

# COURTS: ADMINISTRATION (MAIN LINE ITEM)

EXECUTIVE OFFICES AND CRIMINAL JUSTICE APPROPRIATIONS SUBCOMMITTEE  
STAFF: GARY SYPHUS

BUDGET BRIEF

**SUMMARY**

The Utah State Courts constitute the judicial branch of government. Its mission is to provide the people of Utah with an open, fair, efficient, and independent system for the advancement of justice under the law.

The Judicial Council also provides oversight for the locally-funded and operated Justice Court System. The Utah Court System is divided into the following line items:

- Administration
- Grand Jury
- Contracts and Leases
- Jury and Witness Fees
- Guardian Ad Litem

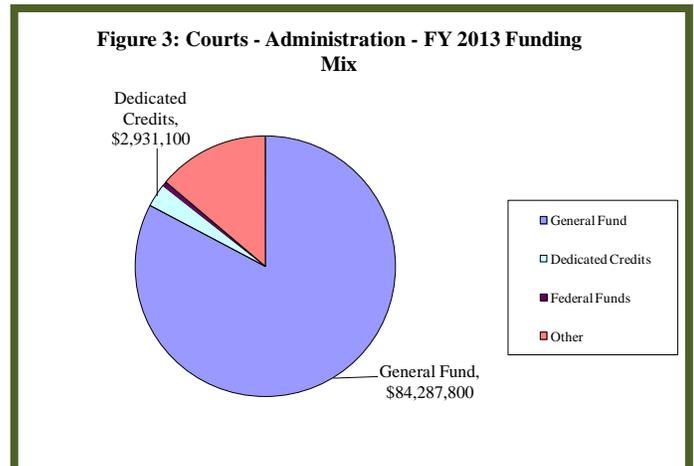
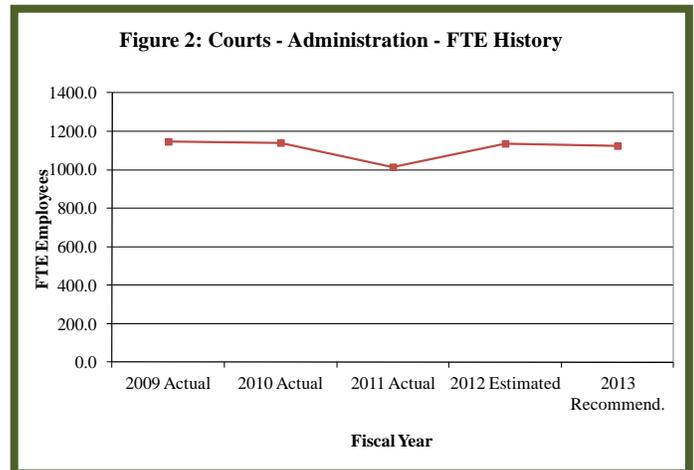
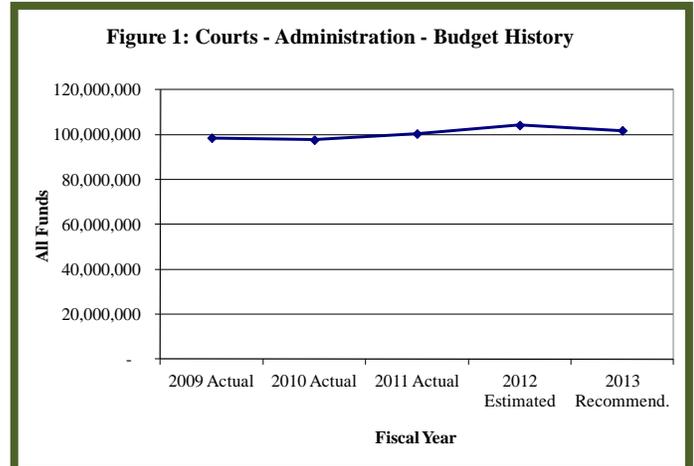
The main Courts line item is Administration. The main line item consists of the:

- Utah Supreme Court,
- Utah Court of Appeals ,
- District Courts (trial courts of general jurisdiction),
- Juvenile Courts, and
- Provides oversight for local justice courts.

**LEGISLATIVE ACTION**

The Analyst recommends the Legislature:

1. Adopt the recommended FY 2013 budget of \$101,883,000 as shown in the budget detail table on page 3.
2. Approve the intent language on page 2.
3. Approve Court fees on the document titled “Executive Offices and Criminal Justice: Fees”.
4. Approve federal funds on the documents titled “Executive Offices and Criminal Justice: FY 2012” and “Executive Offices and Criminal Justice: FY



2013”.

5. Approve a line item transfer of \$750,000 ongoing from the General Fund in FY 2012 from the Contracts and Leases line item to the Administration line item.

#### **ISSUES AND RECOMMENDATIONS**

##### ***Intent Language***

The Analyst recommends the following intent language to make the State Court’s five Line Items FY 2012 unexpended appropriations nonlapsing at the end of FY 2012:

*Under Section 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for Administration in Item 20 of Chapter 2 Laws of Utah 2011 not lapse at the close of fiscal year 2012.*

*The Legislature intends that the salary of district court judges be increased by the same percentage as state employees generally, and if state employees’ salaries are not adjusted, that the salary of a district court judge remain at \$132,150.*

##### ***Line Item Transfer***

The Courts inform the Legislature that during the 2011 General Session, the Legislature reduced funding in the Courts Administration line item. Part of the Courts budget reduction plan was to cut \$550,000 in General Fund money from the Contracts and Leases line item due to the expiring lease-revenue bond payment for the Provo District Courthouse. Additionally, the Judicial Council determined that \$200,000 in General Fund money of the discretionary cut made in the Administration line item should be come from the Contracts and Leases budget. The transfer reflects the total \$750,000 amount.

##### ***Fees***

See Courts fees on the document entitled “Executive Offices and Criminal Justice: Fees”.

##### ***Federal Funds***

See Courts federal funds on the documents entitled “Executive Offices and Criminal Justice: FY 2012” and “Executive Offices and Criminal Justice: FY 2013”.

##### ***Accountability Detail***

See Courts Accountability on the Issue Brief entitled “Courts: Performance”.

**BUDGET DETAIL TABLE**

<b>Courts - Administration</b>						
<b>Sources of Finance</b>	<b>FY 2011 Actual</b>	<b>FY 2012 Appropriated</b>	<b>Changes</b>	<b>FY 2012 Revised</b>	<b>Changes</b>	<b>FY 2013* Recommended</b>
General Fund	85,851,100	83,537,800	0	83,537,800	750,000	84,287,800
General Fund, One-time	42,500	200,000	750,000	950,000	(950,000)	0
Federal Funds	227,900	326,700	19,200	345,900	227,500	573,400
Dedicated Credits Revenue	1,661,000	2,931,100	0	2,931,100	0	2,931,100
GFR - Dispute Resolution	415,300	414,300	0	414,300	0	414,300
GFR - Children's Legal Defense	361,500	361,200	0	361,200	0	361,200
GFR - Court Reporter Technology	250,000	250,000	0	250,000	0	250,000
GFR - Court Security Account	7,556,400	7,556,400	0	7,556,400	0	7,556,400
GFR - Court Trust Interest	795,000	795,000	0	795,000	0	795,000
GFR - DNA Specimen	250,300	249,200	0	249,200	0	249,200
GFR - Justice Court Tech, Sec,& Trainin	1,105,700	1,105,000	0	1,105,000	0	1,105,000
GFR - Non-Judicial Assessment	936,200	932,100	0	932,100	0	932,100
GFR - Online Court Assistance	201,000	251,000	0	251,000	(25,000)	226,000
GFR - State Court Complex	300,000	300,000	0	300,000	0	300,000
GFR - Substance Abuse Prevention	513,500	512,700	0	512,700	0	512,700
GFR - Tobacco Settlement	352,800	352,800	0	352,800	0	352,800
Transfers	130,800	0	132,000	132,000	(132,000)	0
Transfers - Commission on Criminal ar	729,500	576,500	0	576,500	0	576,500
Transfers - Other Agencies	413,000	278,000	49,500	327,500	132,000	459,500
Beginning Nonlapsing	2,008,100	0	2,359,000	2,359,000	(2,359,000)	0
Closing Nonlapsing	(2,359,000)	0	0	0	0	0
Lapsing Balance	(1,305,300)	0	0	0	0	0
<b>Total</b>	<b>\$100,437,300</b>	<b>\$100,929,800</b>	<b>\$3,309,700</b>	<b>\$104,239,500</b>	<b>(\$2,356,500)</b>	<b>\$101,883,000</b>
<b>Programs</b>						
Administrative Office	4,654,900	4,237,300	297,500	4,534,800	(895,000)	3,639,800
Court of Appeals	3,663,900	3,827,500	(28,900)	3,798,600	(10,500)	3,788,100
Courts Security	6,976,400	7,556,000	400	7,556,400	0	7,556,400
Data Processing	5,559,600	5,273,000	617,600	5,890,600	(137,000)	5,753,600
District Courts	39,434,100	38,940,000	2,918,800	41,858,800	(931,200)	40,927,600
Grants Program	1,203,200	762,100	340,700	1,102,800	227,500	1,330,300
Judicial Education	381,600	523,000	144,000	667,000	(69,000)	598,000
Justice Courts	1,241,700	1,307,800	(57,500)	1,250,300	0	1,250,300
Juvenile Courts	34,179,200	35,285,400	(943,600)	34,341,800	(459,500)	33,882,300
Law Library	699,400	716,200	65,500	781,700	(81,800)	699,900
Supreme Court	2,443,300	2,501,500	(44,800)	2,456,700	0	2,456,700
<b>Total</b>	<b>\$100,437,300</b>	<b>\$100,929,800</b>	<b>\$3,309,700</b>	<b>\$104,239,500</b>	<b>(\$2,356,500)</b>	<b>\$101,883,000</b>
<b>Categories of Expenditure</b>						
Personnel Services	84,060,300	80,603,100	3,905,100	84,508,200	(1,203,800)	83,304,400
In-state Travel	263,200	352,200	(8,300)	343,900	(24,000)	319,900
Out-of-state Travel	76,900	196,300	(38,800)	157,500	0	157,500
Current Expense	13,496,100	18,189,900	(574,200)	17,615,700	(1,016,700)	16,599,000
DP Current Expense	2,076,500	1,097,900	11,000	1,108,900	(112,000)	996,900
DP Capital Outlay	234,900	288,400	21,900	310,300	0	310,300
Capital Outlay	68,600	7,000	(7,000)	0	0	0
Other Charges/Pass Thru	160,800	195,000	0	195,000	0	195,000
<b>Total</b>	<b>\$100,437,300</b>	<b>\$100,929,800</b>	<b>\$3,309,700</b>	<b>\$104,239,500</b>	<b>(\$2,356,500)</b>	<b>\$101,883,000</b>
<b>Other Data</b>						
Budgeted FTE	1014.8	1118.4	18.3	1136.6	(11.6)	1125.0
Actual FTE	953	0	0	0	0	0
Vehicles	148	147	0	147	0	147

\*Does not include amounts in excess of subcommittee's state fund allocation that may be recommended by the Fiscal Analyst.