

Budget Brief – Courts

EOCJ-CRT-01

SUMMARY

The Judicial Branch or Courts are responsible for applying and interpreting the law for Utah's citizens. Their 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 Utah State Legislature provides program and budgetary oversight for the Judicial Branch. The Utah Court System is divided into the following line items:

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

BUDGET OVERVIEW

There are two key factors affecting the Courts workload: (1) caseload growth and (2) changes to existing laws. Like other budgets reviewed by this Subcommittee, workload grows with the population. Policy changes or changes to existing laws can increase the number and types of cases heard by the court as well as the resultant penalties. The Justice Courts (County and Municipal Courts) have helped to reduce the District Court caseload. Justice Courts handle the majority of court cases in Utah.

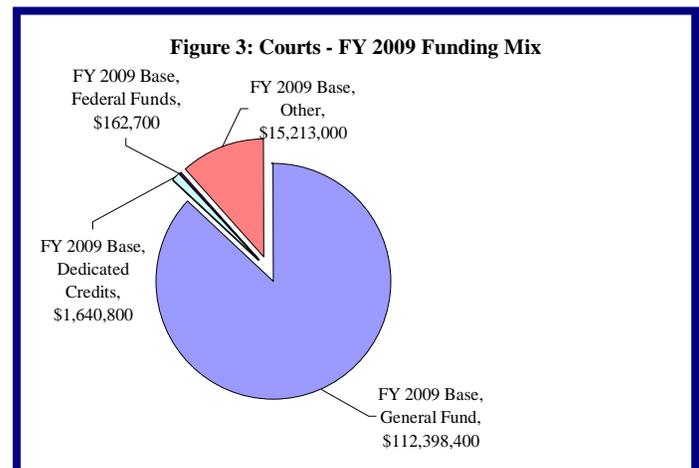
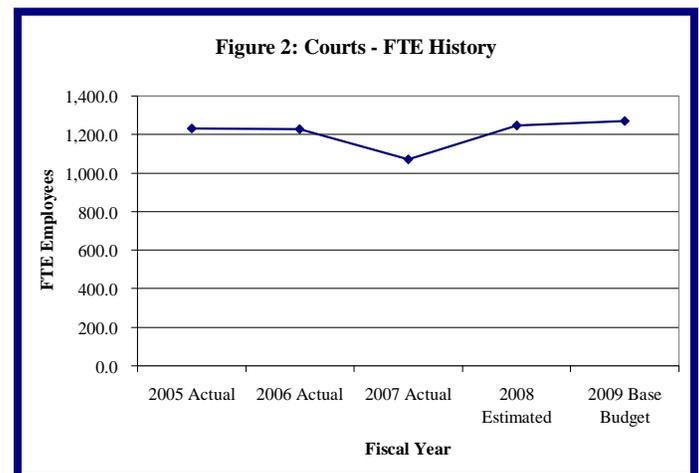
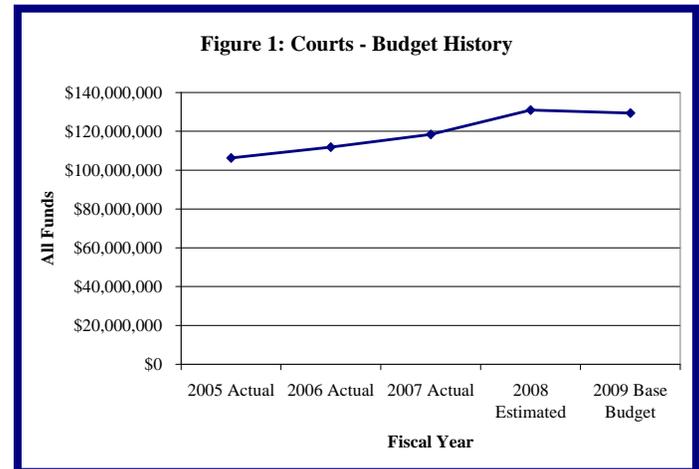
General Fund Revenue

General Fund constitutes 86 percent of the Courts budget. A significant amount of revenue is generated from court fees and fines, but it is primarily deposited into the General Fund. There is not a direct relationship between the revenue generated by and the expenditures of the Courts.

Often, the State subsidizes the activities of the Court. Several restricted accounts that collect revenue for security, technology, and other specific services are detailed in the *Compendium of Budget Information (COBI) for the 2008 General Session: Joint Appropriations Subcommittee for Executive Offices and Criminal Justice*. The COBI has a breakdown of the Courts budget information by program.

ACCOUNTABILITY

The Courts have developed Courtools, a performance measurement system available for analysis of the Judicial Branch's efforts. These measures are available online at <http://www.utcourts.gov/courtools/>. In FY 2007,

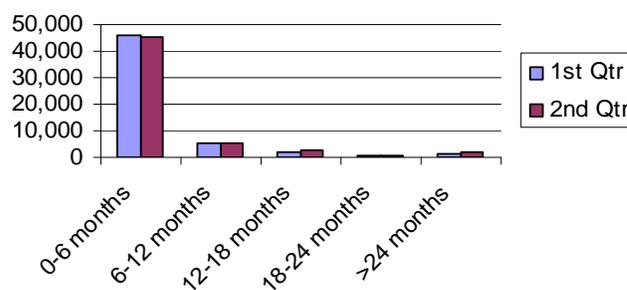


the state court system had 274,688 case filings and over 280,331 dispositions.

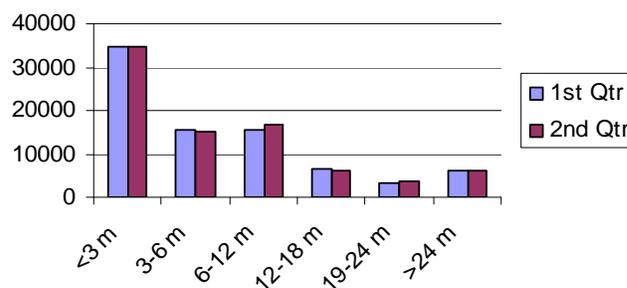
For a comparison, the Justice Courts had over 560,000 filings. However, it should be noted that cases at the state level require far more time and resources. The accountability and performance measures shown on page two outline the case filings (input) and dispositions (output) of the State Court system over time.

At right are two performance measures from the Courts' performance measurement system Courtools. They include "FY 08 Time to Disposition by Quarter" and "FY 08 Age of Acting Pending Cases by Quarter". These measures attempt to capture overall efficiency of the District Courts in the context of speediness of trial.

**FY 08 Time to Disposition by Quarter
(statewide)**



**FY 08 Age of Acting Pending Cases
by Quarter (statewide)**



BUDGET DETAIL

Eighty-six percent of the Courts budget is General Fund. The remaining funds are primarily General Fund Restricted and Dedicated Credit revenue. There are currently 17 General Fund Restricted accounts. A significant amount of revenue is generated by court fees, which goes to the General Fund. These court fees must be appropriated from the General Fund to the Courts by the Legislature.

LEGISLATIVE ACTION

1. The Analyst recommends consideration of an FY 2009 base budget for the Courts of \$129,414,900.
2. The Analyst recommends adding \$148,000 one-time General Funds for the second and final year of the Case Management Pilot Program to the priority list.
3. The Analyst recommends adding \$500,000 of ongoing General Funds for Court lease increases to the priority list.
4. The Analyst recommends adding \$560,000 of one-time General Funds for the Juror/Witness/Interpreter Fund deficit to the priority list.
5. The Analyst recommends non-lapsing intent language for the Courts.

BUDGET DETAIL TABLE

Sources of Finance	Courts					
	FY 2007 Actual	FY 2008 Appropriated	Changes	FY 2008 Revised	Changes	FY 2009* Base Budget
General Fund	104,379,700	112,398,400	0	112,398,400	0	112,398,400
General Fund, One-time	(40,200)	435,300	0	435,300	(435,300)	0
Federal Funds	226,500	333,400	(210,400)	123,000	39,700	162,700
Dedicated Credits Revenue	1,663,500	1,666,400	(129,300)	1,537,100	103,700	1,640,800
GFR - Alternative Dispute Resolution	162,000	310,700	0	310,700	0	310,700
GFR - Children's Legal Defense	646,900	667,500	0	667,500	0	667,500
GFR - Court Reporter Technology	0	250,000	(250,000)	0	250,000	250,000
GFR - Court Security Account	4,170,000	4,756,400	0	4,756,400	0	4,756,400
GFR - Court Trust Interest	250,000	250,000	0	250,000	0	250,000
GFR - DNA Specimen	233,400	244,200	0	244,200	0	244,200
GFR - Guardian Ad Litem Services	348,700	355,300	0	355,300	0	355,300
GFR - Justice Court Tech, Sec,& Training	899,300	899,300	0	899,300	0	899,300
GFR - Non-Judicial Assessment	684,400	721,700	0	721,700	0	721,700
GFR - Online Court Assistance	75,000	74,400	0	74,400	600	75,000
GFR - State Court Complex	4,700,000	4,700,000	0	4,700,000	(300,000)	4,400,000
GFR - Substance Abuse Prevention	441,600	447,700	0	447,700	0	447,700
GFR - Tobacco Settlement	193,700	193,700	0	193,700	0	193,700
GFR - Transcriptions	249,400	0	250,000	250,000	(250,000)	0
Transfers - Commission on Criminal and Juvenile J	565,000	613,100	(47,500)	565,600	0	565,600
Transfers - Human Services	104,900	150,000	2,000	152,000	0	152,000
Transfers - Other Agencies	640,000	546,500	174,000	720,500	(178,500)	542,000
Transfers - Youth Corrections	0	176,000	(176,000)	0	178,500	178,500
Beginning Nonlapsing	1,176,200	974,300	43,800	1,018,100	(1,441,200)	(423,100)
Closing Nonlapsing	(1,017,500)	32,400	390,700	423,100	203,400	626,500
Lapsing Balance	(2,359,000)	0	(300,000)	(300,000)	300,000	0
Total	\$118,393,500	\$131,196,700	(\$252,700)	\$130,944,000	(\$1,529,100)	\$129,414,900
Line Items						
Administration	91,818,700	102,123,800	(149,200)	101,974,600	(1,772,300)	100,202,300
Grand Jury	800	800	0	800	0	800
Contracts and Leases	20,446,900	22,013,600	(285,100)	21,728,500	358,300	22,086,800
Jury and Witness Fees	1,763,100	1,606,700	181,600	1,788,300	(40,000)	1,748,300
Guardian ad Litem	4,364,000	5,451,800	0	5,451,800	(75,100)	5,376,700
Total	\$118,393,500	\$131,196,700	(\$252,700)	\$130,944,000	(\$1,529,100)	\$129,414,900
Categories of Expenditure						
Personal Services	78,577,600	89,314,500	1,540,700	90,855,200	(1,038,300)	89,816,900
In-State Travel	445,700	419,700	46,200	465,900	4,670,300	5,136,200
Out of State Travel	226,500	193,600	59,000	252,600	0	252,600
Current Expense	32,201,200	37,125,200	(2,133,600)	34,991,600	(5,084,300)	29,907,300
DP Current Expense	2,433,500	2,128,700	(344,500)	1,784,200	63,200	1,847,400
DP Capital Outlay	156,500	126,700	(91,800)	34,900	0	34,900
Capital Outlay	1,196,200	59,500	(59,500)	0	0	0
Other Charges/Pass Thru	3,156,300	1,828,800	730,800	2,559,600	(140,000)	2,419,600
Total	\$118,393,500	\$131,196,700	(\$252,700)	\$130,944,000	(\$1,529,100)	\$129,414,900
Other Data						
Budgeted FTE	1,070.8	1,248.0	0.0	1,248.0	20.2	1,268.2
Vehicles	157.0	158.0	0.0	158.0	0.0	158.0

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