

**HB 5016**  
**Judicial Department**

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House Bill 5016 is the budget bill for the Judicial Department. The Judicial Department operates the state's unified court system, which includes the circuit courts, the Tax Court, the Court of Appeals and the Supreme Court. As such, the Department is responsible for the adjudication of criminal cases, civil cases, and of appeals. The Department is also responsible for the collection of court-ordered financial judgments.

The Public Safety Subcommittee approved a total budget of \$468.1 million, which includes a \$402.5 million of General Fund, and 1,889 positions (1,763.60 FTE).

HB 5016 includes \$2.7 million of General Fund to expand the Court of Appeals from ten to thirteen judges, effective October 1, 2013; \$1.9 million General Fund to increase judges' salaries by \$5,000 per year, beginning in 2014; and \$0.9 million of General Fund to increase rates paid to freelance certified interpreters.

The bill also approves \$24.3 million of Other Funds expenditures, financed by Article XI-Q bond proceeds, for implementation of the next phase of the Oregon eCourt Program. During the 2013-15 biennium, eCourt will be expanded to an additional fourteen courts, including the state's largest: the Multnomah Circuit Court. The budget also provides \$3.5 million for facility infrastructure improvements at county courthouses, including \$2 million to replace the Union County Courthouse. The bill rebalances the Department's 2011-13 budget, and reduces 2013-15 biennium General Fund by \$3 million to help balance the state's overall General Fund budget.

The Public Safety Subcommittee recommends House Bill 5016 be amended and reported out do pass, as amended.

**77<sup>th</sup> OREGON LEGISLATIVE ASSEMBLY – 2013 Session  
BUDGET REPORT AND MEASURE SUMMARY**

**JOINT COMMITTEE ON WAYS AND MEANS**

**MEASURE: HB 5016-A**

**Carrier – House: Rep. Williamson**

**Carrier – Senate: Sen. Winters**

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**Action:** Do Pass as Amended and be Printed A-Engrossed

**Vote:**

House

Yeas:

Nays:

Exc:

Senate

Yeas:

Nays:

Exc:

**Prepared By:** Kay Erickson, Department of Administrative Services

**Reviewed By:** Steve Bender, Legislative Fiscal Office

**Meeting Date:** June 28, 2013

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Agency

Judicial Department

Biennium

2013-15

2011-13

## **Budget Summary\***

	2011-13 Legislatively Approved Budget <sup>(1)</sup>	2013-15 Current Service Level	2013-15 Committee Recommendation	Committee Change from 2011-13 Leg. Approved	
				\$ Change	% Change
General Fund	\$ 347,694,058	\$ 391,181,314	\$ 384,395,868	\$ 36,701,810	10.6%
General Fund Debt Service	\$ 20,258,576	\$ 18,133,375	\$ 18,133,375	\$ (2,125,201)	-10.5%
Other Funds	\$ 56,817,370	\$ 22,864,190	\$ 64,384,108	\$ 7,566,738	13.3%
Other Funds Capital Improvement	\$ 97,460	\$ 0	\$ 0	\$ (97,460)	-100.0%
Federal Funds	\$ 1,303,013	\$ 891,014	\$ 1,227,911	\$ (75,102)	-5.8%
<b>Total</b>	<b>\$ 426,170,477</b>	<b>\$ 433,069,893</b>	<b>\$ 468,141,262</b>	<b>\$ 41,970,785</b>	<b>9.8%</b>

## **Position Summary**

Authorized Positions	1,878	1,830	1,889	11
Full-time Equivalent (FTE) positions	1,752.66	1,709.46	1,763.60	10.94

<sup>(1)</sup> Includes adjustments through December 2012

\* Excludes Capital Construction expenditures

## **Summary of Revenue Changes**

The Oregon Judicial Department's (Department) primary source of funding is General Fund, supporting 86 percent of total expenditures authorized in this bill. Although the Department collects revenues from fines, fees, and restitution awards associated with cases in the 36 Circuit Courts, the Tax Court, the Court of Appeals, and the Supreme Court; and from other sources, it only retains and spends a small portion of the revenue it collects. Most of its revenue is transferred to either the General Fund, the Criminal Fine Account, to state and local government agencies, to recipients of restitution and compensatory fine awards, or to the Oregon State Bar (for legal aid services). The Department also spends Article XI-Q General Obligation bond and certificates of participation proceeds authorized in the budget for implementation of the Oregon eCourt program and for capital construction projects.

The Public Safety Subcommittee approved a technical adjustment to the Department's budget to include court fee revenues transferred to the Oregon State Bar for legal aid services in the total amount of court fee revenues. Previously these revenues had not been included.

Other Other Funds and Federal Funds revenue sources include:

- Other Fund revenue generated through the sale and distribution of court publications, manuals and forms, and providing online access to the Oregon Judicial Information Network. Revenue from these transactions is used to pay for the cost of these programs;

- Transfers from the State Office for Services to Children and Families to assist in funding the Citizen Review Board’s review of child placements;
- Assessments to state agencies to support the State of Oregon Law Library;
- Funds from the Public Defense Services Commission to pay for the services of court staff to verify indigence of persons seeking state-paid court-appointed counsel;
- Federal Funds received from a Department of Health and Human Services grant to continue the Juvenile Court Improvement Project; and
- Grants with community partners, including Oregon counties and nonprofit entities, such as drug and other specialty courts, juvenile court improvements, and arbitration and mediation programs.

### **Summary of Public Safety Subcommittee Action**

The Judicial Department is the largest of three independent entities that comprise the Judicial Branch of government. The Chief Justice of the Supreme Court is the administrative head of the Department with authority over the unified state court system operations, programs and functions. The Department operates 36 circuit courts located in 27 judicial districts statewide, the Tax Court, the Court of Appeals, and the Oregon Supreme Court. The Department administers the Mandated Payments Program that pays for the cost of jurors, transcript costs for certain indigents in civil appeals, Americans with Disabilities Act compliance, and interpreters for non-English-speaking and hearing-impaired persons in the courts.

The Subcommittee approved a budget of \$402,529,243 General Fund, \$468,141,262 total funds, and 1,889 positions (1,763.60 FTE) for the Department. The approved budget is an increase of \$41,970,785 total funds, or 9.8 percent, from the 2011-13 Legislatively Approved Budget as of December 2012.

### **Judicial Compensation**

This budget division is for the Personal Service costs for statutorily established judgeships. The Subcommittee approved the following adjustments to the Judicial Compensation program’s current service level:

- Package 092: PERS Taxation Policy, reduces General Fund by \$266,380. This package reflects the policy change in Senate Bill 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30 percent.

- Package 093: Other PERS Adjustments, reduces General Fund by \$2,128,503. This package reflects the policy change in Senate Bill 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2 percent.

An administrative action by the PERS Board, as directed by a budget note in the Senate Bill 822 budget report, will reduce state employer contribution rates by up to an additional 1.9 percent. However, no employer rate is reduced below its 2011-13 biennium rate.

- Package 211: 2012 Legislative Session Court of Appeals Panel. Package 211 finances the cost of adding three judges to the Court of Appeals. The additional judges will increase membership of the Court from ten to thirteen judges, and allow the Court to establish one additional three-judge panel. The Legislative Assembly approved the court expansion during the 2012 Session, to address an increase in the complexity of cases facing the Court, and to allow the Court to increase the number of written opinions it issues. The expansion takes effect on October 1, 2013.

The Chief Justice's request, after modifications made by the Department of Administrative Services Chief Financial Office for PERS rate adjustments, totaled \$2,975,878 General Fund for this package agency wide. The adjusted request included \$975,551 General Fund and three positions (2.64 FTE) in the Judicial Compensation program area to establish the new judgeships and to pay judges' compensation.

The Subcommittee approved this package, with modifications. The Subcommittee appropriated \$956,220 General Fund and established three permanent Court of Appeals Judge positions (2.64 FTE). The reduction from the requested amount reflects the impacts of Senate Bill 822 and of PERS Board administrative actions on PERS contribution costs. The remaining expenditures for staffing to support the panel are approved in the Appellate/Tax Courts program budget.

- Package 212: Judicial Compensation, appropriates \$1,934,859 General Fund to increase compensation for appellate, tax, and circuit court judges. The funding will support a salary increase for all judges of \$5,000 per year, beginning on January 1, 2014.

Because Judges' salaries are set in statute, salary levels cannot be amended in House Bill 5016. Amendments to increase judicial salaries by \$5,000, effective January 1, 2014, will be incorporated into the Joint Committee on Ways and Means end-of-session program change bill.

- Package 810: LFO Analyst Adjustments, appropriates \$640,933 General Fund to fund projected PERS contribution costs for statutory judges. Statutory judges participate in the PERS Judge Member Program, a program distinct from the PERS programs that cover other employees and retirees. The statewide Package 092 and Package 093 adjustments do not accurately reflect the impacts of Senate Bill 822 and of PERS Board administrative actions on PERS contribution costs for judges in the PERS Judge Member Plan. Those packages reduce funding to pay PERS contributions for judges by \$640,933 more than will actually be needed to pay anticipated costs in the 2013-15 biennium. The Subcommittee approved the additional funds to fully finance anticipated expenditures in the Judicial Compensation program.

- Package 811: General Fund Carry-Forward Adjustment, eliminates \$297,163 General Fund in Personal Services expenditures. This reduction will be restored during the 2013-15 biennium with the carry-forward of 2011-13 biennium General Fund ending balances.

#### eCourt Debt Service

The eCourt Debt Service Program provides General Fund to make payments on principal and interest, and Other Funds for financing costs, associated with certificates of participation (COPs) or Article XI-Q bonds issued to finance the development and implementation of the Oregon eCourt program. The Department's debt service is related exclusively to the eCourt Program.

The first sale of COPs to fund the projects within the Oregon eCourt Program took place in June 2008. Additional COP and General Obligation bond sales were held in 2009, 2010, 2011 and 2012.

The Subcommittee approved \$18,133,375 General Fund and \$530,319 Other Funds expenditure limitation for this program. This represents a decrease of \$1,921,474 total funds, or 9.3 percent, from the prior biennium level. The Subcommittee took action on the following package:

- Approved Package 201: Oregon eCourt Debt Service, with modifications. As requested by the Department, this package provided \$5,197,274 General Fund to pay 2013-15 biennium debt service costs associated with the Article XI-Q Bonds approved in Package 202 to finance the continued implementation of the Oregon eCourt program. The package also provided \$530,319 Other Funds expenditure limitation to accommodate the cost of issuing the bonds, to be paid from the bond proceeds (Other Funds).

The Subcommittee approved the package with modifications. The approved budget requires the Department to not request the Article XI-Q bonds to be issued until Spring 2015. This will delay the first scheduled debt service payment until after the end of the 2013-15 biennium, eliminating the need for General Fund to pay debt service on the newly-issued bonds in 2013-15. The Subcommittee, therefore, eliminated General Fund from the package for 2013-15 biennium debt service costs, and approved only the \$530,319 Other Funds portion of the request to permit payment of cost of issuance of the bonds. The Subcommittee also approved the following budget note to clarify and acknowledge the legislative expectations associated with the retiming of the Article XI-Q bond sale:

#### **Budget Note:**

The Subcommittee understands that the Oregon Judicial Department will have approximately \$24.3 million in Oregon eCourt-related expenditures during the 2013-15 biennium that will be funded with General Obligation (Article XI-Q) bond proceeds. In order to reduce the General Fund debt service requirement in the 2013-15 biennium, OJD will initially pay those costs from General Funds for operations, then have that General Fund reimbursed with bond proceeds from a bond sale in March 2015. This agreement postpones the debt service obligation to make additional General Fund available for court operations in 2013-15, but requires the bond proceeds to be received in the 2013-15 biennium so that Oregon eCourt expenditures can be paid with bond proceeds and the General Fund for court operations can be reimbursed in the 2013-15 biennium. This agreement will defer approximately \$5.2 million of General Fund-financed debt service until after the 2013-15 biennium.

## Trial Courts

This division includes the resources for operating the circuit courts in Oregon. These courts adjudicate matters and disputes in the following cases: criminal; civil; domestic relations; traffic; juvenile; small claims; violations; abuse prevention act; probate; mental commitments; and, adoption and guardianship.

Trial court resources also include those related to revenue management and collections.

The Subcommittee approved a budget of \$201,893,301 General Fund, \$207,183,619 total funds and 1,360 positions (1,245.07 FTE). This is a \$22 million, or 11.9 percent, total increase from the 2011-13 Legislatively Approved Budget as of December 2012. The Subcommittee approved the following packages related to the Trial Courts budget:

- Package 092: PERS Taxation Policy, reduces General Fund by \$491,433 and Other Funds expenditure limitation by \$10,979. This package reflects the policy change in Senate Bill 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30 percent.
- Package 093: Other PERS Adjustments, reduces total funds by \$4,014,513 (\$3,926,783 General Fund and \$87,730 Other Funds). This package reflects the policy change in Senate Bill 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2 percent.

An administrative action by the PERS Board, as directed by a budget note in the Senate Bill 822 budget report, will reduce state employer contribution rates by up to an additional 1.9 percent. However, no employer rate is reduced below its 2011-13 biennium rate.

- Package 210: Specialty Courts Grants, provides Other Funds expenditure limitation and position authority associated with specialty grants that support family courts, pretrial release programs, and the Citizen Review Board. The package includes \$908,012 Other Funds expenditure limitation for expenditure of grant monies that were awarded in the 2011-13 biennium, but that will be spent in the 2013-15 biennium.

The grant funds are used to pay seven employees who work in these program areas; the positions are established on a limited-duration basis. Package 210 establishes the seven limited-duration positions (4.90 FTE) for the 2013-15 biennium.

- Package 810: LFO Analyst Adjustments, includes a General Fund reduction, distributed among the Department's program areas, that sums to \$3,000,000. The Subcommittee reduced the Trial Courts program Service and Supplies budget by \$2,000,000 General Fund. The Subcommittee approved the unspecified reduction to assist in balancing the overall state budget within available General Fund resources. The Department shall take management actions to implement the reduction with minimal impact to judicial services.

- Package 811: General Fund Carry-Forward Adjustment, eliminates \$615,916 General Fund in Services and Supplies expenditures. This reduction will be restored during the 2013-15 biennium with the carry-forward of 2011-13 biennium General Fund ending balances.
- Package 812: Technical Adjustments. This package only includes technical adjustments and corrections that have no impact on the Judicial Department's expenditures. The Subcommittee approved these adjustments to accurately reflect the expenditures and resources of the Judicial Department in the Legislatively Adopted Budget.

There are four independent components within this package agency wide as described below. However, only elements of package components 1 and 2 are included in the Trial Courts program area.

1. Legal Aid Support – ORS 9.577 directs the Judicial Department to deposit \$11.9 million of court fee revenue into the Legal Aid Account each biennium. The Other Funds monies in this Account are distributed to the Oregon State Bar for the Legal Services Program. The budget does not include an appropriate Other Funds expenditure limitation to permit the distribution of the monies to the Oregon State Bar. The Subcommittee added \$11.9 million of Other Funds expenditure limitation in the External Pass-Throughs program area to reflect these distributions, and also added an Other Funds expenditure limitation of \$11,900,000 for the Legal Aid Account to House Bill 5016. The technical adjustments in this package also internally direct the Legal Aid Account monies to the External Pass-Throughs program area for distribution to the Oregon State Bar, and add the \$11.9 million that is transferred to state court fee revenues to correctly account for their collection.

2. State Law Library and Publications – The State Law Library and Publications functions operate within the Appellate/Tax Courts program area. Historically, the program had been funded in different areas of the Department's budget, and program expenditures still remain distributed in three program areas. The package consolidates all State Law Library and Publications expenditures within the Appellate/Tax Courts program area by transferring a total of \$1,422,902 of associated expenditures in Trial Courts and Administration to the Appellate/Tax Courts program area.

3. Court Interpreter Certification Program – Some Other Funds expenditures for the Court Interpreter Certification program are erroneously housed in the Administration program. The package transfers \$70,000 from Administration to the Mandated Payments program that houses the certification program.

4. State Court Facilities and Security Account (SCFSA) – The beginning balance in the State Court Facilities and Security Account (SCFSA) is incorrect. The package includes a Beginning Balance Adjustment of \$298,653 to reflect the projected SCFSA beginning fund balance in the budget.

In the Trial Courts program, the Subcommittee increased Other Funds State Court Fees revenue by \$11,900,000 and reduced Other Funds Transfer Out – Intrafund by the same amount to appropriately reflect the deposit of court fee revenues for Legal Aid support. The Subcommittee reduced the Trial Courts program budget by \$1,214,807 Other Fund to centralize State Law Library and Publications expenditures within the Appellate/Tax Courts program.



### Appellate/Tax Courts

This program funds the operations and staffing of the Supreme Court, the Court of Appeals, and the Tax Court. The Supreme Court is established by the Oregon Constitution, and consists of seven justices elected to serve six-year terms, one of whom is selected from among his/her peers to serve as the Chief Justice for the Judicial Branch for a six-year term. The Court of Appeals consists of ten judges who hear appeals from trial courts and state agencies and boards. Three more judgeships were added to the Court of Appeals by the 2012 Legislative Assembly, which when operative October 1, 2013, will bring the number of judgeship positions to 13. (These positions and the supporting staff are funded in the 2013-15 Legislatively Adopted Budget.) The Tax Court consists of one judge, who hears matters arising from Oregon tax law, and a Tax Magistrate Division created in 1997 to replace the informal administrative tax appeals process conducted by the Department of Revenue. The program area also houses the State Law Library and Publications programs.

The Subcommittee approved a budget of \$24,008,080 total funds, \$20,971,033 General Fund, and 108 positions (103.12 FTE) for these courts. This is an increase of \$5,140,795 total funds, or 27.2 percent, from the 2011-13 Legislatively Approved Budget. The Subcommittee approved the following actions:

- Package 092: PERS Taxation Policy, reduces General Fund by \$48,145 and Other Funds by \$4,146. This package reflects the policy change in Senate Bill 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30 percent.
- Package 093: Other PERS Adjustments, reduces the Appellate/Tax Courts program by \$384,699 General Fund and \$33,127 Other Funds expenditure limitation. This package reflects the policy change in Senate Bill 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2 percent.

An administrative action by the PERS Board, as directed by a budget note in the Senate Bill 822 budget report, will reduce state employer contribution rates by up to an additional 1.9 percent. However, no employer rate is reduced below its 2011-13 biennium rate.

- Package 211: 2012 Legislative Session Court of Appeals Panel, finances the cost of adding three judges to the Court of Appeals. The additional judges will increase membership of the Court from ten to thirteen judges, and allow the Court to establish one additional three-judge panel. The Legislative Assembly approved the court expansion during the 2012 Session, to address an increase in the complexity of cases facing the Court, and to allow the Court to increase the number of written opinions it issues. The expansion takes effect on October 1, 2013.

The Chief Justice's request, after modifications made by the Department of Administrative Services Chief Financial Office for PERS rate adjustments, totaled \$2,975,878 General Fund for this package agency-wide. The modified request included \$2,000,327 General Fund and nine positions (8.64 FTE) in the Appellate/Tax Courts program area to establish staff support positions for the new judges, and to pay staff compensation and services and supplies costs associated with the court expansion.

The Subcommittee approved Package 211 with additional modifications. The Subcommittee appropriated \$1,742,916 General Fund and established nine full-time positions (8.64 FTE). It reduced the modified request by \$32,448 General Fund to reflect the impacts of Senate Bill 822 and of PERS Board administrative actions on PERS contribution costs, and by \$224,963 General Fund to remove funding that had been requested for rent.

- Package 810: LFO Analyst Adjustments, includes a General Fund reduction, distributed among the Department's program areas, that sums to \$3,000,000. The Subcommittee reduced the Appellate/Tax Courts program budget by \$200,000 General Fund in Services and Supplies expenditures. The unspecified reduction is recommended to assist in balancing the overall state budget within available General Fund resources. The Department shall take management actions to implement the reduction with minimal impact to judicial services.
- Package 812: Technical Adjustments. This package only includes technical adjustments and corrections that have no impact on the Judicial Department's expenditures. The Subcommittee approved these adjustments to accurately reflect the expenditures and resources of the Judicial Department in the Legislatively Adopted Budget. There is one component of the package that impacts the Appellate/Tax Courts program area. The State Law Library and Publications functions operate within the Appellate/Tax Courts program area, however, historically, the functions have been funded in different areas of the Department's budget, and program expenditures still remain distributed in three program areas. The package consolidates all State Law Library and Publications expenditures within the Appellate/Tax Courts program area by transferring a total of \$1,422,902 of associated expenditures from Trial Courts and Administration to the Appellate/Tax Courts program area.

#### Administration and Central Support

The Office of the State Court Administrator (OSCA) supports and assists the Chief Justice in exercising administrative authority and supervision over the circuit, tax, and appellate courts of the state and in establishing and managing statewide administrative policies and procedures. This division includes resources for the Revenue Management Program, budget and accounting, personnel, legal, audit, education, court programs and analytical services, pro tem services, and information technology. In addition the OSCA has responsibility for administrative management of the Appellate Court Records Section, State of Oregon Law Library, publications, interpreter and shorthand reporter certification programs, and state Citizen Review Board program. The functions of the OSCA include budget, accounting, procurement, human resources, legal, audit, education and outreach, *pro se* services, and information technology infrastructure.

The Subcommittee approved a budget of \$49,917,402 General Fund, \$5,799,939 Other Funds, \$1,227,911 Federal Funds and 160 positions (157.50 FTE). This is an increase from the 2011-13 Legislatively Approved Budget of \$3,864,608 total funds, or 7.3 percent. The Subcommittee approved the following policy packages:

- Package 092: PERS Taxation Policy, reduces Personal Services expenditures by \$88,270 General Fund, \$13,588 Other Funds and \$831 Federal Funds. This package reflects the policy change in Senate Bill 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30 percent.

- Package 093: Other PERS Adjustments, reduces expenditures by \$820,540 total funds (\$705,320 General Fund, \$108,577 Other Funds and \$6,643 Federal Funds). This package reflects the policy change in Senate Bill 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2 percent.

An administrative action by the PERS Board, as directed by a budget note in the Senate Bill 822 budget report, will reduce state employer contribution rates by up to an additional 1.9 percent. However, no employer rate is reduced below its 2011-13 biennium rate.

- Package 810: LFO Analyst Adjustments, includes a General Fund reduction, distributed among the Department's program areas, that sums to \$3,000,000. The Subcommittee reduced the Administration and Central Support program budget by \$500,000 General Fund. The Subcommittee approved the unspecified reduction to assist in balancing the overall state budget within available General Fund resources. The Department shall take management actions to implement the reduction with minimal impact to judicial services.

Additionally, the Department's current service level Federal Funds expenditure limitation does not include expenditures of federal grant funds that were received in the 2011-13 biennium, but that will not be spent until the 2013-15 biennium. The Package 810 adjustment in the Administration and Central Support program area increases the Department's Federal Funds expenditure limitation by \$344,371 to allow these already-awarded grant funds to be spent.

#### Mandated Payments

The Mandated Payments program funds the jury system and access to courts by all persons. This program finances costs associated with the administration of the trial and grand jury systems. Services include: foreign-language interpreters for court proceedings; provision of assistive devices required to provide reasonable accommodation to disabled persons; state-paid sign interpreters or real-time reporters for hearing-impaired jurors; mileage reimbursed to grand and trial jurors; payment of jurors' meals, lodging, and commercial transportation at the actual cost; per diem provided to grand and petit jurors; summoning and qualifying jurors and providing jurors' orientation programs and materials; and, payment of other miscellaneous costs.

The Subcommittee approved a 2013-15 budget of \$14,847,024 General Fund and \$594,752 Other Funds and 23 positions (22.31). This is an increase of \$1,542,695, or 11.1 percent, from the 2011-13 Legislatively Adopted Budget. The Subcommittee took action on the following packages:

- Package 092: PERS Taxation Policy, reduces Personal Services expenditures by \$10,230 General Fund and \$118 Other Funds. This package reflects the policy change in Senate Bill 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30 percent.

- Package 093: Other PERS Adjustments, reduces General Fund by \$81,739 and Other Funds expenditure limitation by \$941. This package reflects the policy change in Senate Bill 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2 percent.

An administrative action by the PERS Board, as directed by a budget note in the Senate Bill 822 budget report, will reduce state employer contribution rates by up to an additional 1.9 percent. However, no employer rate is reduced below its 2011-13 biennium rate.

- Package 213: Contract Interpreter Rate Increase – Mandated Payments. The Chief Justice requested \$2,975,878 General Fund to finance an increase in the rate paid to freelance certified interpreters from the present rate of \$32.50 per hour to \$45 per hour. The current rate was established on January 1, 1998. The Subcommittee appropriated \$885,680 General Fund to finance an increase in the rate paid to freelance certified interpreters from the present rate of \$32.50 per hour to \$40.00 per hour. This is equal to a 23.1 percent rate increase.
- Package 810: LFO Analyst Adjustments, includes a General Fund reduction, distributed among the Department’s program areas, that sums to \$3,000,000. The Subcommittee reduced the Mandated Payments program budget by \$100,000 General Fund in Services and Supplies expenditures. The Subcommittee approved the unspecified reduction to assist in balancing the overall state budget within available General Fund resources. The Department shall take management actions to implement the reduction with minimal impact to judicial services.
- Package 812: Technical Adjustments. This package only includes technical adjustments and corrections that have no impact on the Judicial Department’s expenditures. The Subcommittee approved these adjustments to accurately reflect the expenditures and resources of the Judicial Department in the Legislatively Adopted Budget. There is one adjustment in the Mandated Payments program. Some Other Funds expenditures for the Court Interpreter Certification program are erroneously housed in the Administration program. The package transfers \$70,000 Other Funds Service and Supplies expenditure limitation to the Mandated Payments program that houses the Certification program.

### Third-Party Debt Collection

During the 2011-13 biennium, a new General Fund appropriation was established for the cost of paying third-party collection fees associated with the collection of fees, fines, and restitution. The types of expenditures that are included in this appropriation are credit card fees, State Treasury charges for banking services, Department of Revenue fees, and private collection firm fees. On average, the state recovers \$5.60 for each \$1.00 spent on third-party collection activities. Collection fees are only paid on successful collection. The Subcommittee approved a 2013-15 budget of \$11,960,042 General Fund and no positions for the Third-Party Debt Collection program.

### External Pass-Throughs

This budget structure was established in the 2011-13 Oregon Judicial Department budget for various pass-through payments to external entities. In the 2011 Legislative session, changes were made to add expenditure limitation and funding for the following programs to the Department’s

budget: County law libraries, county mediation/conciliation programs, biennial funding for Council on Court Procedures, biennial funding for Oregon Law Commission, and a one-time payment to Tri-County Metropolitan Transportation District of Oregon (TRIMET). During prior biennia, funding for these programs was provided through revenue transfers from court fees or appropriations from the Legislature. The Subcommittee approved a 2013-15 budget of \$14,701,350 General Fund and \$11,900,000 Other Funds and no positions for the External Pass-Throughs program. The Subcommittee also approved the following packages:

- Package 810: LFO Analyst Adjustments, includes a General Fund reduction, distributed among the Department's program areas, that sums to \$3,000,000. The Subcommittee reduced the External Pass-Throughs program budget by \$200,000 General Fund in Special Payments to Counties, consisting of a \$100,000 General Fund reduction to conciliation and mediation services, and a \$100,000 General Fund reduction to law libraries and law library services. The reduction is approved to assist in balancing the overall state budget within available General Fund resources.
- Package 812: Technical Adjustments, only includes technical adjustments and corrections that have no impact on the Judicial Department's expenditures. The Subcommittee approved these adjustments to accurately reflect the expenditures and resources of the Judicial Department in the Legislatively Adopted Budget.

There is one component of this agency-wide package in the External Pass-Throughs program area. ORS 9.577 directs the Judicial Department to deposit \$11.9 million of court fee revenue into the Legal Aid Account each biennium. The Other Funds monies in this Account are distributed to the Oregon State Bar for the Legal Services Program. The budget does not include an appropriate Other Funds expenditure limitation to permit the distribution of the monies to the Oregon State Bar. The Subcommittee approved adding \$11.9 million Other Funds expenditure limitation in the External Pass-Throughs program area to reflect these distributions. The Subcommittee also approved adding an Other Funds expenditure limitation of \$11,900,000 for the Legal Aid Account to House Bill 5016. The technical adjustments in this package also internally direct the Legal Aid Account monies to the External Pass-Throughs program area for distribution to the Oregon State Bar.

The Subcommittee increased Other Funds State Court Fees revenue by \$11,900,000 in the Trial Courts program and increased Other Funds Transfer In – Intrafund by the same amount in the External Pass-Throughs program to appropriately reflect the deposit and internal transfer of court fee revenues for Legal Aid support.

#### State Court Facilities Security Account

This budget division was established in the 2009-11 biennium budget. The division's responsibilities initially included statewide security improvements, emergency preparedness, business continuity training as well as the business continuity function for the Multnomah Circuit Court. The program was funded by assessments on certain fines as listed in ORS 137.309.

In 2011, the Legislature passed House Bill 2712, which eliminated the assessments and changed the fund source for the State Court Facilities and Security Account (SCFSA). The SCFSA is now funded by allocations of funds from the Criminal Fine Account. The bill also made major

changes to ORS 1.178, which was further modified in the 2012 Legislative Session by Senate Bill 1579. These changes created four discrete, allowable expense categories, funded through a biennial allocation from the Criminal Fine Account to the SCFSA, as follows:

- Developing or implementing the plan for state court security emergency preparedness and business continuity;
- Statewide training on state court security;
- Distributions to court facilities security accounts in each county; and
- Capital improvements for courthouses and other state court facilities.

The Subcommittee approved a \$13,132,788 Other Funds budget and four positions (4.00 FTE) for the 2013-15 biennium. The Subcommittee approved the following packages in the State Court Facilities Security Account budget:

- Package 092: PERS Taxation Policy, reduces Personal Services expenditures by \$2,039 General Fund. This package reflects the policy change in Senate Bill 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30 percent.
- Package 093: Other PERS Adjustments, reduces General Fund by \$16,289. This package reflects the policy change in Senate Bill 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2 percent.

An administrative action by the PERS Board, as directed by a budget note in the Senate Bill 822 budget report, will reduce state employer contribution rates by up to an additional 1.9 percent. However, no employer rate is reduced below its 2011-13 biennium rate.

- Package 214: Local Court Facilities Infrastructure was approved. The Chief Justice requested \$3,545,858 Other Funds from the Criminal Fine Account to finance a number of local court facilities infrastructure projects. These projects include:
  - \$2 million toward replacement of the Union County Courthouse in La Grande. The cost of the project is projected to total \$3.2 million. The remaining funds needed to complete the project will be provided by Union County and contributions.
  - \$150,000 for repairs to the Curry County Courthouse roof.
  - Approximately \$1.4 million for life/safety system upgrades for court facilities in Curry, Gilliam, Malheur and Wallowa Counties.
- Package 810: LFO Analyst Adjustments, includes two adjustments in the State Court Facilities Security Account program area:
  - 1) Reduce General Fund by \$795,990 and increase Other Funds by \$795,990. This action reflects a fund shift of payments for Personal Services from the General Fund to the State Court Facilities and Security Account (SCFSA). In 2012, the Legislature passed Senate Bill 1579, which prohibited SCFSA funds from being used to pay for OJD positions (as was the practice prior to

passage of the bill). In 2013, the Legislature passed Senate Bill 49, which repealed this prohibition. With passage of Senate Bill 49, the Subcommittee restored the prior practice, and funded the OJD positions with Other Funds instead of General Fund.

- 2) Reduce the allocation from the Criminal Fine Account to the SCFSA by \$290,150, to fully utilize the SCFSA beginning balance to fund 2013-15 biennium expenditures. This action does not reduce expenditures, but it does increase General Fund revenue by \$290,150. The action will leave the SCFSA with a projected zero ending balance.
- Package 812: Technical Adjustments. The Department anticipates a \$298,653 beginning balance in the State Court Facilities and Security Account. This account holds both funds expended by the Department and funds distributed to counties. The budget does not currently include the anticipated beginning balance. The Subcommittee approved a \$298,653 beginning balance adjustment to the Account.

#### eCourt Program

Oregon eCourt is a multi-biennium program to modernize Oregon court business practices, service delivery, and information technology infrastructure. The program officially began in February 2008 and is scheduled to be completed in the 2015-17 biennium. Oregon eCourt encompasses the activities of the Supreme Court, Court of Appeals, Tax Court, and circuit courts. To date, the integrated Odyssey system, which replaces the Oregon Judicial Information Network (OJIN) and other OJD systems, has been implemented in five circuit courts. An additional fourteen circuit courts, including Multnomah Circuit Court, are scheduled for implementation in the 2013-15 biennium.

eCourt is funded with a combination of General Fund, Other Funds, and proceeds from sales of COPs and Article XI-Q bonds, which are supported with General Fund debt service.

The Subcommittee approved a budget of \$25,969,671 total funds of which \$1,870,726 is General Fund. This is a \$9.8 million, or 27.5 percent, reduction from the prior biennium level. There are 40 limited-duration positions associated with this program. The Subcommittee approved the following packages:

- Package 092: PERS Taxation Policy, reduces Other Funds expenditure limitation by \$21,219. This package reflects the policy change in Senate Bill 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30 percent.
- Package 093: Other PERS Adjustments, reduces Other Funds expenditure limitation by \$169,548. This package reflects the policy change in Senate Bill 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2 percent.
- Package 202: Oregon eCourt Program, adds \$24,289,712 Other Funds expenditure limitation, and establishes 40 limited-duration positions (37.96 FTE), for the continued implementation of the Oregon eCourt Program.

The expenditures and positions are financed with General Obligation (Article XI-Q) bond proceeds. Authorization to issue the bonds is not provided in this bill. Approval to issue the bonds must be included in the bond limit bill (expected to be Senate Bill 5506) to allow Package 202 expenditures to be funded.

As a bond-funded package, Package 202 is approved on a one-time basis and will be phased out in the development of the Department's 2015-17 biennium budget request. The Department may request, and the Subcommittee expects that it will request, additional bonds to complete Oregon eCourt implementation in the 2015-17 biennium, however, any request must be presented as a policy option package in the Chief Justice's 2015-17 biennium recommended budget.

- Package 811: General Fund Carry-Forward Adjustment includes General Fund reductions that will be restored during the 2013-15 biennium with the carry-forward of 2011-13 biennium General Fund ending balances. The Subcommittee reduced the General Fund appropriation for Services and Supplies by \$87,155.

### **2011-13 Budget Rebalance**

The Subcommittee approved a rebalance of the Department's 2011-13 biennium General Fund appropriations. It approved transferring \$1,162,469 of General Fund from Operations to fund increases needed in the Mandated Payments and Third-Party Debt Collection programs.

The Subcommittee approved adjustments to the General Fund appropriations made by chapter 634, section 1, Oregon Laws 2011, for the 2011-13 biennium as follows:

<u>Subsection</u>	<u>Amount</u>
(2) Operations	\$-1,162,469
(3) Mandated payments	\$+567,358

The Subcommittee also approved an adjustment to the General Fund appropriation made by chapter 600, section 15, Oregon Laws 2011, for the 2011-13 biennium as follows:

	<u>Amount</u>
Third party debt collection fees	\$+595,111



## **Summary of Performance Measure Action**

See attached Legislatively Adopted 2013-15 Key Performance Measures form. The Subcommittee approved most Key Performance Measures and KPM targets as presented, with the following exceptions. The Subcommittee deleted KPM #9 – Juror Satisfaction and KPM #10 – Quality Self-Represented Services. The Department requested that these KPMs be deleted because they do not have resources available to accurately track them. The Department also requested to delete KPM #8 – Drug Court Recidivism for the same reason; the Subcommittee did not approve this request. The Subcommittee directed the Department to work to obtain the data, perhaps from the Criminal Justice Commission, and report back during the February 2014 Legislative Session.

**DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION**

**HB 5016-A**

**Oregon Judicial Department**  
**Kay Erickson -- 503-378-4588**

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
2011-13 Legislatively Approved Budget at Dec 2012 *	\$ 367,952,634	\$ 0	\$ 56,914,830	\$ 0	\$ 1,303,013	\$ 0	\$ 426,170,477	1,878	1,752.66
2013-15 ORBITS printed Current Service Level (CSL)*	\$ 409,314,689	\$ 0	\$ 22,864,190	\$ 0	\$ 891,014	\$ 0	\$ 433,069,893	1,830	1,709.46
<b><u>SUBCOMMITTEE ADJUSTMENTS (from CSL)</u></b>									
<b>SCR 010 - Judicial Compensation</b>									
Package 092: PERS Taxation Policy									
Personal Services	\$ (266,380)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (266,380)	0	0.00
Package 093: Other PERS Adjustments									
Personal Services	\$ (2,128,503)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (2,128,503)	0	0.00
Package 211: 2012 Legislative Session Court of Appeals Panel									
Personal Services	\$ 956,220	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 956,220	3	2.64
Package 212: Judicial Compensation									
Personal Services	\$ 1,934,859	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,934,859	0	0.00
Package 810: LFO Analyst Adjustments									
Personal Services	\$ 640,933	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 640,933	0	0.00
Package 811: General Fund Carry-Forward Adjustment									
Personal Services	\$ (297,163)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (297,163)	0	0.00
<b>SCR 087 - eCourt Debt Service</b>									
Package 201: Oregon eCourt Debt Service									
Services and Supplies (Other COP costs)	\$ 0	\$ 0	\$ 530,319	\$ 0	\$ 0	\$ 0	\$ 530,319		
<b>SCR 100 - Trial Courts</b>									
Package 092: PERS Taxation Policy									
Personal Services	\$ (491,433)	\$ 0	\$ (10,979)	\$ 0	\$ 0	\$ 0	\$ (502,412)	0	0.00
Package 093: Other PERS Adjustments									
Personal Services	\$ (3,926,783)	\$ 0	\$ (87,730)	\$ 0	\$ 0	\$ 0	\$ (4,014,513)	0	0.00

**DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION**

**HB 5016-A**

**Oregon Judicial Department**  
**Kay Erickson -- 503-378-4588**

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE	
			LIMITED	NONLIMITED	LIMITED	NONLIMITED				
Package 210: Specialty Courts Grants										
Personal Services	\$ 0	\$ 0	\$ 908,012	\$ 0	\$ 0	\$ 0	\$ 908,012	7	4.90	
Package 810: LFO Analyst Adjustments										
Services and Supplies (unspecified)	\$ (2,000,000)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (2,000,000)			
Package 811: General Fund Carry-Forward Adjustment										
Services and Supplies	\$ (615,916)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (615,916)			
Package 812: Technical Adjustments										
Services and Supplies	\$ 0	\$ 0	\$ (1,214,807)	\$ 0	\$ 0	\$ 0	\$ (1,214,807)			
<b>SCR 101 - Appellate/Tax Courts</b>										
Package 092: PERS Taxation Policy										
Personal Services	\$ (48,145)	\$ 0	\$ (4,146)	\$ 0	\$ 0	\$ 0	\$ (52,291)	0	0.00	
Package 093: Other PERS Adjustments										
Personal Services	\$ (384,699)	\$ 0	\$ (33,127)	\$ 0	\$ 0	\$ 0	\$ (417,826)	0	0.00	
Package 211: 2012 Legislative Session Court of Appeals Panel										
Personal Services	\$ 1,420,849	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,420,849	9	8.64	
Services and Supplies	\$ 322,067	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 322,067			
Package 810: LFO Analyst Adjustments										
Services and Supplies (unspecified)	\$ (200,000)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (200,000)			
Package 812: Technical Adjustments										
Services and Supplies	\$ 0	\$ 0	\$ 1,422,902	\$ 0	\$ 0	\$ 0	\$ 1,422,902			
<b>SCR 102 - Administration and Central Support</b>										
Package 092: PERS Taxation Policy										
Personal Services	\$ (88,270)	\$ 0	\$ (13,588)	\$ 0	\$ (831)	\$ 0	\$ (102,689)	0	0.00	
Package 093: Other PERS Adjustments										
Personal Services	\$ (705,320)	\$ 0	\$ (108,577)	\$ 0	\$ (6,643)	\$ 0	\$ (820,540)	0	0.00	

**DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION**

**HB 5016-A**

**Oregon Judicial Department  
Kay Erickson -- 503-378-4588**

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE	
			LIMITED	NONLIMITED	LIMITED	NONLIMITED				
<b>Package 810: LFO Analyst Adjustments</b>										
Personal Services	\$ 0	\$ 0	\$ 0	\$ 0	\$ 344,371	\$ 0	\$ 344,371	0	0.00	
Services and Supplies	\$ (500,000)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (500,000)			
<b>Package 812: Technical Adjustments</b>										
Services and Supplies	\$ 0	\$ 0	\$ (278,095)	\$ 0	\$ 0	\$ 0	\$ (278,095)			
<b>SCR 200 - Mandated Payments</b>										
<b>Package 092: PERS Taxation Policy</b>										
Personal Services	\$ (10,230)	\$ 0	\$ (118)	\$ 0	\$ 0	\$ 0	\$ (10,348)	0	0.00	
<b>Package 093: Other PERS Adjustments</b>										
Personal Services	\$ (81,739)	\$ 0	\$ (941)	\$ 0	\$ 0	\$ 0	\$ (82,680)	0	0.00	
<b>Package 213: Contract Interpreter Rate Increase</b>										
Services and Supplies (Professional Services)	\$ 885,680	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 885,680			
<b>Package 810: LFO Analyst Adjustments</b>										
Services and Supplies (unspecified)	\$ (100,000)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (100,000)			
<b>Package 812: Technical Adjustments</b>										
Services and Supplies	\$ 0	\$ 0	\$ 70,000	\$ 0	\$ 0	\$ 0	\$ 70,000			
<b>SCR 220 - External Pass-Throughs</b>										
<b>Package 810: LFO Analyst Adjustments</b>										
Special Payments (Dist to Counties)	\$ (200,000)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (200,000)			
<b>Package 812: Technical Adjustments</b>										
Special Payments (Dist to Non-Gov Units)	\$ 0	\$ 0	\$ 11,900,000	\$ 0	\$ 0	\$ 0	\$ 11,900,000			
<b>SCR 400 - State Court Facilities Security Account</b>										
<b>Package 092: PERS Taxation Policy</b>										
Personal Services	\$ (2,039)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (2,039)	0	0.00	

**DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION**

**HB 5016-A**

**Oregon Judicial Department  
Kay Erickson -- 503-378-4588**

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
Package 093: Other PERS Adjustments Personal Services	\$ (16,289)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (16,289)	0	0.00
Package 214: Local Court Facilities Infrastructure Capital Outlay (Professional Services)	\$ 0	\$ 0	\$ 3,545,858	\$ 0	\$ 0	\$ 0	\$ 3,545,858		
Package 810: LFO Analyst Adjustments Personal Services	\$ (795,990)	\$ 0	\$ 795,990	\$ 0	\$ 0	\$ 0	\$ 0	0	0.00
<b>SCR 500 - eCourt Program</b>									
Package 092: PERS Taxation Policy Personal Services	\$ 0	\$ 0	\$ (21,219)	\$ 0	\$ 0	\$ 0	\$ (21,219)	0	0.00
Package 093: Other PERS Adjustments Personal Services	\$ 0	\$ 0	\$ (169,548)	\$ 0	\$ 0	\$ 0	\$ (169,548)	0	0.00
Package 202: Oregon eCourt Program Personal Services	\$ 0	\$ 0	\$ 8,738,333	\$ 0	\$ 0	\$ 0	\$ 8,738,333	40	37.96
Services and Supplies	\$ 0	\$ 0	\$ 12,414,498	\$ 0	\$ 0	\$ 0	\$ 12,414,498		
Capital Outlay	\$ 0	\$ 0	\$ 3,136,881	\$ 0	\$ 0	\$ 0	\$ 3,136,881		
Package 811: General Fund Carry-Forward Adjustment Services and Supplies	\$ (87,155)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (87,155)		
<b>TOTAL ADJUSTMENTS</b>	<b>\$ (6,785,446)</b>	<b>\$ 0</b>	<b>\$ 41,519,918</b>	<b>\$ 0</b>	<b>\$ 336,897</b>	<b>\$ 0</b>	<b>\$ 35,071,369</b>	<b>59</b>	<b>54.14</b>
<b>SUBCOMMITTEE RECOMMENDATION *</b>	<b>\$ 402,529,243</b>	<b>\$ 0</b>	<b>\$ 64,384,108</b>	<b>\$ 0</b>	<b>\$ 1,227,911</b>	<b>\$ 0</b>	<b>\$ 468,141,262</b>	<b>1,889</b>	<b>1,763.60</b>
% Change from 2011-13 Leg Approved Budget	9.4%	0.0%	13.1%	0.0%	-5.8%	0.0%	9.8%		
% Change from 2013-15 Current Service Level	-1.7%	0.0%	181.6%	0.0%	37.8%	0.0%	8.1%		

\*Excludes Capital Construction Expenditures

**DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION**

**HB 5016-A**

Oregon Judicial Department  
 Kay Erickson -- 503-378-4588

**2011-13 Budget Actions**

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
SCR 100 - Trial Courts Services and Supplies	\$ (1,162,469)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (1,162,469)		
SCR 200 - Mandated Payments Services and Supplies	\$ 567,358	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 567,358		
SCR 210 - Third Party Debt Collection Services and Supplies	\$ 595,111	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 595,111		
<b>Total Subcommittee Recommendation</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>		

## Legislatively Approved 2013-2015 Key Performance Measures

**Agency: JUDICIAL DEPARTMENT**

Mission: As a separate and independent branch of government, we provide fair and accessible justice services that protect the rights of individuals, preserve community welfare, and inspire public confidence

Legislatively Proposed KPMs	Customer Service Category	Agency Request	Most Current Result	Target 2014	Target 2015
1 - Accessible Interpreter Services: The percentage of dollars spent on Oregon Judicial Department (OJD) certified freelance interpreters out of the total expenditures for freelance (non-staff) interpreters of languages in which certification testing is offered by the OJD.		Approved KPM	99.00	99.00	99.00
2 - Collection Rate: The percentage of all monetary penalties imposed by the appellate and circuit courts that are collected.		Approved KPM	64.00	68.00	68.00
3 - OJIN Data Timeliness and Accuracy: Average number of calendar days between the date a judge signs a judgment and the date a judgment is entered into the official record.		Approved KPM	3.66	3.00	2.90
4 - Representative Workforce: The parity between the representation of persons of color in the civilian labor force and the representation of the same group in the workforce of the Oregon Judicial Department.		Approved KPM	87.00	100.00	100.00
5 - Trained Workforce: The percentage of OJD education program participants who reported gaining specific knowledge related to the OJD by attending the program.		Approved KPM	90.00	95.00	95.00
6 - Timely Case Processing: The percentage of cases disposed or otherwise resolved within established time frames.		Approved KPM	80.00	80.00	80.00
7 - Permanency Action Plans: The percentage of circuit courts with a performance measure supporting permanency outcomes for children in foster care.		Approved KPM	79.00	75.00	75.00
8 - Drug Court Recidivism: The percentage of adult drug court graduates with no misdemeanor or felony charges filed in Oregon circuit courts within one year of program graduation.		Approved KPM	93.00		

**Agency: JUDICIAL DEPARTMENT**

Mission: As a separate and independent branch of government, we provide fair and accessible justice services that protect the rights of individuals, preserve community welfare, and inspire public confidence

Legislatively Proposed KPMs	Customer Service Category	Agency Request	Most Current Result	Target 2014	Target 2015
11 - Court User Satisfaction (Oregon Agency Questions) The percentage of court users rating their satisfaction with the court's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Accuracy	Approved KPM	85.00	90.00	90.00
11 - Court User Satisfaction (Oregon Agency Questions) The percentage of court users rating their satisfaction with the court's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Availability of Information	Approved KPM	87.00	90.00	90.00
11 - Court User Satisfaction (Oregon Agency Questions) The percentage of court users rating their satisfaction with the court's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Expertise	Approved KPM	91.00	90.00	90.00
11 - Court User Satisfaction (Oregon Agency Questions) The percentage of court users rating their satisfaction with the court's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Helpfulness	Approved KPM	92.00	90.00	90.00
11 - Court User Satisfaction (Oregon Agency Questions) The percentage of court users rating their satisfaction with the court's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Overall	Approved KPM	89.00	90.00	90.00
11 - Court User Satisfaction (Oregon Agency Questions) The percentage of court users rating their satisfaction with the court's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Timeliness	Approved KPM	78.00	90.00	90.00
12 - Court User Satisfaction(Court-Related Questions) The percent of court users who believe that the court provides accessible, fair, accurate, timely, knowledgeable, and courteous services.		Approved KPM	91.00		



**Agency: JUDICIAL DEPARTMENT**

Mission: As a separate and independent branch of government, we provide fair and accessible justice services that protect the rights of individuals, preserve community welfare, and inspire public confidence

<b>Legislatively Proposed KPMs</b>	<b>Customer Service Category</b>	<b>Agency Request</b>	<b>Most Current Result</b>	<b>Target 2014</b>	<b>Target 2015</b>
9 - Juror Satisfaction: The percentage of jurors who are satisfied with their juror experience.		Legislative Delete	96.00		
10 - Quality Self-Represented Services: The percentage of litigants satisfied with family law facilitation services received.		Legislative Delete	97.00		

**LFO Recommendation:**

Approve Key Performance Measures (KPMs) and KPM targets as shown. Delete KPM #8 - Drug Court Recidivism, KPM #9 - Juror Satisfaction, and KPM #10 - Quality Self-Represented Services. The Department requested that these KPMs be deleted because they do not have resources available to accurately track them.

**Sub-Committee Action:**

The Subcommittee approved the Legislative Fiscal Office recommendation with one modification. The Subcommittee retained KPM #8 - Drug Court Recidivism, and directed the Department to work to obtain data for this measure and to report back on this effort during the 2014 regular legislative session.

**PROPOSED AMENDMENTS TO  
HOUSE BILL 5016**

1 On page 1 of the printed bill, line 7, delete “\$80,997,543” and insert  
2 “\$68,234,990”.

3 In line 8, delete “\$597,708,707” and insert “\$272,781,736”.

4 In line 9, delete “\$15,646,307” and insert “\$14,847,024”.

5 In line 10, delete “\$1,957,881” and insert “\$1,870,726”.

6 In line 11, delete “\$23,330,649” and insert “\$18,133,375”.

7 In line 19, delete “\$27,627,059” and insert “\$10,827,304”.

8 In line 20, delete “\$526,005” and insert “\$594,752”.

9 After line 21, insert:

10 “(4) State Court Facilities and

11 Security Account..... \$ 13,132,788

12 (5) Legal Aid Account..... \$ 11,900,000

13 (6) State Court Technology Fund..... \$ 3,300,000”.

14 In line 23, delete “\$24,324,682” and insert “\$24,289,712”.

15 In line 26, delete “\$892,384” and insert “\$1,227,911”.

16 On page 2, line 11, delete “\$7,312,384” and insert “\$7,212,384”.

17 In line 19, delete “\$7,312,384” and insert “\$7,212,384”.

18 Delete lines 25 through 27 and insert:

19 **“SECTION 9. (1) Notwithstanding any other provision of law, the**  
20 **General Fund appropriation made to the Judicial Department by sec-**  
21 **tion 1 (2), chapter 634, Oregon Laws 2011, for the biennium beginning**  
22 **July 1, 2011, is decreased by \$1,162,469 for operations.**

1       **“(2) Notwithstanding any other provision of law, the General Fund**  
2 **appropriation made to the Judicial Department by section 1 (3), chap-**  
3 **ter 634, Oregon Laws 2011, for the biennium beginning July 1, 2011, is**  
4 **increased by \$567,358 for mandated payments.**

5       **“(3) Notwithstanding any other provision of law, the General Fund**  
6 **appropriation made to the Judicial Department by section 15, chapter**  
7 **600, Oregon Laws 2011, for the biennium beginning July 1, 2011, is in-**  
8 **creased by \$595,111 for third party debt collection fees.**

9       **“SECTION 10. This 2013 Act being necessary for the immediate**  
10 **preservation of the public peace, health and safety, an emergency is**  
11 **declared to exist, and this 2013 Act takes effect on its passage.”.**

12

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