# Legislative Fiscal Office

Oregon State Capitol 900 Court Street NE, H-178 Salem, OR 97301 503-986-1828



# Joint Committee on Ways and Means

Sen. Betsy Johnson, Senate Co-Chair Sen. Elizabeth Steiner Hayward, Senate Co-Chair Rep. Dan Rayfield, House Co-Chair

Sen. Jackie Winters, Senate Co-Vice Chair Rep. David Gomberg, House Co-Vice Chair Rep. Greg Smith, House Co-Vice Chair

Ken Rocco, Legislative Fiscal Officer
Paul Siebert, Deputy Legislative Fiscal Officer

**To:** Public Safety Subcommittee

**From:** Gregory Jolivette, Legislative Fiscal Office

**Date:** June 5, 2019

**Subject:** SB 5513 – Oregon Judicial Department

Work Session Recommendations

#### **Oregon Judicial Department – Agency Totals**

	2015-17 Actual	2017-19 Legislatively Approved	2019-21 Current Service Level	2019-21 LFO Recommended
General Fund	431,879,018	454,524,551	505,643,238	521,330,637
Other Funds	131,468,646	262,993,590	50,074,088	43,154,865
Federal Funds	1,176,014	1,344,289	1,357,254	1,357,254
Total Funds	564,523,678	718,862,430	557,074,580	565,842,756
Positions	1,727	1,900	1,899	1,918
FTE	1,588.12	1,776.58	1,784.72	1,803.72

The agency reported a maximum supervisory ratio of 1:11 for the 2019-21 biennium.

Attached are the recommendations from the Legislative Fiscal Office for the Oregon Judicial Department. Recommendations include:

- Reduce General Fund support for the Oregon Judicial Department by \$5,000,000 to meet statewide GF spending targets.
- Approve Other Funds limitation of \$4,641,531 and 19 limited-duration positions (19.00 FTE) to continue administration of treatment and specialty courts grant funds. The existing positions are limited duration and will expire absent approval of this request.
- Provide \$6,090,641 General Fund on a one-time basis to cover (1) non-bondable costs related to the Supreme Court building project (\$5,340,641), and (2) moving expenses related to the recently completed Multnomah County Courthouse (\$750,000).

- Approve \$1,000,000 General Fund on a one-time basis, and \$2,400,000 Other Funds limitation for technology system maintenance costs. This assumes \$2,400,000 in new revenues from the passage of HB 2241 related to case initiation fees.
- Approve \$1,339,758 General Fund to increase judicial compensation effective July 1, 2020.
- Provide \$12,257,000 General Fund for Legal Aid services, which includes a 3% increase from the curent biennium. This is a pass-through to the Oregon State Bar.
- For 2017-19, shift a total of \$2,850,000 in General Fund balances to mandated payments (\$950,000) and third-party debt collection (\$1,900,000) to address higher than anticipated costs in these programs.

#### **Adjustments to Current Service Level**

See attached "Work Session Presentation Report."

Note: Statewide adjustments and six-year capital construction expenditures are not included in these recommendations. Any needed adjustments will be made in end of session bills.

Accept LFO Recommendation:

MOTION: I move the LFO recommendation to SB 5513. (VOTE)

OR

**Change** LFO Recommendation:

MOTION: I move the LFO recommendation to SB 5513, with modifications. (VOTE)

#### **Performance Measures**

See attached "Legislatively Proposed 2019-21 Key Performance Measures."

Accept LFO Recommendation:

MOTION: I move the LFO recommendation on Key Performance Measures. (VOTE)

OR

**Change** LFO Recommendation:

MOTION: I move the LFO recommendation on Key Performance Measures, with modifications. (VOTE)

#### **Budget Notes**

#1 Collaboration with Public Defense Services Commission:

The Oregon Judicial Department is directed to work collaboratively with the Public Defense Services Commission and other stakeholders to identify and implement changes to improve the Commission's oversight public defense services contracts, specifically on indigent defense.

Accept LFO Recommendation:

MOTION: I move the LFO recommendation on Budget Notes. (VOTE)

OR

**Change** LFO Recommendation (any changes must be approved by the co-chairs):

MOTION: I move the LFO recommendation on Budget Notes, with modifications. (VOTE)

#### **Recommended Changes**

LFO recommends a budget of \$521,330,637 General Fund, \$43,154,865 Other Funds, \$1,357,254 Federal Funds, and 1,918 positions (1,803.72 FTE), which is reflected in the -1 amendment.

MOTION: I move adoption of the -1 amendment to BILL SB 5513. (VOTE)

#### **Final Subcommittee Action**

LFO recommends that SB 5513, as amended by the -1 amendment, be moved to the Ways and Means Full Committee.

MOTION: I move SB 5513, as amended, to the Full Committee with a do pass recommendation. (VOTE)

<u>Carriers</u>	
Full Committee:	
House Floor:	
Senate Floor:	

Version: L - 01 - LFO Analyst Recommended Cross Reference: 19800-000-00-00-00000

**Judicial Dept** 

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Agy. Leg. Adopted	443,103,853	-	262,570,281	1,339,352	-	-	707,013,486	1,900	1,776.58
2017-19 Ebds, SS & Admin Act	11,420,698	-	423,309	4,937	-	-	11,848,944	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2017-19 Leg Approved Budget	454,524,551	-	262,993,590	1,344,289	-	-	718,862,430	1,900	1,776.58
2017-19 Leg Approved Budget (Base)	454,524,551	-	262,993,590	1,344,289	-	-	718,862,430	1,900	1,776.58
Summary of Base Adjustments	28,701,200	-	(16,977,044)	(10,936)	-	-	11,713,220	(24)	(12.86)
2019-21 Base Budget	483,225,751	-	246,016,546	1,333,353	-	-	730,575,650	1,876	1,763.72
010: Non-PICS Pers Svc/Vacancy Factor	17,056,427	-	444,036	(238)	-	-	17,500,225	-	-
020: Phase In / Out Pgm & One-time Cost	(258,273)	-	(197,123,814)	-	-	-	(197,382,087)	23	21.00
030: Inflation & Price List Adjustments	5,599,166	-	757,487	24,139	-	-	6,380,792	-	-
060: Technical Adjustments	20,167	-	(20,167)	-	-	-	-	-	-
2019-21 Current Service Level	505,643,238	-	50,074,088	1,357,254	-	-	557,074,580	1,899	1,784.72
070: Revenue Reductions/Shortfall	-	-	(3,122,307)	-	-	-	(3,122,307)	(4)	(4.00)
Adjusted 2019-21 Current Service Level	505,643,238	-	46,951,781	1,357,254	-	-	553,952,273	1,895	1,780.72
Total LFO Recommended Packages	15,687,399	-	(3,796,916)	-	-	-	11,890,483	23	23.00
2019-21 Legislative Actions	521,330,637	-	43,154,865	1,357,254	-	-	565,842,756	1,918	1,803.72
Net change from 2017-19 Leg Approved Budget	66,806,086	-	(219,838,725)	12,965	-	-	(153,019,674)	18	27.14
Percent change from 2017-19 Leg Approved Budget	14.7%	0.0%	(83.6%)	1.0%	0.0%	0.0%	(21.3%)	1.0%	1.5%
Net change from 2019-21 Adj Current Service Level	15,687,399	-	(3,796,916)	-	-	-	11,890,483	23	23.00
Percent change from 2019-21 Adj Current Service Level	3.1%	0.0%	(8.1%)	0.0%	0.0%	0.0%	2.2%	1.2%	1.3%

Version: L - 01 - LFO Analyst Recommended Cross Reference: 19800-010-00-00-00000 Judicial Compensation

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Agy. Leg. Adopted	78,304,753	-	-				78,304,753	196	194.50
2017-19 Ebds, SS & Admin Act	2,108,020	-	-			-	2,108,020	-	-
Ways & Means Actions	-	-	-			-	_	-	-
2017-19 Leg Approved Budget	80,412,773	-	-			-	80,412,773	196	194.50
2017-19 Leg Approved Budget (Base)	80,412,773	-	-			-	80,412,773	196	194.50
Summary of Base Adjustments	5,934,836	-	-			-	5,934,836	-	1.50
2019-21 Base Budget	86,347,609	-	-			-	86,347,609	196	196.00
010: Non-PICS Pers Svc/Vacancy Factor	18,243	-	-			-	18,243	-	-
020: Phase In / Out Pgm & One-time Cost	(564,317)	-	-			-	(564,317)	-	-
2019-21 Current Service Level	85,801,535	-	-			-	85,801,535	196	196.00
Adjusted 2019-21 Current Service Level	85,801,535	-	-			-	85,801,535	196	196.00
Total LFO Recommended Packages	1,339,758	-	-			-	1,339,758	-	-
2019-21 Legislative Actions	87,141,293	-	-			-	87,141,293	196	196.00
Net change from 2017-19 Leg Approved Budget	6,728,520	-	-			-	6,728,520	-	1.50
Percent change from 2017-19 Leg Approved Budget	8.4%	0.0%	0.0%	0.0%	0.0%	0.0%	8.4%	0.0%	0.8%
Net change from 2019-21 Adj Current Service Level	1,339,758	-	-			-	1,339,758	-	-
Percent change from 2019-21 Adj Current Service Level	1.6%	0.0%	0.0%	0.0%	0.0%	0.0%	1.6%	0.0%	0.0%

LFO102 - Work Session Presentation Report

2019-21 Biennium

Version: L - 01 - LFO Analyst Recommended
Cross Reference: 19800-010-00-00000

**Judicial Compensation** 

Agency Number: 19800

1	eneral Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 801 LFO Analyst Adjustments

Package Description This package provides a General Fund appropriation of \$1,339,758 to increase judicial compensation effective July 1, 2020.

LFO Recommendation Approve.

LFO Recommended 1,339,758 - - - - 1,339,758 -

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Version: L - 01 - LFO Analyst Recommended Cross Reference: 19800-087-00-00-0000

**OJD Debt Service** 

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Agy. Leg. Adopted	17,871,084	-	-	-		-	17,871,084	-	-
2017-19 Ebds, SS & Admin Act	5	-	-	-	-	-	5	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2017-19 Leg Approved Budget	17,871,089	-	-	-		-	17,871,089	-	-
2017-19 Leg Approved Budget (Base)	17,871,089	-	-	-		-	17,871,089	-	-
Summary of Base Adjustments	13,097,876	-	-	-	-	-	13,097,876	-	-
2019-21 Base Budget	30,968,965	-	-	-		-	30,968,965	-	-
020: Phase In / Out Pgm & One-time Cost	(5)	-	-	-	-	-	(5)	-	-
2019-21 Current Service Level	30,968,960	-	-	-		-	30,968,960	-	-
Adjusted 2019-21 Current Service Level	30,968,960	-	-	-		-	30,968,960	-	-
2019-21 Legislative Actions	30,968,960	-	-	-		-	30,968,960	-	-
Net change from 2017-19 Leg Approved Budget	13,097,871	-	-	-	_	-	13,097,871	-	-
Percent change from 2017-19 Leg Approved Budget	73.3%	0.0%	0.0%	0.0%	0.0%	0.0%	73.3%	0.0%	0.0%
Net change from 2019-21 Adj Current Service Level	-	-	-	-	-	-	-	-	-
Percent change from 2019-21 Adj Current Service Level	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

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**Capital Construction** 

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Agy. Leg. Adopted	-	-	14,900,000	-			14,900,000	-	-
2017-19 Ebds, SS & Admin Act	-	-	-	-	-			-	-
Ways & Means Actions	-	-	-	-	-			-	-
2017-19 Leg Approved Budget	-	-	14,900,000	-			14,900,000	-	-
2017-19 Leg Approved Budget (Base)	-	-	14,900,000	-			14,900,000	-	-
Summary of Base Adjustments	-	-	(14,900,000)	-			(14,900,000)	-	-
2019-21 Base Budget	-	-	-	-				-	-
2019-21 Current Service Level	-	-	-	-				-	-
Adjusted 2019-21 Current Service Level	-	-	-	-				-	-
Total LFO Recommended Packages	-	-	-	-				-	-
2019-21 Legislative Actions	-	-	-	-			· -	-	-
Net change from 2017-19 Leg Approved Budget	-	-	(14,900,000)	-	-		(14,900,000)	-	-
Percent change from 2017-19 Leg Approved Budget	0.0%	0.0%	(100.0%)	0.0%	0.0%	0.0%	(100.0%)	0.0%	0.0%
Net change from 2019-21 Adj Current Service Level	-	-	-	-				-	-
Percent change from 2019-21 Adj Current Service Level	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

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Agency Number: 19800

**Trial Courts** 

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Agy. Leg. Adopted	217,812,755		9,099,771		-		226,912,526	1,390	1,272.72
2017-19 Ebds, SS & Admin Act	5,653,643			-	-	-	5,653,643	-	-
Ways & Means Actions	-	-		-	-	-	-	-	-
2017-19 Leg Approved Budget	223,466,398		9,099,771	-		-	232,566,169	1,390	1,272.72
2017-19 Leg Approved Budget (Base)	223,466,398		9,099,771	-			232,566,169	1,390	1,272.72
Summary of Base Adjustments	7,296,085		(3,230,808)	-	-	-	4,065,277	(22)	(11.56)
2019-21 Base Budget	230,762,483		5,868,963	-			236,631,446	1,368	1,261.16
010: Non-PICS Pers Svc/Vacancy Factor	13,775,315	-	18,369	-	. <u>-</u>	-	13,793,684	-	-
020: Phase In / Out Pgm & One-time Cost	2,656,076	-	(685,980)	-	-	-	1,970,096	23	21.00
030: Inflation & Price List Adjustments	385,495	-	19,851	-	-	-	405,346	-	-
2019-21 Current Service Level	247,579,369	•	5,221,203	-	· -	-	252,800,572	1,391	1,282.16
070: Revenue Reductions/Shortfall	-	-	(651,553)	-	-	-	(651,553)	(4)	(4.00)
Adjusted 2019-21 Current Service Level	247,579,369		4,569,650	-			252,149,019	1,387	1,278.16
Total LFO Recommended Packages	(3,313,780)		5,293,084	-			1,979,304	23	23.00
2019-21 Legislative Actions	244,265,589		9,862,734	-	· -	-	254,128,323	1,410	1,301.16
Net change from 2017-19 Leg Approved Budget	20,799,191	-	762,963	-	-	-	21,562,154	20	28.44
Percent change from 2017-19 Leg Approved Budget	9.3%	0.0%	8.4%	0.0%	0.0%	0.0%	9.3%	1.4%	2.2%
Net change from 2019-21 Adj Current Service Level	(3,313,780)		5,293,084	-	-	-	1,979,304	23	23.00
Percent change from 2019-21 Adj Current Service Level	(1.3%)	0.0%	115.8%	0.0%	0.0%	0.0%	0.8%	1.7%	1.8%

Version: L - 01 - LFO Analyst Recommended

Cross Reference: 19800-100-00-00-00000

Agency Number: 19800

**Trial Courts** 

General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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#### Package 109 Treatment/Specialty Courts Grant Funding

<u>Package Description</u> This package provides Other Funds expenditure limitation of \$4,641,531 and 19 full-time limited-duration positions (19.00 FTE) for speciality/treatment court grants. The limitation will accomodate previously--awarded grants supporting treatment courts that extend into the 2019-21 biennium, and grants that are likely to be renewed in the 2019-21 biennium.

LFO Recommendation Approve

LFO Recommended - - 4,641,531 - - 4,641,531 19 19.00

06/07/19 10:41 AM LFO102 - Work Session Presentation Report

Version: L - 01 - LFO Analyst Recommended

Cross Reference: 19800-100-00-00-00000

Agency Number: 19800

**Trial Courts** 

General Lotte Fund Func		Federal Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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#### **Package 113 Application Contribution Program Support**

<u>Package Description</u> This package provides Other Funds expenditure limitation of \$651,553 and 4 limited-duration positions (4.00 FTE) for workload in the Application Contribution Program. The budget assumes new revenues of \$700,000 from the Application Contribution program.

<u>LFO Recommendation</u> Approve

LFO Recommended - - 651,553 - - 651,553 4 4.00

06/07/19 10:41 AM LFO102 - Work Session Presentation Report

Version: L - 01 - LFO Analyst Recommended

Cross Reference: 19800-100-00-00-00000

Agency Number: 19800

**Trial Courts** 

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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#### Package 801 LFO Analyst Adjustments

<u>Package Description</u> This package reduces the General Fund appropriation for Trial Court personal services by \$3,313,780 to balance the statewide General Fund budget within the level of available resources. Trial courts will be required to manage operations within the reduced level of funding.

<u>LFO Recommendation</u> Reduce General Fund by \$3,313,780

LFO Recommended (3,313,780) - - - - - (3,313,780) -

Version: L - 01 - LFO Analyst Recommended Cross Reference: 19800-101-00-00-00000

**Appellate/Tax Courts** 

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Agy. Leg. Adopted	22,222,278	-	2,801,960	-		-	25,024,238	102	100.80
2017-19 Ebds, SS & Admin Act	356,785	-	-	-		-	356,785	-	-
Ways & Means Actions	-	-	-	-		-	-	-	-
2017-19 Leg Approved Budget	22,579,063	-	2,801,960	-		-	25,381,023	102	100.80
2017-19 Leg Approved Budget (Base)	22,579,063	-	2,801,960	-		-	25,381,023	102	100.80
Summary of Base Adjustments	401,799	-	70,170	-		-	471,969	(1)	(2.28)
2019-21 Base Budget	22,980,862	-	2,872,130	-		-	25,852,992	101	98.52
010: Non-PICS Pers Svc/Vacancy Factor	1,392,706	-	1,944	-		-	1,394,650	-	-
020: Phase In / Out Pgm & One-time Cost	(56,573)	-	-	-		-	(56,573)	-	-
030: Inflation & Price List Adjustments	62,683	-	58,555	-		-	121,238	-	-
2019-21 Current Service Level	24,379,678	-	2,932,629	-		-	27,312,307	101	98.52
Adjusted 2019-21 Current Service Level	24,379,678	-	2,932,629	-		-	27,312,307	101	98.52
Total LFO Recommended Packages	(326,315)	-	-	-		-	(326,315)	-	-
2019-21 Legislative Actions	24,053,363	-	2,932,629	-		-	26,985,992	101	98.52
Net change from 2017-19 Leg Approved Budget	1,474,300	-	130,669	-		-	1,604,969	(1)	(2.28)
Percent change from 2017-19 Leg Approved Budget	6.5%	0.0%	4.7%	0.0%	0.0%	0.0%	6.3%	(1.0%)	(2.3%)
Net change from 2019-21 Adj Current Service Level	(326,315)	-	-	-		-	(326,315)	-	-
Percent change from 2019-21 Adj Current Service Level	(1.3%)	0.0%	0.0%	0.0%	0.0%	0.0%	(1.2%)	0.0%	0.0%

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**Appellate/Tax Courts** 

Agency Number: 19800

General Lotte Fund Func		Federal Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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#### Package 801 LFO Analyst Adjustments

<u>Package Description</u> This package reduces the General Fund appropriation for Appellate/Tax Courts personal services by \$326,315 to balance the statewide General Fund budget within the level of available resources. The Supreme Court, Court of Appeals and Tax Court will be required to manage operations within the reduced level of funding.

LFO Recommendation Reduce General Fund by \$326,315

LFO Recommended (326,315) - - - - (326,315) -

Version: L - 01 - LFO Analyst Recommended Cross Reference: 19800-102-00-00-00000 Administration and Central Support

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Agy. Leg. Adopted	58,071,769	-	21,592,930	1,339,352	-	-	81,004,051	185	181.95
2017-19 Ebds, SS & Admin Act	1,829,855	-	395,116	4,937	-	-	2,229,908	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2017-19 Leg Approved Budget	59,901,624	-	21,988,046	1,344,289	-	-	83,233,959	185	181.95
2017-19 Leg Approved Budget (Base)	59,901,624	-	21,988,046	1,344,289	-	-	83,233,959	185	181.95
Summary of Base Adjustments	1,879,777	-	1,009,211	(10,936)	-	-	2,878,052	(1)	(0.52)
2019-21 Base Budget	61,781,401	-	22,997,257	1,333,353	-	-	86,112,011	184	181.43
010: Non-PICS Pers Svc/Vacancy Factor	1,754,774	-	433,753	(238)	-	-	2,188,289	-	-
020: Phase In / Out Pgm & One-time Cost	323,804	-	(1,237,834)	-	-	-	(914,030)	-	-
030: Inflation & Price List Adjustments	3,485,665	-	442,120	24,139	-	-	3,951,924	-	-
060: Technical Adjustments	20,167	-	(19,501,032)	-	-	-	(19,480,865)	(30)	(30.00)
2019-21 Current Service Level	67,365,811	-	3,134,264	1,357,254	-	-	71,857,329	154	151.43
Adjusted 2019-21 Current Service Level	67,365,811	-	3,134,264	1,357,254	-	-	71,857,329	154	151.43
Total LFO Recommended Packages	5,188,969	-	410,000	-	-	-	5,598,969	-	-
2019-21 Legislative Actions	72,554,780	-	3,544,264	1,357,254	-	-	77,456,298	154	151.43
Net change from 2017-19 Leg Approved Budget	12,653,156	-	(18,443,782)	12,965	-	-	(5,777,661)	(31)	(30.52)
Percent change from 2017-19 Leg Approved Budget	21.1%	0.0%	(83.9%)	1.0%	0.0%	0.0%	(6.9%)	(16.8%)	(16.8%)
Net change from 2019-21 Adj Current Service Level	5,188,969	-	410,000	-	-	-	5,598,969	-	-
Percent change from 2019-21 Adj Current Service Level	7.7%	0.0%	13.1%	0.0%	0.0%	0.0%	7.8%	0.0%	0.0%

Version: L - 01 - LFO Analyst Recommended Cross Reference: 19800-102-00-00-00000

**Administration and Central Support** 

Agency Number: 19800

General Lottery Other Fu Fund Funds	ds Federal Nonlimited Funds Other Funds	Nonlimited Federal Funds	Positions	Full-Time Equivalent (FTE)
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#### Package 112 Supreme Court Building Preservation and Seismic Retrofit

<u>Package Description</u> This package provides a GF appropriation of \$5,340,641 and Other Funds limitation of \$410,000 for non-bondable costs associated with renovation of the Supreme Court building.

<u>LFO Recommendation</u> Approve

LFO Recommended 5,340,641 - 410,000 - - 5,750,641 -

06/07/19 10:41 AM LFO102 - Work Session Presentation Report
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Version: L - 01 - LFO Analyst Recommended Cross Reference: 19800-102-00-00-00000 Administration and Central Support

Agency Number: 19800

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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#### Package 801 LFO Analyst Adjustments

<u>Package Description</u> This package reduces the General Fund appropriation for Administration and Central Support, personal services, by \$901,672 to balance the statewide General Fund budget within the level of available resources. The divisions in the Office of the State Court Administrator will be required to manage operations within the reduced level of funding.

This package also provides \$750,000 General Fund for agency moving expenses associated with the new Multnomah County Courthouse. Any limitation for bond-supported courthouse replacement and improvement projects will be included in the end-of-session bill (SB 5507).

LFO Recommendation Approve

LFO Recommended (151,672) - - - - - (151,672) -

Version: L - 01 - LFO Analyst Recommended Cross Reference: 19800-200-00-00-00000

**Mandated Payments** 

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Agy. Leg. Adopted	15,892,653		662,667	-	-		16,555,320	23	22.61
2017-19 Ebds, SS & Admin Act	55,724	-	1,280	-	_		57,004	-	-
Ways & Means Actions	-	-	. <u>-</u>	-	-			-	-
2017-19 Leg Approved Budget	15,948,377		663,947	-	-		16,612,324	23	22.61
2017-19 Leg Approved Budget (Base)	15,948,377		663,947	-	-		16,612,324	23	22.61
Summary of Base Adjustments	90,827		3,080	-	-		93,907	-	-
2019-21 Base Budget	16,039,204		667,027	-	-		16,706,231	23	22.61
010: Non-PICS Pers Svc/Vacancy Factor	115,389		(502)	-	-		114,887	-	-
020: Phase In / Out Pgm & One-time Cost	(592)			-	-		(592)	-	-
030: Inflation & Price List Adjustments	452,160		22,584	-	-		474,744	-	-
2019-21 Current Service Level	16,606,161		689,109	-	-		17,295,270	23	22.61
Adjusted 2019-21 Current Service Level	16,606,161		689,109	-	-		17,295,270	23	22.61
2019-21 Legislative Actions	16,606,161		689,109	-	-		17,295,270	23	22.61
Net change from 2017-19 Leg Approved Budget	657,784		25,162	-	-		682,946	-	-
Percent change from 2017-19 Leg Approved Budget	4.1%	0.0%	3.8%	0.0%	0.0%	0.0%	4.1%	0.0%	0.0%
Net change from 2019-21 Adj Current Service Level	-			-	-			-	-
Percent change from 2019-21 Adj Current Service Level	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

Version: L - 01 - LFO Analyst Recommended Cross Reference: 19800-210-00-00-00000 3rd Party Debt Collection

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Agy. Leg. Adopted	14,751,808	-	_			·	- 14,751,808	-	-
2017-19 Ebds, SS & Admin Act	796,671	-	-	-			796,671	-	-
Ways & Means Actions	-	-	-	-				-	_
2017-19 Leg Approved Budget	15,548,479	-		-			- 15,548,479	-	-
2017-19 Leg Approved Budget (Base)	15,548,479	-	-				- 15,548,479	-	_
Summary of Base Adjustments	-	-	-	-				-	-
2019-21 Base Budget	15,548,479	-	. <u>-</u>			•	- 15,548,479	-	-
020: Phase In / Out Pgm & One-time Cost	(796,671)	-	-	-			(796,671)	-	-
030: Inflation & Price List Adjustments	560,569	-	-	-			- 560,569	-	-
2019-21 Current Service Level	15,312,377	-	. <u>-</u>	-			- 15,312,377	-	-
Adjusted 2019-21 Current Service Level	15,312,377	-					- 15,312,377	-	-
2019-21 Legislative Actions	15,312,377	-		-		•	- 15,312,377	-	-
Net change from 2017-19 Leg Approved Budget	(236,102)	-	-	-			- (236,102)	-	_
Percent change from 2017-19 Leg Approved Budget	(1.5%)	0.0%	0.0%	0.0%	0.0%	0.0%	(1.5%)	0.0%	0.0%
Net change from 2019-21 Adj Current Service Level	-	-	-	-				-	-
Percent change from 2019-21 Adj Current Service Level	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

Version: L - 01 - LFO Analyst Recommended Cross Reference: 19800-220-00-00-00000 External Pass-Throughs

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Agy. Leg. Adopted	15,840,390	-	11,900,000				27,740,390	-	-
2017-19 Ebds, SS & Admin Act	-	-	-					-	-
Ways & Means Actions	-	-	-					-	-
2017-19 Leg Approved Budget	15,840,390	-	11,900,000				27,740,390	-	-
2017-19 Leg Approved Budget (Base)	15,840,390	-	11,900,000				27,740,390	-	-
Summary of Base Adjustments	-	-	-					-	-
2019-21 Base Budget	15,840,390	-	11,900,000				27,740,390	-	-
020: Phase In / Out Pgm & One-time Cost	(1,200,000)	-	-				(1,200,000)	-	-
030: Inflation & Price List Adjustments	556,335	-	-				556,335	-	-
2019-21 Current Service Level	15,196,725	-	11,900,000				27,096,725	-	-
Adjusted 2019-21 Current Service Level	15,196,725	-	11,900,000				27,096,725	-	-
Total LFO Recommended Packages	11,798,767	-	(11,900,000)				(101,233)	-	-
2019-21 Legislative Actions	26,995,492	-	-				26,995,492	-	-
Net change from 2017-19 Leg Approved Budget	11,155,102	-	(11,900,000)				(744,898)	-	-
Percent change from 2017-19 Leg Approved Budget	70.4%	0.0%	(100.0%)	0.0%	0.0%	0.0%	(2.7%)	0.0%	0.0%
Net change from 2019-21 Adj Current Service Level	11,798,767	-	(11,900,000)				(101,233)	-	-
Percent change from 2019-21 Adj Current Service Level	77.6%	0.0%	(100.0%)	0.0%	0.0%	0.0%	(0.4%)	0.0%	0.0%

### LFO Analyst Recommended

LFO102 - Work Session Presentation Report 2019-21 Biennium

Version: L - 01 - LFO Analyst Recommended Cross Reference: 19800-220-00-00-00000

**External Pass-Throughs** 

Agency Number: 19800

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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#### Package 801 LFO Analyst Adjustments

<u>Package Description</u> This package reduces the General Fund appropriation for External Pass-Throughs (Law Commission, Council on Court Procedures, Conciliation and Mediation, and Law Libraries) by \$458,233 to balance the statewide General Fund budget within the level of available resources.

LFO Recommendation Reduce General Fund by \$458,233

LFO Recommended (458,233) - - - - - (458,233) -

Version: L - 01 - LFO Analyst Recommended

Cross Reference: 19800-220-00-00-00000 External Pass-Throughs

Agency Number: 19800

General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal	Total Funds	Positions	Full-Time Equivalent
					Funds			(FTE)

Package 802 Legal Aid

Package Description This package provides a General Fund appropriation of \$12,257,000 for the purpose of funding the Legal Services program established under ORS 9.572.

LFO Recommendation Approve.

LFO Recommended 12,257,000 - (11,900,000) - - - 357,000 -

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Version: L - 01 - LFO Analyst Recommended Cross Reference: 19800-230-00-00-00000 OR Courthouse Cap Const & Improvement Fd

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Agy. Leg. Adopted	-	-	195,200,000			-	195,200,000	-	-
2017-19 Ebds, SS & Admin Act	-	-	-	-		-	-	-	-
Ways & Means Actions	-	-	-	-		-	-	-	-
2017-19 Leg Approved Budget	-	-	195,200,000				195,200,000	-	-
2017-19 Leg Approved Budget (Base)	-	-	195,200,000				195,200,000	-	-
Summary of Base Adjustments	-	-	-			-	-	-	-
2019-21 Base Budget	-	-	195,200,000				195,200,000	-	-
020: Phase In / Out Pgm & One-time Cost	-	-	(195,200,000)			-	(195,200,000)	-	-
2019-21 Current Service Level	-	-	-				-	-	-
Adjusted 2019-21 Current Service Level	-	-	-			-	-	-	-
Total LFO Recommended Packages	-	-	-			-	-	-	-
2019-21 Legislative Actions	-	-	-				-	-	-
Net change from 2017-19 Leg Approved Budget	-	-	(195,200,000)	-		-	(195,200,000)	-	-
Percent change from 2017-19 Leg Approved Budget	0.0%	0.0%	(100.0%)	0.0%	0.0%	0.0%	(100.0%)	0.0%	0.0%
Net change from 2019-21 Adj Current Service Level	-	-	-	-		_	-	-	-
Percent change from 2019-21 Adj Current Service Level	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

Version: L - 01 - LFO Analyst Recommended Cross Reference: 19800-400-00-00-00000 State Court Facilities Security Account

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Agy. Leg. Adopted	-		- 6,412,953				6,412,953	4	4.00
2017-19 Ebds, SS & Admin Act	-		- 26,913				26,913	-	-
Ways & Means Actions	-							-	-
2017-19 Leg Approved Budget	-		- 6,439,866				6,439,866	4	4.00
2017-19 Leg Approved Budget (Base)	-		- 6,439,866				- 6,439,866	4	4.00
Summary of Base Adjustments	-		- 71,303				71,303	-	-
2019-21 Base Budget	-		- 6,511,169				6,511,169	4	4.00
010: Non-PICS Pers Svc/Vacancy Factor	-		- (9,528)				(9,528)	-	-
030: Inflation & Price List Adjustments	-		- 214,377				214,377	-	-
2019-21 Current Service Level	-		- 6,716,018				6,716,018	4	4.00
Adjusted 2019-21 Current Service Level	-		- 6,716,018				6,716,018	4	4.00
Total LFO Recommended Packages	-							-	-
2019-21 Legislative Actions	-		- 6,716,018				6,716,018	4	4.00
Net change from 2017-19 Leg Approved Budget	-		- 276,152				276,152	-	-
Percent change from 2017-19 Leg Approved Budget	0.0%	0.0%	4.3%	0.0%	0.0%	0.0%	4.3%	0.0%	0.0%
Net change from 2019-21 Adj Current Service Level	-							-	-
Percent change from 2019-21 Adj Current Service Level	0.0%	0.0%	6.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

Version: L - 01 - LFO Analyst Recommended Cross Reference: 19800-500-00-00-00000

**eCourt Program** 

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Agy. Leg. Adopted	2,336,363		-				2,336,363	-	-
2017-19 Ebds, SS & Admin Act	619,995	-		-			619,995	-	-
Ways & Means Actions	-	-		-				-	-
2017-19 Leg Approved Budget	2,956,358						2,956,358	-	-
2017-19 Leg Approved Budget (Base)	2,956,358						2,956,358	-	-
Summary of Base Adjustments	-							-	-
2019-21 Base Budget	2,956,358						2,956,358	-	-
020: Phase In / Out Pgm & One-time Cost	(619,995)	-		-			(619,995)	-	-
030: Inflation & Price List Adjustments	96,259	-		-			96,259	-	-
060: Technical Adjustments	-	-	19,480,865	-			19,480,865	30	30.00
2019-21 Current Service Level	2,432,622		19,480,865				21,913,487	30	30.00
070: Revenue Reductions/Shortfall	-		(2,470,754)				(2,470,754)	-	-
Adjusted 2019-21 Current Service Level	2,432,622		17,010,111				19,442,733	30	30.00
Total LFO Recommended Packages	1,000,000		2,400,000				3,400,000	-	-
2019-21 Legislative Actions	3,432,622		19,410,111				22,842,733	30	30.00
Net change from 2017-19 Leg Approved Budget	476,264		19,410,111				19,886,375	30	30.00
Percent change from 2017-19 Leg Approved Budget	16.1%	0.0%	100.0%	0.0%	0.0%	0.0%	672.7%	100.0%	100.0%
Net change from 2019-21 Adj Current Service Level	1,000,000		2,400,000				3,400,000	-	-
Percent change from 2019-21 Adj Current Service Level	41.1%	0.0%	14.1%	0.0%	0.0%	0.0%	17.5%	0.0%	0.0%

Version: L - 01 - LFO Analyst Recommended

Cross Reference: 19800-500-00-00-00000

Agency Number: 19800

**eCourt Program** 

General Lotte Fund Fund		Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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#### Package 801 LFO Analyst Adjustments

<u>Package Description</u> This package provides a General Fund appropriation of \$1,000,000 and Other Funds limitation of \$2,400,000 to cover maintenance costs of the Oregon Judicial Case Information Network system. It assumes \$2.4 million in new revenues from the passage of HB 2241.

<u>LFO Recommendation</u> Approve

LFO Recommended 1,000,000 - 2,400,000 - - 3,400,000 -

### **Legislatively Proposed 2019 - 2021 Key Performance Measures**

Published: 6/11/2019 1:46:46 PM

Agency: Judicial, Department of

#### Mission Statement:

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	Metrics	Agency Request	Last Reported Result	Target 2020	Target 202
c. Clearance Rates - Clearance rates measure whether the courts are reeping up with their incoming caseload. If cases are not disposed in a simely manner, a backlog of cases awaiting disposition will grow. This neasure is a single number that can be compared within the court for any and all case types, from month to month and year to year, or between one court and another. This information can help courts pinpoint emerging problems and indicate where improvements can be made.		Approved	94%	100%	100%
i. Time to First Permanency Hearing - Child abuse and neglect cases are lriven by one underlying principle: expeditious permanency for children. The onger children are in substitute care, the longer they are in doubt as to where heir permanent home will be and the more likely it is that they will have nultiple placements. Percent of cases that have first permanency hearing within 14 months		Approved	83%	95%	95%
5. Collection Rate - Percent of cases paid in full within a year of judgment violations only) This measure focuses solely on violations to evaluate the imeliness and effectiveness of collection actions. Most violations do not have the same barriers to collections that are encountered when collecting on elony and misdemeanor debt (debtors with history of criminal activity or lrug/alcohol abuse, incarceration, unemployment, multiple debts with OJD and other probation/parole agencies, higher amounts owed). By evaluating inlations only, OJD can determine which collection practices are most successful and what needs to change to see improvement. The collection practices that apply well in violations can often be applied to misdemeanor and felony cases even if the collection rate will be lower in those case types because of the barriers to collection described above.		Approved	81.20%	90%	90%
. Effective Use of Jurors - The percentage of available jurors who are elected for jury duty who are qualified and available to serve (juror yield) The lational Center for State Courts (NCSC) commonly uses a juror yield goal of 0 percent, a value demonstrated to be realistic in many well-managed ourts. The national average juror yield is approximately 53 percent. Although ariations are expected, points falling well above or well below the average an alert the court to the need for possible adjustments to the number of ersons summoned.		Approved	46.40%	53%	53%
D. Employee Retention - Annual employee turnover rate. Our target is to have a retention rate with no greater annual turnover than the State of Oregon's Department of Administrative Service (DAS) annual retention rate.		Approved	87%	88%	88%
. Access and Faimess - Rating of court users on the court's accessibility and its treatment of customers in terms of faimess, equality, respect.	Access	Proposed New	No Data	85%	85%
	Fairness		No Data	85%	85%
Time to Disposition - The percentage of cases disposed or otherwise esolved within established time frames.	Administration of Estates (720 Days)	Proposed New	No Data	98%	98%
	Adult Protective Proceedings (90 Days)		No Data	98%	98%

Legislatively Proposed KPMs	Metrics	Agency Request	Last Reported Result	Target 2020	Target 2021
	Domestic Relations (365 Days)		No Data	98%	98%
	FEDs (90 Days)		No Data	98%	98%
	Felony (365 Days)		No Data	98%	98%
	General Civil (540 Days)		No Data	98%	98%
	Juvenile Delinquency (180 Days)		No Data	98%	98%
	Juvenile Dependency (90 Days)		No Data	98%	98%
	Juvenile TPR (270 Days)		No Data	98%	98%
	Misdemeanor (180 Days)		No Data	98%	98%
	Small Claims (180 Days)		No Data	98%	98%
	Violations (90 Days)		No Data	98%	98%
4. Time to Judgement Entry - The percent of criminal cases that have a final judgment entered into the case register within three business days of the sentencing hearing or disposition.	Felony	Proposed New	No Data	98%	98%
	Misdemeanor		No Data	98%	98%
7. Drug Court Recidivism - The percent of adult drug court graduates with no misdemeanor or felony charges filed in Oregon circuit courts within one year of program graduation.		Proposed New	No Data	90%	90%
1. Access and Fairness - The Access and Fairness survey was developed by the National Center for State Courts. The anonymous survey asks questions on access and fairness, along with background information about the respondent. The questions are clear, concise, and most importantly, actionable. The rating method is straightforward so the survey can be completed in 5 minutes or less.		Proposed Delete	No Data	0%	TBD
3. Time to Disposition - This measure, in conjunction with Clearance Rates, is a fundamental management tool that assesses the length of time it takes a court to process cases. It compares a court's performance with national guidelines for timely case processing. The measure takes into account periods of inactivity beyond the court's control and provides a framework for meaningful measurement across all case types		Proposed Delete	No Data	0	TBD
4. Time to Judgement Entry - The average number of days between signature of a judgment and the date of entry into the official record		Proposed Delete	1.80	0	TBD
7. Oregon Recidivism Rates - The arrest, conviction, or incarceration of adults who have previously been convicted of a crime within three years of the date of conviction or release from custody of the previously convicted crime HB 3194 (2013) provides a new statewide definition of recidivism. The definition includes the arrest, conviction, or incarceration for a new crime within three years. The Department of Corrections (DOC) tracks recidivism for offenders starting felony probation and for offenders starting post-prison supervision or parole supervision in six month cohorts. This cohort is the starting population to track recidivism. The Oregon Judicial Department (OJD) submits quarterly circuit court case data to the Criminal Justice Commission (CJC) so it can be combined with the DOC data, along with arrest data from Oregon State Police (OSP), to track the three components of recidivism. The three components (incarceration, conviction, arrest) of this new recidivism analysis are tracked separately; a single offender can contribute to all three measures or a subset depending on the criminal justice system's response to the new criminal activity committed.		Proposed Delete	No Data	0%	TBD

Approve the proposed KPMs.

SubCommittee Action: