Difference Fiscal 22-23
FTE	454.69	461.19	463.19	2.00	472.44	474.44	2.00	2.00
Personal Services	39,747,776	37,690,406	37,968,353	277,947	39,239,506	39,548,118	308,612	586,559
Operating Expenses	8,104,163	9,219,381	9,241,189	21,808	9,287,642	9,258,295	(29,347)	(7,539)
Equipment & Intangible Assets	173,116	183,116	183,116	0	183,116	183,116	0	0
Grants	556,987	690,000	690,000	0	690,000	690,000	0	0
Benefits & Claims	5,934,130	6,013,625	6,013,625	0	6,146,605	6,146,605	0	0
Transfers	0	0	0	0	0	0	0	0
Debt Service	0	0	0	0	0	0	0	0
Total Costs	\$54,516,172	\$53,796,528	\$54,096,283	\$299,755	\$55,546,869	\$55,826,134	\$279,265	\$579,020
General Fund	50,729,181	50,663,611	50,963,366	299,755	52,412,318	52,336,682	(75,636)	224,119
State/other Special Rev. Funds	3,685,064	3,030,966	3,030,966	0	3,032,396	3,387,297	354,901	354,901
Federal Spec. Rev. Funds	101,927	101,951	101,951	0	102,155	102,155	0	0
Total Funds	\$54,516,172	\$53,796,528	\$54,096,283	\$299,755	\$55,546,869	\$55,826,134	\$279,265	\$579,020
Total Ongoing	\$53,740,081	\$55,983,991	\$56,344,022	\$360,031	\$56,817,893	\$57,154,634	\$336,741	\$696,772
Total OTO	\$776,091	(\$2,187,463)	(\$2,247,739)	(\$60,276)	(\$1,271,024)	(\$1,328,500)	(\$57,476)	(\$117,752)

The legislature adopted ongoing appropriations that are approximately \$697,000 higher than the proposed appropriations for the 2023 biennium. One-time-only appropriations are approximately \$118,000 less than the proposed appropriations for the biennium.

The major differences in the legislative budget compared to the executive proposal include:

- Funding for drug courts of approximately \$160,000 in general fund and \$475,000 in state special revenue with 0.75 FTE in FY 2022 and 6.00 FTE in FY 2023 in the Supreme Court Operations. The executive requested \$514,000 in general fund and \$120,000 in state special revenue over the biennium with 0.75 FTE in FY 2022 and

6.00 FTE in FY 2023

- Funding for new judges and associated staff in the 18th Judicial District and the 11th Judicial District includes approximately \$233,000 in general fund appropriations contingent on the establishment of a treatment court in the 11th Judicial District
- Reductions of approximately \$57,000 in statewide present law adjustments for fixed costs
- The legislature did not approve one-time-only funding of \$118,000 and 1.00 FTE over the biennium for an asbestos law clerk
- Funding related to recreational marijuana, an increase of approximately \$754,000 in general fund and 3.00 FTE in the Supreme Court Operations

Language and Statutory Authority

The legislature included the following language in HB 2:

"The Supreme Court Operations, District Court Operations, and Water Courts Supervision include a one-time-only reduction in FY 2022 and FY 2023 for a suspension of employer contributions to the judges' retirement contribution plan. The reduction is contingent on the passage and approval of SB 175."

"Funding for the judge and associated staff in the 11th Judicial District is contingent on the establishment of a treatment court in the 11th Judicial District by no later than January 1, 2023."

"The funding for Drug Treatment Courts is contingent on implementation of the Corrections Institute of Cincinnati evidence-based evaluation protocols and the elimination of peer-reviewed evaluations."

Program Budget Comparison

The following table compares the 2021 biennium appropriated budget and the 2023 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 20-21	Legislative Budget 22-23	Biennium Change	Biennium % Change
Personal Services	15,485,155	16,121,676	636,521	4.11 %
Operating Expenses	9,661,049	11,503,505	1,842,456	19.07 %
Equipment & Intangible Assets	17,770	17,770	0	0.00 %
Grants	1,013,497	1,380,000	366,503	36.16 %
Benefits & Claims	7,382,496	12,090,230	4,707,734	63.77 %
Transfers	4,389,895	0	(4,389,895)	(100.00)%
Debt Service	2,710	0	(2,710)	(100.00)%
Total Expenditures	\$37,952,572	\$41,113,181	\$3,160,609	8.33 %
General Fund	34,879,005	38,910,654	4,031,649	11.56 %
State/Other Special Rev. Funds	2,870,190	1,998,421	(871,769)	(30.37)%
Federal Spec. Rev. Funds	203,377	204,106	729	0.36 %
Total Funds	\$37,952,572	\$41,113,181	\$3,160,609	8.33 %
Total Ongoing	\$36,400,390	\$40,203,856	\$3,803,466	10.45 %
Total OTO	\$1,552,182	\$909,325	(\$642,857)	(41.42)%

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. The court 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

Supreme Court Operations Major Budget Highlights
<p>The Supreme Court Operations' 2023 biennium budget is \$3.2 million or 8.3% greater than the 2021 biennium budget. Significant changes include:</p> <ul style="list-style-type: none"> • A one-time-only increase in the pretrial program of approximately \$1.7 million in general fund with authorization of 2.75 FTE • A one-time-only reduction of about \$564,000 in general fund over the biennium in employer contributions to the judges' retirement system • Drug courts funding of approximately \$160,000 in general fund and \$475,000 in state special revenue with 0.75 FTE in FY 2022 and 6.00 FTE in FY 2023 with approximately \$355,000 in state special revenue contingent on implementation of the Corrections Institute of Cincinnati evidence-based evaluation protocols and the elimination of peer-reviewed evaluations • An increase of approximately \$754,000 and 3.00 FTE in Supreme Court Operations related to HB 701 • A reduction of approximately \$185,000 in FY 2022 as a result of the state share holiday as one-time-only

Program Actuals and Budget Comparison

The following table compares FY 2020 actual expenditures to the 2021 biennium appropriated budget and the 2023 biennium adopted budget by year, type of expenditure, and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2020	Approp. Fiscal 2020	Approp. Fiscal 2021	Legislative Fiscal 2022	Legislative Fiscal 2023
FTE	0.00	90.25	90.25	96.75	102.00
Personal Services	7,177,909	7,604,666	7,880,489	7,842,789	8,278,887
Operating Expenses	4,812,086	4,992,400	4,668,649	5,770,613	5,732,892
Equipment & Intangible Assets	0	8,885	8,885	8,885	8,885
Grants	439,925	456,510	556,987	690,000	690,000
Benefits & Claims	1,336,191	1,483,366	5,899,130	5,978,625	6,111,605
Transfers	4,389,895	4,389,895	0	0	0
Debt Service	2,711	2,710	0	0	0
Total Expenditures	\$18,158,717	\$18,938,432	\$19,014,140	\$20,290,912	\$20,822,269
General Fund	16,959,022	17,504,387	17,374,618	19,367,201	19,543,453
State/Other Special Rev. Funds	1,120,135	1,332,595	1,537,595	821,760	1,176,661
Federal Spec. Rev. Funds	79,560	101,450	101,927	101,951	102,155
Total Funds	\$18,158,717	\$18,938,432	\$19,014,140	\$20,290,912	\$20,822,269
Total Ongoing	\$17,497,680	\$18,162,341	\$18,238,049	\$19,928,929	\$20,274,927
Total OTO	\$661,037	\$776,091	\$776,091	\$361,983	\$547,342

Funding

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

Judicial Branch, 01-Supreme Court Operations Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	38,910,654	0	0	38,910,654	94.64 %	
02151 YthCrt Intervention?evention	485,884	0	0	485,884	24.31 %	
02399 Judicial Education Conferences	122,770	0	0	122,770	6.14 %	
02536 Legal Assistance	241,710	0	0	241,710	12.10 %	
02961 State Grants to Drug Courts	293,156	0	0	293,156	14.67 %	
02373 Treatment Court Support Acct	854,901	0	0	854,901	42.78 %	
02374 Pretrial Diversion Program	0	0	0	0	0.00 %	
State Special Total	\$1,998,421	\$0	\$0	\$1,998,421	4.86 %	
03136 State Justice Institute Grant	0	0	0	0	0.00 %	
03153 Court Improvement Prg Grants	0	0	0	0	0.00 %	
03165 Coronavirus Federal Relief	0	0	0	0	0.00 %	
03240 Court Assessment Program	204,106	0	0	204,106	100.00 %	
03352 NCHIP-MBCC Grant	0	0	0	0	0.00 %	
Federal Special Total	\$204,106	\$0	\$0	\$204,106	0.50 %	
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %	
Total All Funds	\$41,113,181	\$0	\$0	\$41,113,181		

General fund supports most costs of the program. State special revenue supports administration of juvenile delinquency intervention prevention (JDIP), 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. Statutory appropriations for the youth court intervention and prevention account are not presented in the above table.

Budget Summary by Category

The following table summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the [glossary](#).

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget
2021 Base Budget	17,374,618	17,374,618	34,749,236	89.31 %	18,238,049	18,238,049	36,476,098	88.72 %
SWPL Adjustments	1,141,268	1,155,670	2,296,938	5.90 %	1,141,548	1,156,154	2,297,702	5.59 %
PL Adjustments	20,854	20,854	41,708	0.11 %	20,854	20,854	41,708	0.10 %
New Proposals	830,461	992,311	1,822,772	4.68 %	890,461	1,407,212	2,297,673	5.59 %
Total Budget	\$19,367,201	\$19,543,453	\$38,910,654		\$20,290,912	\$20,822,269	\$41,113,181	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted budget. "Statewide Present Law" adjustments (DP 1, DP 2, DP 3) are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments	Fiscal 2022					Fiscal 2023				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	73,893	0	204	74,097	0.00	95,379	0	341	95,720
DP 2 - Fixed Costs	0.00	1,100,379	256	0	1,100,635	0.00	1,091,452	256	0	1,091,708
DP 3 - Inflation Deflation	0.00	(4,351)	0	(180)	(4,531)	0.00	(2,727)	0	(113)	(2,840)
DP 9 - Rent Increase	0.00	20,854	0	0	20,854	0.00	20,854	0	0	20,854
DP 50 - SWPLA Fixed Cost Reductions	0.00	(28,653)	0	0	(28,653)	0.00	(28,434)	0	0	(28,434)
Grand Total All Present Law Adjustments	0.00	\$1,162,122	\$256	\$24	\$1,162,402	0.00	\$1,176,524	\$256	\$228	\$1,177,008

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

DP 1 - Personal Services -

The legislature made adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding to pay increases in fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, etc. The rates charged for these services are approved in the section of the budget that provides the services.

DP 3 - Inflation Deflation -

The legislature approved 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 - Rent Increase -

The legislature approved additional general fund of \$20,854 in FY 2022 and \$20,854 in FY 2023 to cover an increase in lease payments for office space. The increase in rent became effective in December 2020. The previous lease was in effect from 2002 and expired November 2019. The next increase will not be until December 2025.

DP 50 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warehouses, storage rooms and information technology.

New Proposals

The New Proposals table shows new changes to spending

New Proposals	-----Fiscal 2022-----					-----Fiscal 2023-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 5 - Funding for Expiring Grant Funded Drug Courts	0.75	79,794	60,000	0	139,794	6.00	79,794	414,901	0	494,695
DP 6 - Pretrial Program OTO	2.75	829,402	0	0	829,402	2.75	829,511	0	0	829,511
DP 11 - Judges Retirement System Contributions (OTO)	0.00	(282,169)	0	0	(282,169)	0.00	(282,169)	0	0	(282,169)
DP 5555 - Reduce GF Budget for State Share Holiday (OTO)	0.00	(185,250)	0	0	(185,250)	0.00	0	0	0	0
DP 19002 - HB 701 Implementation	3.00	388,684	0	0	388,684	3.00	365,175	0	0	365,175
Total	6.50	\$830,461	\$60,000	\$0	\$890,461	11.75	\$992,311	\$414,901	\$0	\$1,407,212

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

DP 5 - Funding for Expiring Grant Funded Drug Courts -

The legislature approved \$159,588 in general fund authority, \$474,901 in state special revenue fund authority and 6.00 FTE (9 months of funding for one full-time position in FY 2022 and 12 months funding for one position, 9 months funding for three positions and 6 months funding for two positions in FY 2023) for expiring grant funded drug courts. State special revenue fund authority in the amount of \$60,000 in each fiscal year is needed to allow drug courts the ability to pay for drug court related expenditures with participant fees.

DP 6 - Pretrial Program OTO -

The legislature approved 2.75 FTE and \$1,658,913 general fund authority over the biennium. Funding and resources were allocated to the Judicial Branch during the 2017 regular session and 2019 session as one-time-only. The 2.75 FTE approved each year includes 0.75 FTE for a pretrial program supervisor, 1.00 FTE and two 0.50 FTE for public safety assessment coordinators. This program is to assist all parts of the criminal justice system with the handling of persons arrested and held in jail in seven pilot counties (Yellowstone, Missoula, Butte Silver Bow, Lewis & Clark, Lake, Flathead, and Cascade).

DP 11 - Judges Retirement System Contributions (OTO) -

The legislature approved the suspension of the judges' retirement system contribution. The system has accrued reserves well above the actuarially required levels to fund the system and cover full anticipated liability. This removes funding to make the retirement contributions for the 2023 biennium.

DP 5555 - Reduce GF Budget for State Share Holiday (OTO) -

The legislature eliminated the state share contribution to the state employee group benefit plan for two months. Reserves are used to pay benefits during the holiday. This change package removes the general fund portion of the savings generated by the suspension of the contributions. Savings from other funding sources, where applicable, remain in agency personal services budgets.

DP 19002 - HB 701 Implementation -

The legislature approved an increase in general fund by \$388,684 in FY 2022 and \$365,175 in FY 2023 and 3.00 FTE for personal services and operating expenses related to HB 701 in the Supreme Court Operations in the Judicial Branch.

Program Budget Comparison

The following table compares the 2021 biennium appropriated budget and the 2023 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 20-21	Legislative Budget 22-23	Biennium Change	Biennium % Change
Personal Services	820,409	854,495	34,086	4.15 %
Operating Expenses	697,368	735,619	38,251	5.49 %
Equipment & Intangible Assets	204,442	176,442	(28,000)	(13.70)%
Debt Service	635	0	(635)	(100.00)%
Total Expenditures	\$1,722,854	\$1,766,556	\$43,702	2.54 %
General Fund	1,722,854	1,766,556	43,702	2.54 %
Total Funds	\$1,722,854	\$1,766,556	\$43,702	2.54 %
Total Ongoing	\$1,722,854	\$1,780,883	\$58,029	3.37 %
Total OTO	\$0	(\$14,327)	(\$14,327)	100.00 %

Program Description

The State Law Library of Montana (22-1-501, MCA, et seq) provides access to legal information consistent with the present and anticipated needs, responsibilities, and concerns of Montana’s courts, legislature, state officers and employees, members of the bar of the Supreme Court of Montana, and members of the general public. The library selects, acquires, and maintains resources consistent with this mission. More electronic licenses are acquired each year, which frequently replace hard copies. This allows the library to get the information more quickly to the customer and to conserve its available shelf space for books and other printed material. The library’s space, equipment, and technology are maintained in a manner that will ensure operational efficiency, improve collection preservation, and respond to requirements for accessibility of users and staff.

Library staff provide extensive training in legal research methods and access to the Montana court system. The library’s web site (www.lawlibrary.mt.gov) has been designed to help Montana’s citizens find the statutes, court cases and rules, legal forms, and explanation of the laws they need. 75.0% of the people the Law Library assists are nonlawyers who cannot afford attorneys. The library also operates a Court-Help Center.

Program Highlights

Law Library Major Budget Highlights
<p>The Law Library's 2023 biennium budget is \$44,000 or 2.5% greater than the 2021 biennium budget. Significant changes include:</p> <ul style="list-style-type: none"> • An increase of about \$49,000 for statewide present law adjustments in personal services • A reduction of approximately \$14,000 in FY 2022 for the state share holiday as one-time-only

Program Actuals and Budget Comparison

The following table compares FY 2020 actual expenditures to the 2021 biennium appropriated budget and the 2023 biennium adopted budget by year, type of expenditure, and source of funding.

Program Actuals and Budget Comparison						
Budget Item	Actuals Fiscal 2020	Approp. Fiscal 2020	Approp. Fiscal 2021	Legislative Fiscal 2022	Legislative Fiscal 2023	
FTE	0.00	6.75	6.75	6.75	6.75	6.75
Personal Services	410,413	410,414	409,995	419,781		434,714
Operating Expenses	327,534	329,527	367,841	367,802		367,817
Equipment & Intangible Assets	116,016	116,221	88,221	88,221		88,221
Debt Service	631	635	0	0		0
Total Expenditures	\$854,594	\$856,797	\$866,057	\$875,804		\$890,752
General Fund	854,594	856,797	866,057	875,804		890,752
Total Funds	\$854,594	\$856,797	\$866,057	\$875,804		\$890,752
Total Ongoing	\$854,594	\$856,797	\$866,057	\$890,131		\$890,752
Total OTO	\$0	\$0	\$0	(\$14,327)		\$0

Funding

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

Judicial Branch, 03-Law Library Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	1,766,556	0	0	1,766,556	77.08 %	
State Special Total	\$0	\$0	\$0	\$0	0.00 %	
03165 Coronavirus Federal Relief	0	0	0	0	0.00 %	
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %	
06019 Lexis Proprietary Account	0	525,311	0	525,311	100.00 %	
Proprietary Total	\$0	\$525,311	\$0	\$525,311	22.92 %	
Total All Funds	\$1,766,556	\$525,311	\$0	\$2,291,867		

HB 2 funding for the Law Library is entirely general fund. The Law Library also operates an enterprise type proprietary funded program for which the legislature does not approve rates. For further information refer to the Proprietary Rate narrative for the Law Library.

Budget Summary by Category

The following table summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the [glossary](#).

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget
2021 Base Budget	866,057	866,057	1,732,114	98.05 %	866,057	866,057	1,732,114	98.05 %
SWPL Adjustments	24,074	24,695	48,769	2.76 %	24,074	24,695	48,769	2.76 %
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %
New Proposals	(14,327)	0	(14,327)	(0.81)%	(14,327)	0	(14,327)	(0.81)%
Total Budget	\$875,804	\$890,752	\$1,766,556		\$875,804	\$890,752	\$1,766,556	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted budget. "Statewide Present Law" adjustments (DP 1, DP 2, DP 3) are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments	-----Fiscal 2022-----					-----Fiscal 2023-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	24,113	0	0	24,113	0.00	24,719	0	0	24,719
DP 3 - Inflation Deflation	0.00	(39)	0	0	(39)	0.00	(24)	0	0	(24)
Grand Total All Present Law Adjustments	0.00	\$24,074	\$0	\$0	\$24,074	0.00	\$24,695	\$0	\$0	\$24,695

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

DP 1 - Personal Services -

The legislature made adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 3 - Inflation Deflation -

The legislature approved 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.

New Proposals

The New Proposals table shows new changes to spending

New Proposals	-----Fiscal 2022-----					-----Fiscal 2023-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 5555 - Reduce GF Budget for State Share Holiday (OTO)	0.00	(14,327)	0	0	(14,327)	0.00	0	0	0	0
Total	0.00	(\$14,327)	\$0	\$0	(\$14,327)	0.00	\$0	\$0	\$0	\$0

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

DP 5555 - Reduce GF Budget for State Share Holiday (OTO) -

The legislature eliminated the state share contribution to the state employee group benefit plan for two months. Reserves are used to pay benefits during the holiday. This change package removes the general fund portion of the savings generated by the suspension of the contributions. Savings from other funding sources, where applicable, remain in agency personal services budgets.

Program Budget Comparison

The following table compares the 2021 biennium appropriated budget and the 2023 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 20-21	Legislative Budget 22-23	Biennium Change	Biennium % Change
Personal Services	57,338,537	55,289,959	(2,048,578)	(3.57)%
Operating Expenses	5,157,234	5,579,360	422,126	8.19%
Equipment & Intangible Assets	67,723	155,446	87,723	129.53%
Benefits & Claims	70,000	70,000	0	0.00%
Debt Service	1,110	0	(1,110)	(100.00)%
Total Expenditures	\$62,634,604	\$61,094,765	(\$1,539,839)	(2.46)%
General Fund	61,142,180	59,591,887	(1,550,293)	(2.54)%
State/Other Special Rev. Funds	1,492,424	1,502,878	10,454	0.70%
Total Funds	\$62,634,604	\$61,094,765	(\$1,539,839)	(2.46)%
Total Ongoing	\$62,634,604	\$65,386,191	\$2,751,587	4.39%
Total OTO	\$0	(\$4,291,426)	(\$4,291,426)	100.00%

Program Description

The District Courts have original jurisdiction in all felony criminal cases, most civil matters and other cases in law, and in equity. These courts may issue all writs appropriate to their jurisdiction and hear appeals from Courts of Limited Jurisdiction pursuant to statutory parameters. The District Courts are also the state's Youth Courts, responsible for managing juvenile probation functions. There are 49 District Court judges in 22 judicial districts serving all 56 counties. The 2001 Legislature mandated state funding of District Court expenses, including salaries and operating expenses for judges and their employees. District Court costs are the largest segment of the Judicial Branch budget.

Program Highlights

District Court Operations Major Budget Highlights
<p>District Court Operations' 2023 biennium budget is \$1.5 million or 2.5% less than the 2021 biennium budget. Significant changes include:</p> <ul style="list-style-type: none"> • A reduction of approximately \$3.6 million in general fund over the biennium in employer contributions to the judges' retirement system • An increase of about \$890,000 in general fund over the biennium for new judges and associated staff in the 18th Judicial District and 11th Judicial District with 2.00 FTE in FY 2022 and 8.00 FTE in FY 2023 with approximately \$233,000 in the 11th Judicial District contingent on the establishment of a treatment court in the 11th Judicial District • A reduction of approximately \$683,000 in FY 2022 for the state share holiday as one-time-only

Program Actuals and Budget Comparison

The following table compares FY 2020 actual expenditures to the 2021 biennium appropriated budget and the 2023 biennium adopted budget by year, type of expenditure, and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2020	Approp. Fiscal 2020	Approp. Fiscal 2021	Legislative Fiscal 2022	Legislative Fiscal 2023
FTE	0.00	327.69	327.69	329.69	335.69
Personal Services	27,456,989	28,483,062	28,855,475	27,101,256	28,188,703
Operating Expenses	2,282,581	2,431,367	2,725,867	2,762,279	2,817,081
Equipment & Intangible Assets	0	0	67,723	77,723	77,723
Benefits & Claims	5,789	35,000	35,000	35,000	35,000
Debt Service	1,106	1,110	0	0	0
Total Expenditures	\$29,746,465	\$30,950,539	\$31,684,065	\$29,976,258	\$31,118,507
General Fund	29,110,286	30,209,863	30,932,317	29,224,819	30,367,068
State/Other Special Rev. Funds	636,179	740,676	751,748	751,439	751,439
Total Funds	\$29,746,465	\$30,950,539	\$31,684,065	\$29,976,258	\$31,118,507
Total Ongoing	\$29,746,465	\$30,950,539	\$31,684,065	\$32,463,312	\$32,922,879
Total OTO	\$0	\$0	\$0	(\$2,487,054)	(\$1,804,372)

Funding

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

Judicial Branch, 04-District Court Operations Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	59,591,887	0	0	59,591,887	97.54 %	
02141 Fines & Fees Fund	172,924	0	0	172,924	11.51 %	
02562 Crt Appointed Special Advocate	1,329,954	0	0	1,329,954	88.49 %	
State Special Total	\$1,502,878	\$0	\$0	\$1,502,878	2.46 %	
03077 Drug Trmt Court Fed Res 13VTC	0	0	0	0	0.00 %	
03078 Drug Trmt Court Fed Res 13Adlt	0	0	0	0	0.00 %	
03114 Drug Trmt Crt Fed Res JD1/SW	0	0	0	0	0.00 %	
03117 Drug Trmt Court Fed Res SW	0	0	0	0	0.00 %	
03165 Coronavirus Federal Relief	0	0	0	0	0.00 %	
03373 Drug Trmt Court Fed Res JD7	0	0	0	0	0.00 %	
03154 Drug Trmt Crt Fed Res JD8	0	0	0	0	0.00 %	
03040 Drug Trmt Crt Fed Res JD5	0	0	0	0	0.00 %	
03455 Drug Trmt Court Fed Res JD20	0	0	0	0	0.00 %	
03432 Drug Trmt Court Fed Res JD4	0	0	0	0	0.00 %	
03434 Fam Trmt Court JD11 Flathead	0	0	0	0	0.00 %	
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %	
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %	
Total All Funds	\$61,094,765	\$0	\$0	\$61,094,765		

Most of the funding for District Court Operations come from the general fund. State special revenues supporting the program comes from court-imposed fines and fees.

Budget Summary by Category

The following table summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the [glossary](#).

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget
2021 Base Budget	30,932,317	30,932,317	61,864,634	103.81 %	31,684,065	31,684,065	63,368,130	103.72 %
SWPL Adjustments	528,070	600,947	1,129,017	1.89 %	527,761	600,638	1,128,399	1.85 %
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %
New Proposals	(2,235,568)	(1,166,196)	(3,401,764)	(5.71)%	(2,235,568)	(1,166,196)	(3,401,764)	(5.57)%
Total Budget	\$29,224,819	\$30,367,068	\$59,591,887		\$29,976,258	\$31,118,507	\$61,094,765	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted budget. "Statewide Present Law" adjustments (DP 1, DP 2, DP 3) are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments										
	-----Fiscal 2022-----					-----Fiscal 2023-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	531,593	0	0	531,593	0.00	603,156	0	0	603,156
DP 2 - Fixed Costs	0.00	0	(309)	0	(309)	0.00	0	(309)	0	(309)
DP 3 - Inflation Deflation	0.00	(3,523)	0	0	(3,523)	0.00	(2,209)	0	0	(2,209)
Grand Total All Present Law Adjustments	0.00	\$528,070	(\$309)	\$0	\$527,761	0.00	\$600,947	(\$309)	\$0	\$600,638

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

DP 1 - Personal Services -

The legislature made adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding to pay increases in fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, etc. The rates charged for these services are approved in the section of the budget that provides the services.

DP 3 - Inflation Deflation -

The legislature approved 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.

New Proposals

The New Proposals table shows new changes to spending

New Proposals	-----Fiscal 2022-----					-----Fiscal 2023-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 4 - New Judge & Staff in the 18th and 11th Judicial Districts	2.00	251,486	0	0	251,486	8.00	638,176	0	0	638,176
DP 11 - Judges Retirement System Contributions (OTO)	0.00	(1,804,371)	0	0	(1,804,371)	0.00	(1,804,372)	0	0	(1,804,372)
DP 5555 - Reduce GF Budget for State Share Holiday (OTO)	0.00	(682,683)	0	0	(682,683)	0.00	0	0	0	0
Total	2.00	(\$2,235,568)	\$0	\$0	(\$2,235,568)	8.00	(\$1,166,196)	\$0	\$0	(\$1,166,196)

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

DP 4 - New Judge & Staff in the 18th and 11th Judicial Districts -

The legislature approved increases in general fund authority for 2.00 FTE in FY 2022 and 8.00 FTE in FY 2023 for new judges and accompanying staff. This addresses the judicial caseload growth in the 18th Judicial District (Gallatin County) and the 11th Judicial District (Flathead County). It adds a new judge and related staff in the 18th Judicial District by January 2022 and a new judge and related staff in the 11th Judicial District by January 2023. The FTE in FY 2022 includes a judge, judicial assistant, law clerk and court reporter in the 18th Judicial District for 6 months of the year. The FTE in FY 2023 includes the four positions for the 18th Judicial District for a full year and a judge, judicial assistant, law clerk and court reporter in the 11th Judicial District for 6 months. Funding for the judge and associated staff in the 11th Judicial District is contingent on the establishment of a treatment court in the 11th Judicial District by no later than January 1, 2023. This change package has been reduced by the amount of the judges' retirement contribution in DP 11.

DP 11 - Judges Retirement System Contributions (OTO) -

The legislature approved the suspension of the judges' retirement system contribution. The system has accrued reserves well above the actuarially required levels to fund the system and cover full anticipated liability. This removes funding to make the retirement contributions for the 2023 biennium.

DP 5555 - Reduce GF Budget for State Share Holiday (OTO) -

The legislature eliminated the state share contribution to the state employee group benefit plan for two months. Reserves are used to pay benefits during the holiday. This change package removes the general fund portion of the savings generated by the suspension of the contributions. Savings from other funding sources, where applicable, remain in agency personal services budgets.

Program Budget Comparison

The following table compares the 2021 biennium appropriated budget and the 2023 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 20-21	Legislative Budget 22-23	Biennium Change	Biennium % Change
Personal Services	4,058,261	4,179,937	121,676	3.00 %
Operating Expenses	628,239	593,854	(34,385)	(5.47)%
Equipment & Intangible Assets	21,284	16,574	(4,710)	(22.13)%
Total Expenditures	\$4,707,784	\$4,790,365	\$82,581	1.75 %
General Fund	1,931,856	1,873,401	(58,455)	(3.03)%
State/Other Special Rev. Funds	2,775,928	2,916,964	141,036	5.08 %
Total Funds	\$4,707,784	\$4,790,365	\$82,581	1.75 %
Total Ongoing	\$4,707,784	\$4,953,743	\$245,959	5.22 %
Total OTO	\$0	(\$163,378)	(\$163,378)	100.00 %

Program Description

The Water Courts Supervision Program, located in Bozeman, adjudicates claims of existing water rights in Montana pursuant to Title 3, Chapter 7 and Title 85, Chapter 2, MCA .

Program Highlights

Water Court Supervision Major Budget Highlights
<p>Water Court Supervision Program's 2023 biennium budget is approximately \$83,000 or 1.8% more than the 2021 biennium budget. Significant changes include:</p> <ul style="list-style-type: none"> • An increase of approximately \$219,000 over the biennium, the majority in state special revenue, for statewide present law adjustments for personal services • A one-time-only reduction of approximately \$71,000 in general fund and \$71,000 in state special revenue over the biennium in employer contributions to the judges' retirement system • A reduction of approximately \$20,000 in general fund in FY 2022 for the state share holiday as one-time-only

Program Actuals and Budget Comparison

The following table compares FY 2020 actual expenditures to the 2021 biennium appropriated budget and the 2023 biennium adopted budget by year, type of expenditure, and source of funding.

Program Actuals and Budget Comparison						
Budget Item	Actuals Fiscal 2020	Approp. Fiscal 2020	Approp. Fiscal 2021	Legislative Fiscal 2022	Legislative Fiscal 2023	
FTE	0.00	24.50	24.50	24.50	24.50	24.50
Personal Services	1,918,170	1,996,123	2,062,138	2,077,978	2,101,959	
Operating Expenses	329,701	330,027	298,212	296,927	296,927	
Equipment & Intangible Assets	12,996	12,997	8,287	8,287	8,287	
Total Expenditures	\$2,260,867	\$2,339,147	\$2,368,637	\$2,383,192	\$2,407,173	
General Fund	880,988	958,940	972,916	925,425	947,976	
State/Other Special Rev. Funds	1,379,879	1,380,207	1,395,721	1,457,767	1,459,197	
Total Funds	\$2,260,867	\$2,339,147	\$2,368,637	\$2,383,192	\$2,407,173	
Total Ongoing	\$2,260,867	\$2,339,147	\$2,368,637	\$2,475,100	\$2,478,643	
Total OTO	\$0	\$0	\$0	(\$91,908)	(\$71,470)	

Funding

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

Judicial Branch, 05-Water Court Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	1,873,401	0	0	1,873,401	39.11 %	
02431 Water Adjudication	2,916,964	0	0	2,916,964	100.00 %	
State Special Total	\$2,916,964	\$0	\$0	\$2,916,964	60.89 %	
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %	
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %	
Total All Funds	\$4,790,365	\$0	\$0	\$4,790,365		

General fund provides a little over a third of the funding for Water Court Supervision. The remaining funding is from the water adjudication state special revenue account.

Budget Summary by Category

The following table summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the [glossary](#).

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget
2021 Base Budget	972,916	972,916	1,945,832	103.87 %	2,368,637	2,368,637	4,737,274	98.89 %
SWPL Adjustments	8,682	10,795	19,477	1.04 %	106,463	110,006	216,469	4.52 %
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %
New Proposals	(56,173)	(35,735)	(91,908)	(4.91)%	(91,908)	(71,470)	(163,378)	(3.41)%
Total Budget	\$925,425	\$947,976	\$1,873,401		\$2,383,192	\$2,407,173	\$4,790,365	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted budget. "Statewide

Present Law" adjustments (DP 1, DP 2, DP 3) are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

	-----Fiscal 2022-----					-----Fiscal 2023-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	8,682	99,066	0	107,748	0.00	10,795	100,496	0	111,291
DP 2 - Fixed Costs	0.00	0	(1,285)	0	(1,285)	0.00	0	(1,285)	0	(1,285)
Grand Total All Present Law Adjustments	0.00	\$8,682	\$97,781	\$0	\$106,463	0.00	\$10,795	\$99,211	\$0	\$110,006

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

DP 1 - Personal Services -

The legislature made adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding to pay increases in fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, etc. The rates charged for these services are approved in the section of the budget that provides the services.

New Proposals

The New Proposals table shows new changes to spending

	-----Fiscal 2022-----					-----Fiscal 2023-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 11 - Judges Retirement System Contributions (OTO)	0.00	(35,735)	(35,735)	0	(71,470)	0.00	(35,735)	(35,735)	0	(71,470)
DP 5555 - Reduce GF Budget for State Share Holiday (OTO)	0.00	(20,438)	0	0	(20,438)	0.00	0	0	0	0
Total	0.00	(\$56,173)	(\$35,735)	\$0	(\$91,908)	0.00	(\$35,735)	(\$35,735)	\$0	(\$71,470)

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

DP 11 - Judges Retirement System Contributions (OTO) -

The legislature approved the suspension of the judges' retirement system contribution. The system has accrued reserves well above the actuarially required levels to fund the system and cover full anticipated liability. This removes funding to make the retirement contributions for the 2023 biennium.

DP 5555 - Reduce GF Budget for State Share Holiday (OTO) -

The legislature eliminated the state share contribution to the state employee group benefit plan for two months. Reserves are used to pay benefits during the holiday. This change package removes the general fund portion of the savings generated by the suspension of the contributions. Savings from other funding sources, where applicable, remain in agency personal services budgets.

Program Budget Comparison

The following table compares the 2021 biennium appropriated budget and the 2023 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 20-21	Legislative Budget 22-23	Biennium Change	Biennium % Change
Personal Services	1,073,489	1,070,404	(3,085)	(0.29)%
Operating Expenses	86,452	87,146	694	0.80 %
Debt Service	730	0	(730)	(100.00)%
Total Expenditures	\$1,160,671	\$1,157,550	(\$3,121)	(0.27)%
General Fund	1,160,671	1,157,550	(3,121)	(0.27)%
Total Funds	\$1,160,671	\$1,157,550	(\$3,121)	(0.27)%
Total Ongoing	\$1,160,671	\$1,173,983	\$13,312	1.15 %
Total OTO	\$0	(\$16,433)	(\$16,433)	100.00 %

Program Description

The Office of Clerk of the Supreme Court Program, pursuant to Title 3, Chapter 2, part 4, conducts the business of the court, and serves as the liaison between the public, attorneys and the Supreme Court. By statutory authority, the clerk controls the docket and filings, manages the appellate process, and is the custodian of all legal records for the public and the court. Additionally, the clerk administers appellate mediation, maintains the official roll of Montana attorneys, and is responsible for licensing Montana’s attorneys.

Program Highlights

Clerk of Court Major Budget Highlights
<p>The Clerk of Court's 2023 biennium budget is approximately \$3,000 or 0.3% less than the 2021 biennium budget. Significant changes include:</p> <ul style="list-style-type: none"> • An increase of approximately \$7,000 in statewide present law adjustments for personal services • A reduction of approximately \$16,000 in general fund in FY 2022 for the state share holiday as one-time-only

Program Actuals and Budget Comparison

The following table compares FY 2020 actual expenditures to the 2021 biennium appropriated budget and the 2023 biennium adopted budget by year, type of expenditure, and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2020	Approp. Fiscal 2020	Approp. Fiscal 2021	Legislative Fiscal 2022	Legislative Fiscal 2023
FTE	0.00	5.50	5.50	5.50	5.50
Personal Services	533,656	533,810	539,679	526,549	543,855
Operating Expenses	39,692	42,858	43,594	43,568	43,578
Debt Service	727	730	0	0	0
Total Expenditures	\$574,075	\$577,398	\$583,273	\$570,117	\$587,433
General Fund	574,075	577,398	583,273	570,117	587,433
Total Funds	\$574,075	\$577,398	\$583,273	\$570,117	\$587,433
Total Ongoing	\$574,075	\$577,398	\$583,273	\$586,550	\$587,433
Total OTO	\$0	\$0	\$0	(\$16,433)	\$0

Funding

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

Judicial Branch, 06-Clerk of Court Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	1,157,550	0	0	1,157,550	100.00 %	
State Special Total	\$0	\$0	\$0	\$0	0.00 %	
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %	
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %	
Total All Funds	\$1,157,550	\$0	\$0	\$1,157,550		

The Clerk of Court Program is funded entirely from general fund.

Budget Summary by Category

The following table summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the [glossary](#).

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget
2021 Base Budget	583,273	583,273	1,166,546	100.78 %	583,273	583,273	1,166,546	100.78 %
SWPL Adjustments	3,277	4,160	7,437	0.64 %	3,277	4,160	7,437	0.64 %
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %
New Proposals	(16,433)	0	(16,433)	(1.42)%	(16,433)	0	(16,433)	(1.42)%
Total Budget	\$570,117	\$587,433	\$1,157,550		\$570,117	\$587,433	\$1,157,550	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted budget. "Statewide Present Law" adjustments (DP 1, DP 2, DP 3) are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

	-----Fiscal 2022-----					-----Fiscal 2023-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	3,303	0	0	3,303	0.00	4,176	0	0	4,176
DP 3 - Inflation Deflation	0.00	(26)	0	0	(26)	0.00	(16)	0	0	(16)
Grand Total All Present Law Adjustments	0.00	\$3,277	\$0	\$0	\$3,277	0.00	\$4,160	\$0	\$0	\$4,160

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

DP 1 - Personal Services -

The legislature made adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 3 - Inflation Deflation -

The legislature approved 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.

New Proposals

The New Proposals table shows new changes to spending

	-----Fiscal 2022-----					-----Fiscal 2023-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 5555 - Reduce GF Budget for State Share Holiday (OTO)	0.00	(16,433)	0	0	(16,433)	0.00	0	0	0	0
Total	0.00	(\$16,433)	\$0	\$0	(\$16,433)	0.00	\$0	\$0	\$0	\$0

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

DP 5555 - Reduce GF Budget for State Share Holiday (OTO) -

The legislature eliminated the state share contribution to the state employee group benefit plan for two months. Reserves are used to pay benefits during the holiday. This change package removes the general fund portion of the savings generated by the suspension of the contributions. Savings from other funding sources, where applicable, remain in agency personal services budgets.