



# COURTS: JURY, WITNESS, AND INTERPRETER LINE ITEM

EXECUTIVE OFFICES AND CRIMINAL JUSTICE APPROPRIATIONS SUBCOMMITTEE  
STAFF: GARY SYPHUS

BUDGET BRIEF

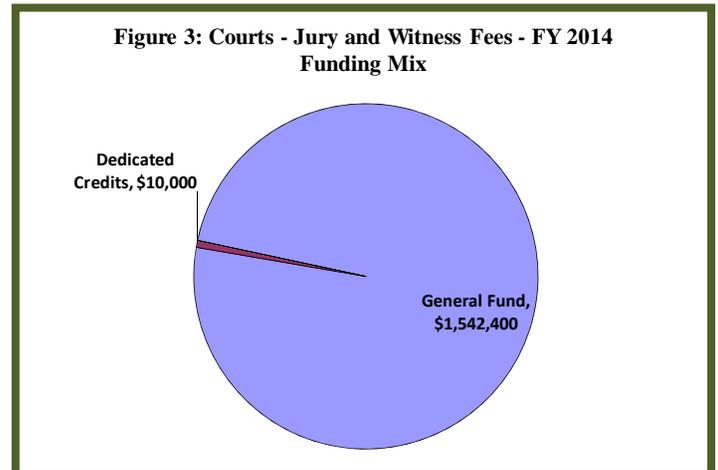
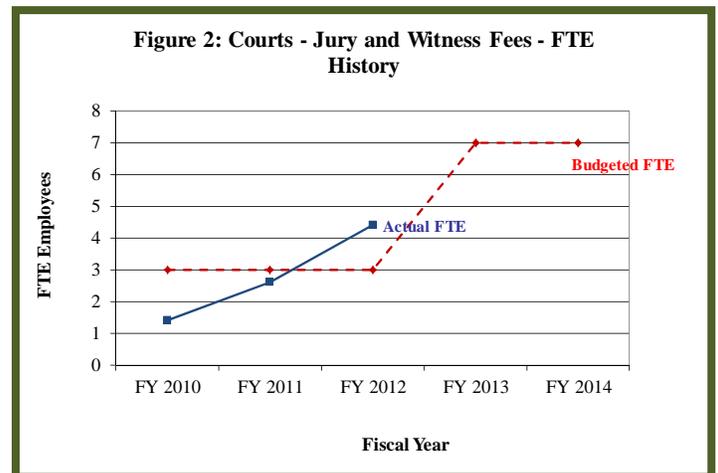
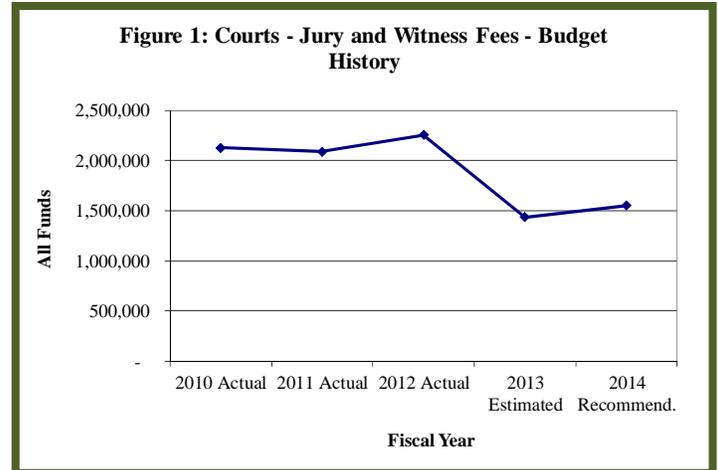
**SUMMARY**

The state is responsible for the payment of jurors and witnesses who appear in court. The state must also pay for court interpreter expenses. In recent years this line item has regularly run a deficit. Such shortfalls are referred to the Board of Examiners to be certified as a claim against the state. At the end of a fiscal year, surplus General Fund is used to pay the deficit, although budgetary accounting shows a negative carry-forward amount.

**LEGISLATIVE ACTION**

The Analyst recommends the Legislature:

1. Adopt the recommended budget of as shown in the budget detail table on page 4.
2. Approve the intent language on page 2.
3. Approve Court fees on the document titled "Executive Offices and Criminal Justice: Fees".
4. That should more funds become available, the Analyst recommends \$114,700 one-time supplemental amount from the General Fund for the projected FY 2012 deficit.



**Issues and Recommendations**

**Intent Language**

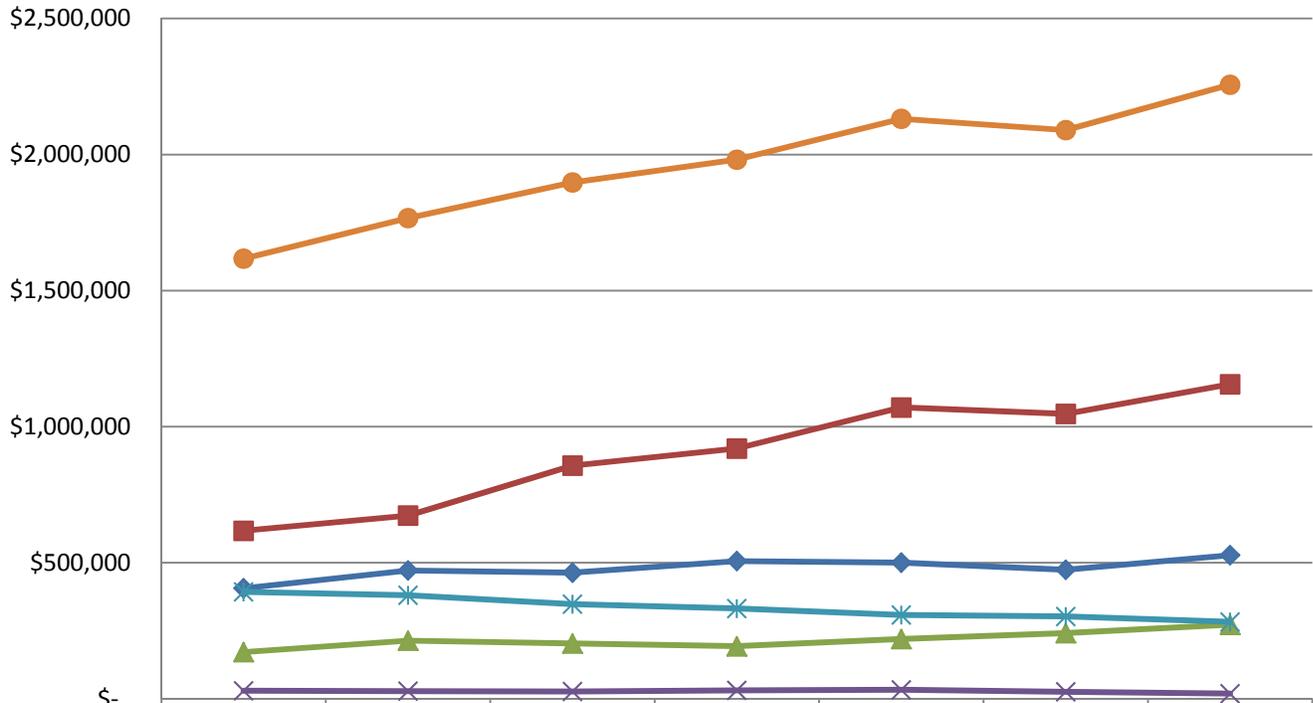
The Analyst recommends the following intent language:

*Under Section 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for Jury and Witness Fees in Item 25 of Chapter 11 Laws of Utah 2012 not lapse at the close of Fiscal Year 2013.*

**Increase in Expenses**

The Courts report the following. “The number of minorities appearing in court and the number of parties who are self-represented continue to increase and present challenges. Minorities that require language translation services both in criminal and civil court will cause the cost of such services to increase. We have implemented remote interpretation for rural areas in select proceedings and have moved to employing interpreters in our largest court and these steps have helped moderate the budget impact of increased services. However, the rate at which this population is increasing will result in increased demand and, in turn, increased expense.”

**Jury, Witness, Interpreter Line Item Expenses by Category**



	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Juror	\$406,100	\$471,600	\$463,500	\$506,100	\$500,300	\$473,900	\$527,700
Interpreter	\$617,500	\$673,200	\$856,800	\$919,800	\$1,070,700	\$1,046,900	\$1,156,000
Meals & Misc.	\$171,700	\$213,700	\$203,100	\$193,100	\$219,600	\$241,200	\$271,900
Interpreter Cert.	\$29,400	\$27,700	\$26,600	\$30,700	\$32,800	\$25,600	\$18,900
Witness	\$392,700	\$380,300	\$347,600	\$331,700	\$308,000	\$302,300	\$282,400
<b>Total</b>	<b>\$1,617,400</b>	<b>\$1,766,500</b>	<b>\$1,897,600</b>	<b>\$1,981,400</b>	<b>\$2,131,400</b>	<b>\$2,089,900</b>	<b>\$2,256,900</b>

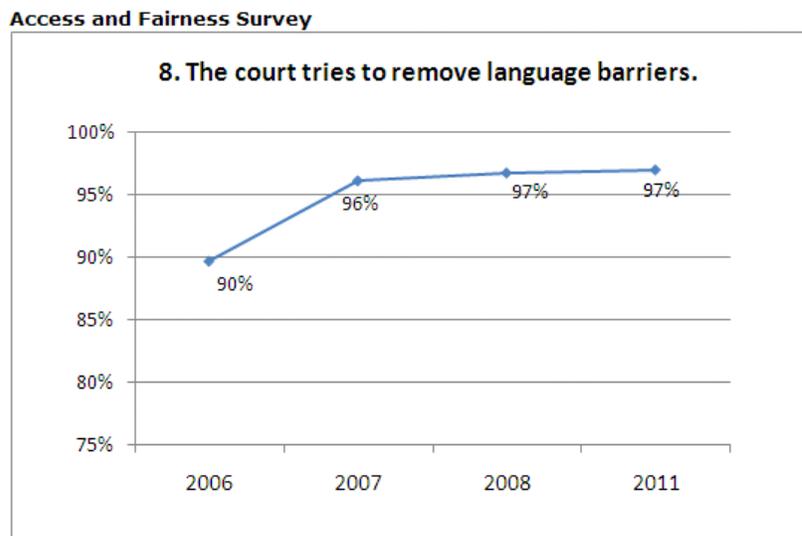
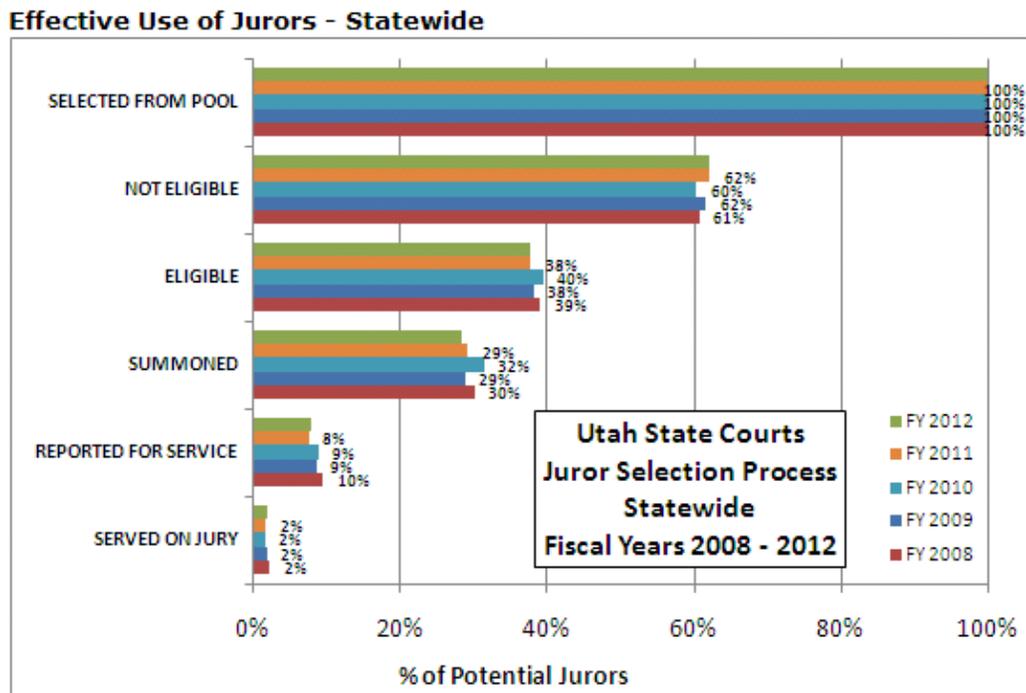
During the 2012 General Session, the Legislature funded the projected accumulated deficit from FY 2010 to FY 2012 of approximately \$1.7 M. This action eliminated nearly the entire deficit, however the line item exceeded projections and realized a deficit of \$114,700 at the end of FY 2012. Should new funds become available, the Analyst recommends funding this shortfall one-time for the entire amount. As expenses consistently outpace funding, the Analyst recommends considering additional ongoing funding. If no funding is provided, the deficit will accumulate and carry over annually until an appropriation is made to eliminate the shortfall.

**Fees**

See document entitled “Executive Offices and Criminal Justice: Fees”.

**Accountability**

From the Courts performance measurement site found online at <http://www.utcourts.gov/courtools/>, the Courts report the following information regarding the effective use of jurors and survey responses to a question regarding the Courts performance when removing language barriers.



**BUDGET DETAIL**

Courts - Jury and Witness Fees						
Sources of Finance	FY 2012 Actual	FY 2013 Appropriated	Changes	FY 2013 Revised	Changes	FY 2014* Recommended
General Fund	1,536,400	1,542,400	0	1,542,400	0	1,542,400
General Fund, One-time	1,742,900	0	0	0	0	0
Dedicated Credits Revenue	6,300	10,000	0	10,000	0	10,000
Beginning Nonlapsing	(1,143,000)	(1,743,000)	1,628,300	(114,700)	114,700	0
Closing Nonlapsing	114,700	2,343,000	(2,343,000)	0	0	0
<b>Total</b>	<b>\$2,257,300</b>	<b>\$2,152,400</b>	<b>(\$714,700)</b>	<b>\$1,437,700</b>	<b>\$114,700</b>	<b>\$1,552,400</b>
<b>Programs</b>						
Jury, Witness, and Interpreter	2,257,300	2,152,400	(714,700)	1,437,700	114,700	1,552,400
<b>Total</b>	<b>\$2,257,300</b>	<b>\$2,152,400</b>	<b>(\$714,700)</b>	<b>\$1,437,700</b>	<b>\$114,700</b>	<b>\$1,552,400</b>
<b>Categories of Expenditure</b>						
Personnel Services	292,400	317,200	154,500	471,700	0	471,700
In-state Travel	79,500	0	0	0	0	0
Out-of-state Travel	1,600	0	0	0	0	0
Current Expense	226,900	200	(200)	0	0	0
Capital Outlay	29,600	0	0	0	0	0
Other Charges/Pass Thru	1,627,300	1,835,000	(869,000)	966,000	114,700	1,080,700
<b>Total</b>	<b>\$2,257,300</b>	<b>\$2,152,400</b>	<b>(\$714,700)</b>	<b>\$1,437,700</b>	<b>\$114,700</b>	<b>\$1,552,400</b>
<b>Other Data</b>						
Budgeted FTE	3	5	2	7	0	7
Actual FTE	4	0	4	4	(4)	0

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