COURTS

The Utah State Courts constitute the Judicial branch of government. 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 Court System consists of the Utah Supreme Court, Utah Court of Appeals, District Courts (trial courts of general jurisdiction), and Juvenile Courts. Each of these court systems is state funded and operated. The Judicial Council also provides oversight for the locally-funded and operated Justice Court System. The Courts employs 1,229 FTEs after budget adjustments and has a General Fund budget of $110,578,700 for FY 2010. The FY 2009 budget was reduced by $8,463,500. The FY 2010 reductions were offset by one-time and ongoing appropriations with a net total of $1,465,600.

The Courts are implementing the reductions by reducing 44.5 FTE net positions in FY 2010 - 65.5 FTE permanent reductions with 21 FTE one-time positions funded with one-time funding sources (the full 65.5 FTE reduction impact will be realized in FY 2011). In order to adapt to these reductions, the Courts have established new business practices, have implemented some of these practices, and plan to fully implement all of them by FY 2011.

Administration line item: The main line item is Administration. It includes the Utah court system and related supportive services. The Utah court system consists of Appellate Courts, Trial Courts, and Justice Courts—funded and operated by local government—functioning under standards established by the Judicial Council. The Judicial Council, through the Administrative Office of the Courts, provides the administrative support for the judicial branch. Within these operations, 1,153 FTEs are employed including non-judicial and all judicial positions with a budget of $89,324,200 for FY 2010.

In order to manage the budget adjustments, the Courts have made changes and are planning on additional changes to satisfy budget realities while aiming to maximize Court services. These changes included eliminating the remaining 18 court reporters at the end of FY 2009 and subsequently replacing all court reporting with digital recording (upon request, judges may opt for a court reporter to provide court reporting services). The Courts also placed a freeze on judicial hirings in January of 2009 (approximately 8 out of 110 total judges) with a target of filling 6 of 8 judgeships within a set time frame.

A hiring freeze for non-judicial positions began in September of 2008 and transitioned into a hiring slowdown (requiring a 6-week minimum for hiring each position) on July 1, 2009. Indirect ARRA funding through a competitive grant helped fund one-time clerk positions. The Courts accelerated the
development and release of online business such as e-filing, e-payment, and e-documents. With this change, the Courts do not require as many clerks processing paperwork and it also increases the speed at which the Courts process transactions. Other changes include reduction and reorganization of the Administrative Office of the Courts (reduction of 11 FTEs), expanded videoconferencing capabilities and usage to minimize travel, and others.

Contracts and Leases: The Contracts and Leases line item provides courthouses and office space in which the judiciary adjudicates cases. The Contracts and Leases Program also provides offices in the community where juvenile probation officers can meet with the family and youth under their supervision. Expenses under Contracts and Leases include items such as:

- rent/lease payments for 52 statewide facilities
- utility costs
- county contract sites

The budget for this line item is $14,717,700 and is comprised of 2 FTEs. With budget reductions, changes were made to reduce janitorial services and renegotiate a contract with the Bountiful Courthouse which will generate $425,600 in one-time savings in FY 2010 and $212,800 in FY 2011. As leases periodically expire, the Courts are evaluating the value of such leases and using that to decide whether or not to renew these leases.

HIGHER EDUCATION

Utah System of Higher Education: The Utah System of Higher Education (USHE) is comprised of ten institutions of higher learning. Nine of the institutions are governed by the Utah State Board of Regents, the other is governed by the Utah College of Applied Technology Board of Trustees. There are two research universities – the University of Utah and Utah State University; three regional/comprehensive universities – Weber State University, Southern Utah University, and Utah Valley University; one state college – Dixie State College; three community colleges – Snow College, College of Eastern Utah, and Salt Lake Community College, and one technical college – the Utah College of Applied Technology.

The original FY 2009 budget was $1,282,907,400, including $823,986,300 in ongoing state funds and $2,358,600 in one-time state funds. During the September 2008 Special Session, budget reductions of $33,627,700 were made to state funds. Additional reductions were made during the 2009 General Session in the amount of $27,781,000. The ongoing FY 2010 budget was $49,439,200 lower than the FY 2009 level.

The FY 2010 budget for the Utah System of Higher Education is $1,339,130,200, with $674,063,200 from state funds, including ($13,302,000) in one-time funding and $208,296,000 in federal stimulus money. The ongoing state fund base for FY 2011 is $687,365,200, which is 83.4 percent of the FY 2009 original appropriation. All budget cuts for the Utah System of Higher Education were made giving the institutions’ presidents the authority to administer those reductions in the manner they saw would have the least negative impact on the institution. The FY 2008 actual FTE count for USHE and UCAT was 13,281. Since approximately 80 percent of the USHE budget is personnel-related, the majority of
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reductions will affect the number of FTE on campuses. Since budget cutting began one year ago, Higher Education (excluding UCAT) has indicated that each percent of reduction would result in approximately 100 positions being eliminated from the Utah System of Higher Education. With the current FY 2010 budget of a new reduction of 9 percent, Higher Education reports 936 positions being eliminated. FY 2011 projections, at 17 percent below the FY 2009 original appropriation, would point to an additional 750 eliminated positions. UCAT reports that 61 positions have been eliminated, but that number will increase once all of the campuses have reported. To meet the FY 2010 budget level, an additional 54 positions will need to be eliminated.

Utah Education Network: The Utah Education Network (UEN) appropriated budget at the beginning of FY 2009 was $34,133,400, including $22,481,900 in state funds with $1,280,000 one-time funding. The Legislature reduced the FY 2009 UEN budget during the 2008 Special Session by $900,000 in ongoing state funds to $20,301,900. In the 2009 General Session, the Legislature passed a supplemental FY 2009 budget for UEN including an ongoing reduction of ($1,618,600) with one-time add-back of $710,500 for a net reduction during FY 2009 of ($908,100), in addition to the $900,000 previously mentioned. Also passed for UEN during the General Session, was their FY 2010 Base Budget of $18,683,300 in state funds with an ongoing reduction of ($1,272,100) and one-time back-fill of $1,540,700. Reductions for FY 2009 and 2010 have resulted in a loss of 12.0 FTE, elimination of site support for some USHE and UCAT institutions, cut in professional development of 50% and cost cutting measures throughout UEN. The combined ongoing reductions for UEN—($3,790,700)—result in a FY 2011 ongoing base of $17,411,200. This FY 2011 base may result in further reduction of 3 FTE, out-of-state (40%) and some in-state travel, cuts to equipment replacement (37%), and reductions in current expense (25%).

Medical Education Council: The Medical Education Council (MEC) was appropriated $1,667,800 by the Legislature for FY 2009, of which $701,500 was state funds. Their budget was reduced for FY 2009 by $28,000 in the Special Session and $50,500 during the General Session. The FY 2010 base budget for MEC was appropriated as $623,000 and further reduced in ongoing funds of $42,100 with an offset of $57,500 one-time funding. To this point, the MEC has reduced the current expense budget and reduced the program by 1.0 FTE. To meet any further reductions in FY 2011, the MEC would need to further reduce their FTE level by 0.5.

DEPARTMENT OF HUMAN SERVICES

The Department of Human Services (DHS) administers a variety of social services programs for the State of Utah. The department includes the divisions of Executive Director Operations, Substance Abuse and Mental Health, Services for People with Disabilities, Aging and Adult Services, Office of Recovery Services, Child and Family Services, and Juvenile Justice Services (JJS). While JJS is part of the Department of Human Services, its budget is reviewed in the Executive Offices and Criminal Justice Appropriations Subcommittee. DHS, including Juvenile Justice Services, employs 4,512 FTEs and has a budget of $705,915,900 for FY 2010 with $347,151,400 coming from ongoing General Fund. All the above described divisions of Human Services were reduced. Information describing these divisions and the reductions they received follows.
The Executive Director Operations (EDO) is responsible for the overall direction of the department. This includes administration and support, public relations, legislative liaison, planning, and policy development. EDO employs 104 FTEs and has a budget of $16,109,900 for FY 2010 with $8,570,800 coming from ongoing General Fund. The FY 2009 budget was reduced by $1,215,200 ($1,110,700 during the September 2008 Special Session and $104,500 during the 2009 General Session). The FY 2010 budget was reduced by $1,160,200 during the 2009 General Session. To implement the reductions, staff was consolidated (decreasing audit and other financial services to the department), in-state and out-of-state travel were reduced or eliminated, boards and commissions were defunded, and provider rates were decreased. In addition, the Foster Care Citizen Review Board, a disabilities ombudsman, a provider quick check program, and an employee assistance program were all eliminated. All state funding assisting the Utah Developmental Disabilities Council was also eliminated.

The Division of Substance Abuse and Mental Health (DSAMH) is the state’s public mental health and substance abuse authority. It oversees the 11 local mental health and 13 local substance abuse authorities. The division also has responsibility for the general supervision of the State Hospital in Provo. DSAMH employs 828 FTEs and has a budget of $130,107,000 for FY 2010 with $80,669,100 coming from ongoing General Fund. The FY 2009 budget was reduced by $5,215,300 ($3,150,200 during the September 2008 Special Session and $2,065,100 during the 2009 General Session). The FY 2010 budget was reduced by a net $6,001,900 during the 2009 General Session. FY 2010 budget reductions were offset by a one-time add back appropriation of $5,667,600 to mitigate reductions to local mental health pass-thru funding; the Children's Center mental health grant; substance abuse prevention and treatment pass-thru funding; Drug Offender Reform Act (DORA); and autism, local mental health, and local substance abuse provider rates. To implement the reductions, staff was consolidated, in-state and out-of-state travel were reduced or eliminated, provider rates were decreased, forensic competency evaluation funding was reduced, ongoing funding for a Children's Center grant was eliminated, and pass-thru funding for local mental health and for local substance abuse prevention and treatment was reduced. In addition, funding for a state prison substance abuse treatment program and local substance abuse treatment associated with the passage in the 2008 General Session of SB 211, Alcohol Beverage Control Amendments (Bramble), were eliminated. Almost all ongoing state funding for the DORA program was eliminated.

The Division of Services for People with Disabilities (DSPD) is responsible for providing residential, day services, family support services, and attendant care for people with severe mental retardation and other related conditions, including brain injury and physical disabilities. The division also has responsibility for the general supervision of the Utah State Developmental Center in American Fork. DSPD employs 916 FTEs and has a budget of $201,382,100 for FY 2010 with $50,908,100 coming from ongoing General Fund. The FY 2009 budget was reduced by $5,092,800 ($5,011,900 during the September 2008 Special Session and $80,900 during the 2009 General Session). The FY 2010 budget was reduced by a net $2,720,500 during the 2009 General Session. FY 2010 budget reductions were offset by a one-time add back appropriation of $3,495,000 to mitigate reductions to division personnel as well as private provider rates. To implement the reductions, staff was consolidated as well as transitioned to become private support coordinators, in-state and out-of-state travel were reduced or
eliminated, provider rates were decreased, new entrants to services were frozen except for court-ordered or emergency services, and other services were eliminated such as supported employment, family support, and early intervention. In addition, four offices were closed and administrative regions collapsed.

The Office of Recovery Services (ORS) is responsible for collecting funds owed to the state in the Human Services and Medical Assistance areas. ORS is also charged with collecting child support payments from non-custodial parents on behalf of custodial parents. ORS employs 499 FTEs and has a budget of $58,813,600 for FY 2010 with $14,034,200 coming from ongoing General Fund. The FY 2009 budget was reduced by $391,700 ($206,600 during the September 2008 Special Session and $185,100 during the 2009 General Session). The FY 2010 budget was reduced by $4,520,900 ($1,762,400 during the 2009 General Session and $2,758,500 during the May 2009 Special Session). The FY 2010 budget reduction was offset by a one-time add back appropriation of $250,000 to mitigate reductions to division personnel. To implement the reductions, staff was consolidated by reorganizing caseloads per worker to keep costs down as well as by automating more functions such as answering phones and generating documents. In-state and out-of-state travel were also reduced or eliminated. In addition, some offices have been closed.

The Division of Child and Family Services (DCFS), by statute, is to provide child abuse prevention services, child protective services, shelter care, foster care, residential care, adoption assistance, health care for children in state custody, family preservation, protective supervision, and domestic violence preventive services. DCFS employs 1,140 FTEs and has a budget of $168,574,700 for FY 2010 with $97,520,600 coming from ongoing General Fund. The FY 2009 budget was reduced by $3,152,700 ($2,772,600 during the September 2008 Special Session and $380,100 during the 2009 General Session). The FY 2010 budget was reduced by a net $1,925,000 during the 2009 General Session. The FY 2010 budget reduction was offset by a one-time add back appropriation of $1,960,700 to mitigate reductions to private provider rates. To implement the reductions, staff was consolidated, in-state and out-of-state travel were reduced or eliminated, provider rates were decreased, contract and monitoring functions were consolidated, and the family preservation program was refocused in its emphasis.

The Division of Aging and Adult Services (DAAS) is the designated state agency authorized to coordinate all state activities related to the Older Americans Act of 1965 (later amended in the year 2000). The division is also responsible, through its Adult Protective Services (APS) program, for the protection of abused, neglected, and exploited adults and elderly. DAAS employs 48 FTEs and has a budget of $22,741,000 for FY 2010 with $11,867,500 coming from ongoing General Fund. The FY 2009 budget was reduced by $307,600 ($141,700 during the September 2008 Special Session and $165,900 during the 2009 General Session). The FY 2010 budget was reduced by $1,801,600 during the 2009 General Session. The FY 2010 budget reduction was offset by a one-time add back appropriation of $1,035,200 to mitigate reductions to division personnel, funding passed through to support local aging authorities, the Nursing Home Alternatives program, as well as private provider rates. To implement the reductions, staff was consolidated as well as reducing additional adult protective services staff and long-term care ombudsman staff, in-state and out-of-state travel were reduced or eliminated, provider
rates were decreased, and new entrants were capped to the Nursing Home Alternatives program. In addition, funds passed through to local aging authorities were reduced for senior center maintenance, senior center meals, meals on wheels, and other supportive services.

The Division of Juvenile Justice Services (DJJS) is responsible for all youth offenders committed by the State’s Juvenile Court for secure confinement or supervision and treatment in the community. DJJS also operates receiving centers, and youth services centers for non-custodial and or non-adjudicated youth. The Division of Juvenile Justice Services employs 976 FTEs and has a budget of $108,187,600 for FY 2010 with $78,581,100 coming from ongoing General Fund. The FY 2009 budget was reduced by $4,859,700. The FY 2010 budget was reduced by a net $1,409,000 during the 2009 General Session. The FY 2010 budget reduction was offset by a one-time add back appropriation of $4,829,200 to mitigate reductions to juvenile diversion, a housing unit in a long-term facility, and receiving centers and youth services. To implement the reductions: staff was consolidated, in-state and out-of-state travel were reduced or eliminated, a Vernal Receiving Center and a Millcreek Secure Care unit were closed, a State Supervision program and a Reflections program were eliminated, transitional services and residential placements were reduced, and provider rates were decreased. In addition, a juvenile diversion program in Cache County as well as most receiving centers and youth services are scheduled to close on July 1, 2010.