

**HB 5012 A BUDGET REPORT and MEASURE SUMMARY**

**Carrier:** Sen. Prozanski

**Joint Committee On Ways and Means**

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**Action Date:** 06/18/21

**Action:** Do pass the A-Eng bill.

**Senate Vote**

**Yeas:** 12 - Anderson, Frederick, Girod, Golden, Gorsek, Hansell, Johnson, Knopp, Lieber, Steiner Hayward, Taylor, Thomsen

**House Vote**

**Yeas:** 10 - Bynum, Drazan, Gomberg, Leif, McLain, Nosse, Rayfield, Sanchez, Sollman, Stark

**Exc:** 1 - Smith G

**Prepared By:** April McDonald, Department of Administrative Services

**Reviewed By:** John Borden, Legislative Fiscal Office

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**Judicial Department**

**2021-23**

**2019-21**

**Budget Summary\***

	2019-21	2021 - 23	2021-23	Committee Change from 2019-21 Leg.	
	Legislatively Approved Budget <sup>(1)</sup>	Current Service Level	Committee Recommendation	Approved	
				\$ Change	% Change
General Fund	\$ 502,453,039	\$ 544,357,972	\$ 556,415,667	\$ 53,962,628	10.7%
General Fund Debt Service	\$ 19,273,100	\$ 46,331,498	\$ 31,438,952	\$ 12,165,852	63.1%
Other Funds Limited	\$ 82,351,428	\$ 41,741,842	\$ 47,480,311	\$ (34,871,117)	(42.3%)
Other Funds Debt Service	\$ 9,432,005	\$ -	\$ -	\$ (9,432,005)	(100.0%)
Federal Funds Limited	\$ 1,374,374	\$ 1,476,446	\$ 1,476,446	\$ 102,072	7.4%
Total	\$ 614,883,946	\$ 633,907,758	\$ 636,811,376	\$ 21,927,430	3.6%

**Position Summary**

Authorized Positions	1,935	1,835	1,903	(32)
Full-time Equivalent (FTE) positions	1,817.22	1,804.06	1,865.30	48.08

<sup>(1)</sup> Includes adjustments through January 2021

\* Excludes Capital Construction expenditures

**2019-21 Supplemental Budget**

	2019-21	2019-21	Committee Change	
	Legislatively Approved Budget <sup>(1)</sup>	Committee Recommendation	\$ Change	% Change
General Fund	\$ 502,453,039	\$ 502,453,039	\$ -	0.0%
Total	\$ 502,453,039	\$ 502,453,039	\$ -	0.0%

**Summary of Revenue Changes**

The primary source of funding for the Oregon Judicial Department (OJD) is General Fund, supporting over 92% of total expenditures. Most of the Department’s Other Funds revenues are collected as fines, fees, and restitution awards associated with cases in the 36 Circuit Courts, the Tax Court, the Court of Appeals, and the Supreme Court. Additional revenues are generated from the sales of publications and court information, transfers of revenue from other state agencies, as well as local and federal grants. However, the Department only retains and spends a small portion of the revenue it collects. Most of the Department’s revenue is distributed; whether as a transfer to the General Fund, a deposit into the state’s Criminal Fine Account, a transfer to state and local government agencies or as payment to recipients of restitution and compensatory fine awards. The Department also spends Article XI-Q General Obligation bond proceeds as Other Funds expenditure limitation for capital construction projects.

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

The Oregon 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's mission is to provide access to court services for all, make Oregon courts work for the people, deliver dispute resolution, support partnerships with local communities, promote public safety, and earn the public's trust and confidence.

The Subcommittee recommended a budget of \$587,854,619 General Fund, \$636,811,376 total funds, and 1,903 positions (1,865.30 FTE) for the Department. The budget represents a total fund increase of 3.6%, from the 2019-21 legislatively approved budget, which reflects the removal of one-time funds provided for capital construction projects, and a total fund increase of 0.5% from the 2021-23 current service level. The Subcommittee also approved the following budget note for the Department:

### **Budget Note:**

The Oregon Judicial Department is requested to convene state and local government public safety and human services agencies and stakeholders for a statewide summit to discuss the intersection of behavioral health and the state court system. The objective of the summit is to identify recommendations, for consideration by the Legislature, for the continued improvement in the outcomes of individuals with behavioral health and substance abuse disorders participating in the criminal adjudicatory process. The Department is requested to report to the Emergency Board in September of 2022 with a report on the findings and recommendations arising from the summit.

## **Judicial Compensation**

The Judicial Compensation Division holds the budget for personal service costs supporting elected judicial officers and the statutorily established judgeships.

The Subcommittee recommended a total budget of \$95,761,823 General Fund and 198 permanent positions (198.00 FTE).

## **OJD Debt Service**

The Debt Service program provides General Fund to make principal and interest payments associated with Article XI-Q bonds issued on behalf of the Department. Proceeds from the bond sales have financed the development and implementation of the eCourt system, grants to counties through the Oregon Courthouse Capital Construction and Improvement Fund, and capital construction projects for the Supreme Court building.

The Subcommittee recommended a total budget of \$31,438,952 General Fund for debt service, and the following package:

Package 087, August 2020 Special Session. This package reduces General Fund debt service expenditures by \$14,892,546 as per SB 5721 (2020 2nd special session). Lane and Linn counties did not have the matching funds necessary for a bond sale during the 2019-21 biennium to support replacement of both county courthouses. Subsequently, the General Fund debt service expenditures have been reduced as follows:

- \$12,588,289 for the Lane County Courthouse
- \$2,304,257 for the Linn County Courthouse

### **Trial Courts**

The Trial Courts Division provides funding for the staff and operations of all 36 circuit courts in Oregon. The circuit court is Oregon’s trial court of general jurisdiction. This means the courts hear all case types regardless of the subject matter, amount of money involved, or severity of the alleged crime. These courts handle case filings and adjudicate matters and disputes in criminal, civil, domestic relations, traffic, juvenile, small claims, violations, abuse prevention, probate, mental commitments, adoption, and guardianship cases. Annual case filings for 2019 totaled over 720,000 cases; however, 2020 annual case filings were significantly lower, at nearly 457,000, due to COVID-19 impacts.

The Subcommittee recommended a total budget of \$294,139,909; including \$281,693,152 General Fund, \$12,446,757 Other Funds expenditure limitation, and 1,364 positions (1,336.47 FTE). The recommended budget includes the following packages:

Package 101, Ensuring Equitable Outcomes. This package increases General Fund by \$3,323,480 and authorizes establishment of 19 positions (17.80 FTE). Budget for associated services and supplies in the amount of \$172,100 is provided to support the established positions. The recommended budget includes funding as follows:

101, Data Tracking to reduce disparate outcomes: \$1,403,756 General Fund and nine permanent Judicial Services Specialist 3 positions (9.00 FTE) are provided to produce and analyze data used to track disparate outcomes in imposition and collection of fees and fines, pre-trial release, and other aspects of court decision-making and work.

101, Behavioral Health: \$1,919,724 General Fund and 10 permanent positions (8.80 FTE) are provided to continue implementation of SB 24 (2019) and SB 973 (2019) for support and services for people with serious mental illness and substance abuse issues. During the 2019 legislative session, OJD was granted court resources to begin supporting changes made to aid and assist requirements. This portion of Package 101 expands on legislative investments in promoting successful evaluation and treatment of people who have behavioral health or substance abuse disorders. Positions include three permanent full-time OJD Program Coordinator 3 positions (2.64 FTE) and seven permanent full-time OJD Program Coordinator 4 positions (6.16 FTE). Additional aid-and-assist coordinators are provided for the courts, intended to reduce state hospital admissions, and ensure appropriate and timely processing and placement of

defendants needing mental health services. Additionally, permanent treatment court coordinators are provided to stabilize and expand OJD's ability to provide cost-effective, research-based alternatives to traditional criminal case adjudication.

Package 102, Tech to Connect Courts, Rural Communities & Vulnerable Populations. This package provides \$80,518 General Fund and one permanent, full-time OJD Information Technology Specialist 1 (0.50 FTE). Lake County and Klamath County share technology personnel. Due to the size of the counties and the relative locations, it is difficult to provide information technology support and security remotely. This package provides a shared position to support the expanded online services for both counties.

Package 106, Other Funds for Collaborative Projects. This package provides \$6,596,481 Other Funds expenditure limitation and 23 limited duration positions (23.00 FTE). The total package amount includes \$318,000 for associated services and supplies. The recommended budget includes funding as follows:

106, Multnomah Resource Center: \$1,501,675 Other Funds expenditure limitation and five permanent positions (5.00 FTE) are provided in conjunction with the opening of the new Multnomah County Courthouse, where a free Legal Resource Center will provide assistance to the public. Positions include one OJD Supervisor 2 (1.00 FTE) and four Program Coordinator 1 positions (4.00 FTE). Multnomah County has created an agreement with the Multnomah County Circuit Court to use the county's Law Library funding, provided by the state, to pay for staffing and operations of the resource center.

106, Specialty Court Grants: \$5,094,806 Other Funds expenditure limitation and 18 limited duration OJD Program Coordinator 4 positions (18.00 FTE) are provided to fund various specialty court grants, primarily those received by the Criminal Justice Commission.

### **Appellate/Tax Courts**

This program funds the operations and staffing of Oregon's Supreme Court, the Court of Appeals and the Tax Court, as well as the State Law Library and Publications programs. The Supreme Court is established by the Oregon Constitution and consists of seven justices elected to serve a six-year term, one of whom is selected by their peers to serve as the Chief Justice for the Judicial Branch.

The Court of Appeals is Oregon's intermediate appellate court. By statute, the Court of Appeals is charged with nearly all civil and criminal appeals in Oregon's trial courts and nearly all the judicial reviews from administrative agencies in contested cases. Created by statute in 1969, the Court of Appeals does not exercise any constitutional jurisdiction; its jurisdiction is set by the Legislature. The Court of Appeals consists of 13 judges selected by statewide election to serve six-year terms.

Oregon's Tax Court was established in 1961 as the nation's first judicial branch state tax court, a model other states have since followed. The Tax Court consists of one judge, also selected by statewide election for a six-year term, who only hears matters arising from Oregon tax law.

The Tax Court has two divisions – a Regular Division and a Tax Magistrate Division created in 1997, to replace the informal administrative tax appeals process conducted by the Department of Revenue.

The Subcommittee recommended a total budget of \$30,646,746; including \$27,422,004 General Fund, \$3,224,742 Other Funds expenditure limitation, and 101 positions (98.52 FTE). The recommended budget includes the following packages:

Package 104, Court Capacity to Increase Access to Justice. This package increases General Fund by \$205,158 and authorizes the establishment of one permanent full-time Law Clerk (1.00 FTE). The package includes \$10,700 in associated services and supplies.

### **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 state’s circuit, tax, and appellate courts, as well as establishing and managing statewide administrative policies and procedures. This Division includes resources for the Executive Services Division, the Judicial Marshal’s Office, and a multitude of programs and services including budget, accounting, human resources, legal support, internal audits, education, and information technology. In addition, the OSCA has the responsibility for administrative management of the Appellate Court Records Section, State of Oregon Law Library, publications, interpreter and shorthand reporter certification programs, and the Citizen Review Board program.

The Subcommittee recommended a budget of \$87,917,782 total funds; including \$81,486,715 General Fund, \$4,954,621 Other Funds expenditure limitation, \$1,476,446 Federal Funds expenditure limitation, and 183 positions (175.70 FTE). The recommended budget includes the following packages:

Package 101, Ensuring Equitable Outcomes. This package provides \$2,426,371 General Fund and authorizes the establishment of nine permanent positions (8.50 FTE). The package includes \$415,500 in associated services and supplies. The recommended budget includes funding as follows:

101, Data Tracking to reduce disparate outcomes: \$1,108,341 General Fund and four permanent positions (4.00 FTE) are provided to produce and analyze data used to track disparate outcomes in imposition and collection of fees and fines, pre-trial release, and other aspects of court decision-making and work. Positions include two OJD Analyst 3 positions (2.00 FTE) and two OJD Analyst 4 positions (2.00 FTE).

101, Equity, Diversity, and Inclusion: \$635,680 General Fund and two permanent positions (2.00 FTE) are provided for human resources support. These positions are intended for work including, but not limited to training, conferences, and equity, diversity and inclusion initiatives. This includes one permanent OJD Human Resources Manager (1.00 FTE) and one Management Assistant (1.00 FTE).

101, Juvenile Delinquency Improvement Project: \$682,350 General Fund and three permanent positions (2.50 FTE) are provided to support the Juvenile Delinquency Improvement Project. Positions include one permanent part-time Senior Staff Counsel (0.50 FTE), one permanent full-time OJD Analyst 4 (1.00 FTE), and one permanent full-time OJD Analyst 3 (1.00 FTE).

Package 102, Tech to Connect Courts, Rural Communities & Vulnerable Populations. This package provides \$2,019,485 General Fund and two positions (1.00 FTE) to support staffing for secure systems. The package includes \$1,770,653 in associated services and supplies to support one permanent, full-time OJD Information Technology Specialist 3 (0.50 FTE) and one permanent full-time OJD Information Technology Specialist 4 (0.50 FTE).

Package 103, Better Outcomes for Children & Families. This package provides \$702,683 General Fund, \$933,772 Other Funds expenditure limitation and nine positions (7.44 FTE) to provide centralized support for self-represented litigants seeking to navigate family law related to child support. The package includes \$121,100 total funds in associated services and supplies. The Other Funds are received as Title IV-D federal financial participation matching funds for Child Support transferred from the Oregon Department of Justice - Division of Child Support. Positions include one permanent full-time OJD Analyst 4 (0.88 FTE), one permanent full-time Senior Staff Counsel (0.92 FTE); one permanent full-time Hearings Referee (0.75 FTE), one permanent full-time Program Coordinator 4 (0.88 FTE); three permanent full-time Program Coordinator 1 positions (2.25 FTE); and two permanent full-time Judicial Services Specialist 3 positions (1.76 FTE). Two of the nine position are ineligible for federal matching funds.

Package 106, Other Funds for Collaborative Projects. This package provides \$558,216 Other Funds expenditure limitation and four limited duration positions (2.00 FTE). OJD has an intergovernmental agreement to support base level information technology services for the Public Defense Services Commission for a period of one year or until June 30, 2022. There is no funding in this package to support the development or implementation of a new case management or finance management system. Positions include one limited duration OJD Deputy Director for the Enterprise Technology Services Division (0.50 FTE), one limited duration OJD Information Technology Specialist 2 (0.50 FTE), and two limited duration OJD Information Technology Specialist 1 positions (1.00 FTE).

### **Mandated Payments**

The Mandated Payments program funds the federally and state-mandated ancillary services of providing trial and grand jurors, court interpreters, civil arbitration costs for indigent persons, appellate civil transcript costs, and Americans with Disabilities Act accommodation for litigants and the public.

The Subcommittee recommended a budget of \$18,530,964 total funds, including \$17,819,193 General Fund, \$711,771 Other Funds expenditure limitation, and 23 positions (22.61 FTE).

### **Third-Party Debt Collection**

The Third-Party Debt Collection structure was established to house and make transparent the cost of paying third-party debt collectors associated with the collection of fees, fines, and restitution. The types of expenditures in this appropriation include credit card fees, State Treasury charges for banking services, Department of Revenue fees, and private collection firm fees. In the 2019-21 biennium, the state is expected to recover \$4.44 for each \$1.00 spent on third-party collection activities. Collection fees are only paid on successful collections.

The Subcommittee recommended a budget of \$15,970,809 General Fund. There are no positions associated with the Third-Party Debt Collection program.

### **External Pass-Throughs**

This budget structure was established to account for various pass-through payments to external entities. This includes expenditure limitation and funding for payments to counties supporting law libraries and mediation/conciliation programs, biennial funding for the Council on Court Procedures and the Oregon Law Commission. Prior to the 2019 legislative session, payments to the Oregon State Bar for Legal Aid programs were being allocated from circuit court filing fees, paid as Other Funds from this budget structure. However, during the 2019 legislative session, the amount for legal aid was increased and changed to a General Fund appropriation.

The Subcommittee recommended a budget of \$28,156,299 General Fund. No positions are associated with the External Pass-Throughs program.

### **State Court Facilities Security Account**

This Division's responsibilities include statewide security improvements, emergency preparedness, business continuity training, and support of the security program at county courthouses. The funds are provided by the State Court Facilities and Security Account (SCFSA), which is supported by allocations from the state's Criminal Fines Account. The four discrete, allowable expense categories in the Division are as follows:

- Development or implementation of the plan for state court security emergency preparedness, business continuity, and physical security;
- 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 recommended a budget of \$8,155,362 Other Funds expenditure limitation and four positions (4.00 FTE). The recommended budget includes the following package:

Package 105, Safe Court Facilities. This package provides a one-time increase of \$950,000 Other Funds expenditure limitation for Capital Outlay. The supporting revenue comes from the SCFSA balance. The purpose of this package is to fund safety and security capital improvements at the Josephine County Courthouse (\$700,000) and the Klamath Falls County Courthouse (\$250,000).

### **State Court Technology Fund (eCourt Program)**

Oregon eCourt is a multi-biennia program to modernize Oregon court business practices, service delivery, and information technology infrastructure for the courts. The program officially began in February 2008, and completed its county rollout in the 2015-17 biennium. Oregon eCourt encompasses the activities of the Supreme Court, Court of Appeals, Tax Court and circuit courts. Funding included in the recommended budget covers ongoing maintenance and operating costs for this system.

The Subcommittee recommended a budget of \$26,092,730 total funds; including \$8,105,672 General Fund, \$17,987,058 Other Funds expenditure limitation, and 30 positions (30.00 FTE). The recommended budget includes the following packages:

Package 070, Revenue Shortfalls. This package reduces Other Funds expenditure limitation by \$3,300,000, in response to a revenue shortfall in the State Court Technology Fund. This package makes necessary expenditure reductions in order to adjust budget to available revenues.

Package 102, Tech to Connect Courts, Rural Communities & Vulnerable Populations. This package provides \$3,300,000 General Fund for services and supplies. The package is intended to provide additional General Fund resources in response to the State Court Technology Fund revenue shortfall. It is anticipated this investment will adequately fund information technology contractual services.

### **2019-21 Supplemental Budget**

The Subcommittee recommended a decrease of \$750,000 General Fund for OJD operations and an increase of \$750,000 General Fund for the Third-Party Debt Collection appropriation in the biennium ending June 30, 2021. This action provides OJD with a rebalance of existing resources.

### **Summary of Performance Measure Action**

See attached Legislatively Adopted 2021-23 Key Performance Measures form.

## DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

### Judicial Department

April McDonald -- 503-877-8125

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE	
			LIMITED	NONLIMITED	LIMITED	NONLIMITED				
2019-21 Legislatively Approved Budget at Jan. 2021*	\$ 521,726,139	\$ -	\$ 91,783,433	\$ -	\$ 1,374,374	\$ -	614,883,946	1,935	1,817.22	
2021-23 Current Service Level (CSL)*	\$ 590,689,470	\$ -	\$ 41,741,842	\$ -	\$ 1,476,446	\$ -	633,907,758	1,835	1,804.06	
<b>SUBCOMMITTEE ADJUSTMENTS (from CSL)</b>										
<b>SCR 087 - OJD Debt Service</b>										
Package 087: August 2020 Special Session										
Debt Service	\$ (14,892,546)	\$ -	\$ -	\$ -	\$ -	\$ -	(14,892,546)			
<b>SCR 100 - Trial Courts</b>										
Package 101: Ensuring Equitable Outcomes										
Personal Services	\$ 3,151,380	\$ -	\$ -	\$ -	\$ -	\$ -	3,151,380	19	17.80	
Services and Supplies	\$ 172,100	\$ -	\$ -	\$ -	\$ -	\$ -	172,100			
Package 102: Tech To Connect Courts, Rural Commun. & Vulnerable Populations										
Personal Services	\$ 80,518	\$ -	\$ -	\$ -	\$ -	\$ -	80,518	1	0.50	
Package 106: Other Funds for Collaborative Projects										
Personal Services	\$ -	\$ -	\$ 6,278,481	\$ -	\$ -	\$ -	6,278,481	23	23.00	
Services and Supplies	\$ -	\$ -	\$ 318,000	\$ -	\$ -	\$ -	318,000			
<b>SCR 101 - Appellate/Tax Courts</b>										
Package 104: Court Capacity to Increase Access to Justice										
Personal Services	\$ 194,458	\$ -	\$ -	\$ -	\$ -	\$ -	194,458	1	1.00	
Services and Supplies	\$ 10,700	\$ -	\$ -	\$ -	\$ -	\$ -	10,700			
<b>SCR 102 - Administration and Central Support</b>										
Package 101: Ensuring Equitable Outcomes										
Personal Services	\$ 2,010,871	\$ -	\$ -	\$ -	\$ -	\$ -	2,010,871	9	8.50	
Services and Supplies	\$ 415,500	\$ -	\$ -	\$ -	\$ -	\$ -	415,500			
Package 102: Tech To Connect Courts, Rural Commun. & Vulnerable Populations										
Personal Services	\$ 248,832	\$ -	\$ -	\$ -	\$ -	\$ -	248,832	2	1.00	
Services and Supplies	\$ 1,770,653	\$ -	\$ -	\$ -	\$ -	\$ -	1,770,653			
Package 103: Better Outcomes for Children & Families										
Personal Services	\$ 661,509	\$ -	\$ 853,846	\$ -	\$ -	\$ -	1,515,355	9	7.44	
Services and Supplies	\$ 41,174	\$ -	\$ 79,926	\$ -	\$ -	\$ -	121,100			
Package 106: Other Funds for Collaborative Projects										
Personal Services	\$ -	\$ -	\$ 558,216	\$ -	\$ -	\$ -	558,216	4	2.00	

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
<b>SCR 400 - State Court Facilities Security Account</b>									
Package 105: Safe Court Facilities									
Capital Outlay	\$ -	\$ -	\$ 950,000	\$ -	\$ -	\$ -	\$ 950,000		
<b>SCR 500 - eCourt Program</b>									
Package 102: Tech To Connect Courts, Rural Commun. & Vulnerable Populations									
Services and Supplies	\$ 3,300,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,300,000		
Package 070: Revenue Shortfalls									
Services and Supplies	\$ -	\$ -	\$ (3,300,000)	\$ -	\$ -	\$ -	\$ (3,300,000)		
TOTAL ADJUSTMENTS	\$ (2,834,851)	\$ -	\$ 5,738,469	\$ -	\$ -	\$ -	\$ 2,903,618	68	61.24
SUBCOMMITTEE RECOMMENDATION *	\$ 587,854,619	\$ -	\$ 47,480,311	\$ -	\$ 1,476,446	\$ -	\$ 636,811,376	1,903	1,865.30
% Change from 2019-21 Leg Approved Budget	12.7%	0.0%	(48.3%)	0.0%	7.4%	0.0%	3.6%	(1.7%)	2.6%
% Change from 2021-23 Current Service Level	(0.5%)	0.0%	13.7%	0.0%	0.0%	0.0%	0.5%	3.7%	3.4%

\*Excludes Capital Construction Expenditures

**2019-21 SUPPLEMENTAL BUDGET**

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
<b>SCR 102 - Professional Services Account</b>									
Services and Supplies	\$ (750,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (750,000)		
<b>SCR 210 - Third-Party Debt Collections</b>									
Services and Supplies	\$ 750,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 750,000		
SUBCOMMITTEE RECOMMENDATION	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		

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

Judicial Department  
 April McDonald -- 503-877-8125

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE	
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<b><u>SUBCOMMITTEE ADJUSTMENTS (from CSL)</u></b>										
<b>SCR 087 - OJD Debt Service</b>										
Package 087: August 2020 Special Session										
Debt Service	\$ (14,892,546)	\$ -	\$ -	\$ -	\$ -	\$ -	(14,892,546)			
<b>SCR 100 - Trial Courts</b>										
Package 101: Ensuring Equitable Outcomes										
Personal Services	\$ 3,151,380	\$ -	\$ -	\$ -	\$ -	\$ -	3,151,380	19	17.80	
Services and Supplies	\$ 172,100	\$ -	\$ -	\$ -	\$ -	\$ -	172,100			
Package 102: Tech To Connect Courts, Rural Commun. & Vulnerable Populations										
Personal Services	\$ 80,518	\$ -	\$ -	\$ -	\$ -	\$ -	80,518	1	0.50	
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<b>SCR 101 - Appellate/Tax Courts</b>										
Package 104: Court Capacity to Increase Access to Justice										
Personal Services	\$ 194,458	\$ -	\$ -	\$ -	\$ -	\$ -	194,458	1	1.00	
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<b>SCR 102 - Administration and Central Support</b>										
Package 101: Ensuring Equitable Outcomes										
Personal Services	\$ 2,010,871	\$ -	\$ -	\$ -	\$ -	\$ -	2,010,871	9	8.50	
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<b>SCR 400 - State Court Facilities Security Account</b>									
Package 105: Safe Court Facilities									
Capital Outlay	\$ -	\$ -	\$ 950,000	\$ -	\$ -	\$ -	\$ 950,000		
<b>SCR 500 - eCourt Program</b>									
Package 102: Tech To Connect Courts, Rural Commun. & Vulnerable Populations									
Services and Supplies	\$ 3,300,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,300,000		
Package 070: Revenue Shortfalls									
Services and Supplies	\$ -	\$ -	\$ (3,300,000)	\$ -	\$ -	\$ -	\$ (3,300,000)		
TOTAL ADJUSTMENTS	\$ (2,834,851)	\$ -	\$ 5,738,469	\$ -	\$ -	\$ -	\$ 2,903,618	68	61.24
SUBCOMMITTEE RECOMMENDATION *	\$ 587,854,619	\$ -	\$ 47,480,311	\$ -	\$ 1,476,446	\$ -	\$ 636,811,376	1,903	1,865.30
% Change from 2019-21 Leg Approved Budget	12.7%	0.0%	(48.3%)	0.0%	7.4%	0.0%	3.6%	(1.7%)	2.6%
% Change from 2021-23 Current Service Level	(0.5%)	0.0%	13.7%	0.0%	0.0%	0.0%	0.5%	3.7%	3.4%

\*Excludes Capital Construction Expenditures

**2019-21 SUPPLEMENTAL BUDGET**

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
<b>SCR 102 - Professional Services Account</b>									
Services and Supplies	\$ (750,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (750,000)		
<b>SCR 210 - Third-Party Debt Collections</b>									
Services and Supplies	\$ 750,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 750,000		
SUBCOMMITTEE RECOMMENDATION	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		

# Legislatively Approved 2021 - 2023 Key Performance Measures

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**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 Approved KPMs	Metrics	Agency Request	Last Reported Result	Target 2022	Target 2023
1. Access and Fairness - Rating of court users on the court's accessibility and its treatment of customers in terms of fairness, equality, respect.	Access	Approved	73%	85%	85%
	Fairness		62%	85%	85%
2. Clearance Rates - Clearance rates measure whether the courts are keeping up with their incoming caseload. If cases are not disposed in a timely manner, a backlog of cases awaiting disposition will grow. This measure 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	95%	100%	100%
3. Time to Disposition - The percentage of cases disposed or otherwise resolved within established time frames.	Administration of Estates (720 Days)	Approved	88.500%	98%	98%
	Adult Protective Proceedings (90 Days)		85.700%	98%	98%
	Domestic Relations (365 Days)		90.800%	98%	98%
	FEDs (90 Days)		80.500%	98%	98%
	Felony (365 Days)		90.400%	98%	98%
	General Civil (540 Days)		97.800%	98%	98%
	Juvenile Delinquency (180 Days)		74.300%	98%	98%
	Juvenile Dependency (90 Days)		52.600%	98%	98%
	Juvenile TPR (270 Days)		65.800%	98%	98%
	Misdemeanor (180 Days)		80.500%	98%	98%
	Small Claims (180 Days)		82.200%	98%	98%
	Violations (90 Days)		86.600%	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	Approved	87.300%	98%	98%
	Misdemeanor		93.500%	98%	98%
5. Time to First Permanency Hearing - Child abuse and neglect cases are driven by one underlying principle: expeditious permanency for children. The longer children are in substitute care, the longer they are in doubt as to where their permanent home will be and the more likely it is that they will have multiple placements. Percent of cases that have first permanency hearing within 14 months		Approved	84%	95%	95%

Legislatively Approved KPMS	Metrics	Agency Request	Last Reported Result	Target 2022	Target 2023
6. Collection Rate - Percent of cases paid in full within a year of judgment (violations only) This measure focuses solely on violations to evaluate the timeliness and effectiveness of collection actions. Most violations do not have the same barriers to collections that are encountered when collecting on felony and misdemeanor debt (debtors with history of criminal activity or drug/alcohol abuse, incarceration, unemployment, multiple debts with OJD and other probation/parole agencies, higher amounts owed). By evaluating violations 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	82%	90%	90%
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.		Approved	95.300%	90%	90%
8. Effective Use of Jurors - The percentage of available jurors who are selected for jury duty who are qualified and available to serve (juror yield) The National Center for State Courts (NCSC) commonly uses a juror yield goal of 40 percent, a value demonstrated to be realistic in many well-managed courts. The national average juror yield is approximately 53 percent. Although variations are expected, points falling well above or well below the average can alert the court to the need for possible adjustments to the number of persons summoned.		Approved	46.50%	53%	55%
9. 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%	90%

**LFO Recommendation:**

The Legislative Fiscal Office recommends the approval of the existing Key Performance Measures and Targets.

**SubCommittee Action:**

The Public Safety Subcommittee adopted the Legislative Fiscal Office recommendation.