

BUDGET REPORT AND MEASURE SUMMARY

CARRIER: Rep. Williamson

Joint Committee On Ways and Means

Action: Do Pass.

Action Date: 04/10/15

Vote:

House

Yeas: 9 - Buckley, Gomberg, Komp, Nathanson, Rayfield, Smith, Whisnant, Whitsett, Williamson

Exc: 3 - Huffman, McLane, Read

Senate

Yeas: 10 - Devlin, Girod, Hansell, Johnson, Monroe, Roblan, Shields, Steiner Hayward, Thomsen, Whitsett

Exc: 2 - Bates, Winters

Prepared By: Michelle Lisper, Department of Administrative Services

Reviewed By: Steve Bender, Legislative Fiscal Office

Agency: Commission on Judicial Fitness and Disability

Biennium: 2015-17

Budget Summary*

	2013-15 Legislatively Approved Budget ⁽¹⁾	2015-17 Current Service Level	2015-17 Committee Recommendation	Committee Change from 2013-15 Leg. Approved	
				\$ Change	% Change
General Fund	\$ 206,651	\$ 209,602	\$ 219,814	\$ 13,163	6.4%
Total	\$ 206,651	\$ 209,602	\$ 219,814	\$ 13,163	6.4%

Position Summary

Authorized Positions	1	1	1	0
Full-time Equivalent (FTE) positions	0.50	0.50	0.50	0.00

⁽¹⁾ Includes adjustments through December 2014

* Excludes Capital Construction expenditures

Revenue Summary

The Commission on Judicial Fitness and Disability is supported entirely by General Fund. The Joint Committee on Ways and Means Public Safety Subcommittee recommended no revenue changes.

Summary of Public Safety Subcommittee Action

The Commission on Judicial Fitness and Disability is one of three independent state entities within the Judicial Branch. The Commission investigates complaints filed against Oregon judges. It has jurisdiction over the state’s 32 justices of the peace, 173 circuit court judges, 20 appellate court judges, the tax court judge and pro-tem judges, and 53 Plan B senior judges. It does not have jurisdiction over municipal court judges, arbitrators, or administrative law judges. The Commission may recommend the Oregon Supreme Court discipline a judge for misconduct and may censure, suspend, or remove a judge from the bench.

Part of the Commission’s budget is separately appropriated for extraordinary expenses. The expenses arise from prosecution of an apparent violation of the Code of Judicial Conduct. The costs are unpredictable and if needed, could grow significantly causing a budget imbalance. The separate appropriation provides additional funding specifically to finance these expenses, although the administration appropriation can also be used for this purpose as well.

The Public Safety Subcommittee approved a 2015-17 biennium budget of \$219,814 General Fund and one half-time position (0.50 FTE). This represents a 6.4 percent increase over the 2013-15 Legislatively Approved Budget through December 2014, and a 4.9 percent increase over the Current Service Level.

The Subcommittee approved the following adjustments to the Commission's Current Service Level budget:

- Package 801: LFO Analyst Adjustments corrects the agency's Current Service Level calculation. The package increases the General Fund appropriation for Personal Services by \$10,212, to fully fund flexible benefits for the Executive Director position. These funds were incorrectly omitted from the agency's Current Service Level calculation.

The Public Safety Subcommittee approved separate appropriations for the 2015-17 biennium as follows: subsection (1) Administration and subsection (2) Extraordinary expenses. The action supplements support for potential extraordinary expenses in 2015-17 biennium. The agency may not use the Extraordinary expenses appropriation for regular operating expenses.

The Public Safety Subcommittee appropriated General Fund as follows:

<u>Subsection</u>	<u>Amount</u>
(1) Administration	\$202,306
(2) Extraordinary expenses	\$ 17,508

Summary of Performance Measure Action

See attached Legislatively Approved 2015-17 Key Performance Measures form.

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

SB 5515-A

Commission on Judicial Fitness and Disability
Michelle Lisper -- 503-378-3195

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
2013-15 Legislatively Approved Budget at Dec 2014 *	\$ 206,651	\$ -	\$ -	\$ -	\$ -	\$ -	206,651	1	0.50
2015-17 Current Service Level (CSL)*	\$ 209,602	\$ -	\$ -	\$ -	\$ -	\$ -	209,602	1	0.50
SUBCOMMITTEE ADJUSTMENTS (from CSL)									
SCR 175-100 - Administration									
Package 801: LFO Analyst Adjustment									
Personal Services	\$ 10,212	\$ -	\$ -	\$ -	\$ -	\$ -	10,212	0	0.00
TOTAL ADJUSTMENTS	\$ 10,212	\$ -	\$ -	\$ -	\$ -	\$ -	10,212	0	0.00
SUBCOMMITTEE RECOMMENDATION *	\$ 219,814	\$ -	\$ -	\$ -	\$ -	\$ -	219,814	1	0.50
% Change from 2013-15 Leg Approved Budget	6.4%	0.0%	0.0%	0.0%	0.0%	0.0%	6.4%	0.0%	0.0%
% Change from 2015-17 Current Service Level	4.9%	0.0%	0.0%	0.0%	0.0%	0.0%	4.9%	0.0%	0.0%

*Excludes Capital Construction Expenditures

Legislatively Approved 2015-2017 Key Performance Measures

Agency: JUDICIAL FITNESS and DISABILITY, COMMISSION on

Mission: To ensure the quality of and effectiveness of the State Judicial System.

Legislatively Proposed KPMs	Customer Service Category	Agency Request	Most Current Result	Target 2016	Target 2017
- 1. Percent of Commission recommendations forwarded to the Supreme Court that are upheld by the Supreme Court.		Approved KPM	100.00	100.00	100.00
- 2. Percent of judges prosecuted by the Commission who are not exonerated.		Approved KPM	0.00	100.00	100.00
- 3. Percent of stipulated agreements unchanged and approved by the Supreme Court.		Approved KPM	100.00	100.00	100.00
- 4. Percent of prosecutions completed within two years of first review through date of final Commission action before the Supreme Court.		Approved KPM	100.00	95.00	95.00
- 5. Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information.	Accuracy	Approved KPM	14.00	79.00	79.00
- 5. Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information.	Availability of Information	Approved KPM	16.00	79.00	79.00
- 5. Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information.	Expertise	Approved KPM	13.00	79.00	79.00
- 5. Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information.	Helpfulness	Approved KPM	15.00	79.00	79.00
- 5. Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information.	Overall	Approved KPM	70.00	79.00	79.00
- 5. Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information.	Timeliness	Approved KPM	15.00	79.00	79.00

Agency: JUDICIAL FITNESS and DISABILITY, COMMISSION on

Mission: To ensure the quality of and effectiveness of the State Judicial System.

Legislatively Proposed KPMs	Customer Service Category	Agency Request	Most Current Result	Target 2016	Target 2017
- 6. Percent of total best practices met by the Board.		Approved KPM	93.00	100.00	100.00

LFO Recommendation:

Approve the Key Performance Measures and KPM targets shown above. The KPMs are unchanged from the 2013-15 biennium. The agency did not propose KPM targets for KPMs #1, #2, #3, #4, and #6. LFO recommends approving the identified targets, which are equal to the KPM targets established for the 2013-15 biennium. LFO notes that minimal KPM data exist for this agency. The Commission is easily able to track all KPMs, excluding KPM #5, however, the agency did not report data on KPM #6, and the low number of prosecutions and of cases submitted to the Supreme Court means that the most recent data for KPMs #1 through #4 date back to 2008. The most recent data for KPM #6 also dates back to 2008.

Sub-Committee Action:

The Subcommittee approved the Legislative Fiscal Office recommendation.