

## Legislative Fiscal Office

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## Joint Committee on Ways and Means

Senator Elizabeth Steiner, Senate Co-Chair  
Representative Tawna Sanchez, House Co-Chair

Senator Fred Girod, Senate Co-Vice Chair  
Representative David Gomberg, House Co-Vice Chair  
Representative Greg Smith, House Co-Vice Chair

Amanda Beitel, Legislative Fiscal Officer  
Tom MacDonald, Deputy Legislative Fiscal Officer (Budget)  
Paul Siebert, Deputy Legislative Fiscal Officer (Audit/IT)

**To:** Public Safety Subcommittee

**From:** John Borden, Legislative Fiscal Office

**Date:** May 11, 2023

**Subject:** SB 5513 - Commission on Judicial Fitness and Disability  
Work Session Recommendations

### Commission on Judicial Fitness and Disability – Agency Totals

	2019-21 Actual	2021-23 Legislatively Approved	2023-25 Current Service Level	2023-25 LFO Recommended
General Fund	268,383	330,499	313,096	333,096
<b>Total Funds</b>	<b>\$268,383</b>	<b>\$330,499</b>	<b>\$313,096</b>	<b>\$333,096</b>
Positions	1	1	1	1
FTE	0.50	0.50	0.50	0.50

The Legislative Fiscal Office (LFO) recommendation for the Commission on Judicial Fitness and Disability is to fund the agency at \$333,096 General Fund and one position (0.50 FTE), which is a 0.8% increase over the 2021-23 legislatively approved budget. The recommendation includes the following policy package:

- Package 101 - Case Management System (\$20,000 General Fund)(one-time) - a cloud-based case management system for the tracking, reporting, and storage of complaints, investigations, prosecutions.

### 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 2023-25 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)

**Recommended Changes**

LFO recommends a budget of \$333,096 General Fund and one positions (0.50 FTE), which is reflected in the –1 amendment.

MOTION: I move adoption of the –1 amendment to 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)

**Carriers**

Full Committee: \_\_\_\_\_

House Floor: \_\_\_\_\_

Senate Floor: \_\_\_\_\_

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
<b>2021-23 Agy. Leg. Adopted</b>	<b>289,807</b>	-	-	-	-	-	<b>289,807</b>	<b>1</b>	<b>0.50</b>
2021-23 Ebds, SS & Admin Act	40,692	-	-	-	-	-	40,692	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
<b>2021-23 Leg Approved Budget</b>	<b>330,499</b>	-	-	-	-	-	<b>330,499</b>	<b>1</b>	<b>0.50</b>
<b>2021-23 Leg Approved Budget (Base)</b>	<b>330,499</b>	-	-	-	-	-	<b>330,499</b>	<b>1</b>	<b>0.50</b>
Summary of Base Adjustments	(7,868)	-	-	-	-	-	(7,868)	-	-
<b>2023-25 Base Budget</b>	<b>322,631</b>	-	-	-	-	-	<b>322,631</b>	<b>1</b>	<b>0.50</b>
010: Non-PICS Pers Svc/Vacancy Factor	20,562	-	-	-	-	-	20,562	-	-
020: Phase In / Out Pgm & One-time Cost	(9,616)	-	-	-	-	-	(9,616)	-	-
030: Inflation & Price List Adjustments	(20,481)	-	-	-	-	-	(20,481)	-	-
<b>2023-25 Current Service Level</b>	<b>313,096</b>	-	-	-	-	-	<b>313,096</b>	<b>1</b>	<b>0.50</b>
<b>Adjusted 2023-25 Current Service Level</b>	<b>313,096</b>	-	-	-	-	-	<b>313,096</b>	<b>1</b>	<b>0.50</b>
<b>Total LFO Recommended Packages</b>	<b>20,000</b>	-	-	-	-	-	<b>20,000</b>	-	-
<b>2023-25 Legislative Actions</b>	<b>333,096</b>	-	-	-	-	-	<b>333,096</b>	<b>1</b>	<b>0.50</b>
Net change from 2021-23 Leg Approved Budget	2,597	-	-	-	-	-	2,597	-	-
Percent change from 2021-23 Leg Approved Budget	0.8%	0.0%	0.0%	0.0%	0.0%	0.0%	0.8%	0.0%	0.0%
Net change from 2023-25 Adj Current Service Level	20,000	-	-	-	-	-	20,000	-	-
Percent change from 2023-25 Adj Current Service Level	6.4%	0.0%	0.0%	0.0%	0.0%	0.0%	6.4%	0.0%	0.0%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
<b>2021-23 Agy. Leg. Adopted</b>	<b>289,807</b>	-	-	-	-	-	<b>289,807</b>	<b>1</b>	<b>0.50</b>
2021-23 Ebds, SS & Admin Act	40,692	-	-	-	-	-	40,692	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
<b>2021-23 Leg Approved Budget</b>	<b>330,499</b>	-	-	-	-	-	<b>330,499</b>	<b>1</b>	<b>0.50</b>
<b>2021-23 Leg Approved Budget (Base)</b>	<b>330,499</b>	-	-	-	-	-	<b>330,499</b>	<b>1</b>	<b>0.50</b>
Summary of Base Adjustments	(7,868)	-	-	-	-	-	(7,868)	-	-
<b>2023-25 Base Budget</b>	<b>322,631</b>	-	-	-	-	-	<b>322,631</b>	<b>1</b>	<b>0.50</b>
010: Non-PICS Pers Svc/Vacancy Factor	20,562	-	-	-	-	-	20,562	-	-
020: Phase In / Out Pgm & One-time Cost	(9,616)	-	-	-	-	-	(9,616)	-	-
030: Inflation & Price List Adjustments	(20,481)	-	-	-	-	-	(20,481)	-	-
<b>2023-25 Current Service Level</b>	<b>313,096</b>	-	-	-	-	-	<b>313,096</b>	<b>1</b>	<b>0.50</b>
<b>Adjusted 2023-25 Current Service Level</b>	<b>313,096</b>	-	-	-	-	-	<b>313,096</b>	<b>1</b>	<b>0.50</b>
<b>Total LFO Recommended Packages</b>	<b>20,000</b>	-	-	-	-	-	<b>20,000</b>	-	-
<b>2023-25 Legislative Actions</b>	<b>333,096</b>	-	-	-	-	-	<b>333,096</b>	<b>1</b>	<b>0.50</b>
Net change from 2021-23 Leg Approved Budget	2,597	-	-	-	-	-	2,597	-	-
Percent change from 2021-23 Leg Approved Budget	0.8%	0.0%	0.0%	0.0%	0.0%	0.0%	0.8%	0.0%	0.0%
Net change from 2023-25 Adj Current Service Level	20,000	-	-	-	-	-	20,000	-	-
Percent change from 2023-25 Adj Current Service Level	6.4%	0.0%	0.0%	0.0%	0.0%	0.0%	6.4%	0.0%	0.0%

	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 101 Case Management System**

Package Description The package appropriates, on a one-time basis, \$20,000 General Fund for Information Technology Professional Services.

The purpose of this package is for the Commission to purchase a Commercial-Off-the-Shelf (COTS) case management system for the tracking, reporting, and storage of complaints, investigations, prosecutions data. The COTS would be a cloud-based solution. The entry of data would be on a go-forward basis; however, legacy case data could be entered into the new system, as time permits. The Commission intends to find a COTS like the one employed in other states with judicial fitness commissions. The transition to a new system is estimated to be completed by June 30, 2024. Ongoing costs for licensing and maintenance have been initially estimated to be \$2,200 per biennium.

LFO Recommendation Approve the request, as a one-time expenditure.

LFO Analyst Notes SB 5513 (2023)

<b>LFO Recommended</b>	<b>20,000</b>	-	-	-	-	-	<b>20,000</b>	-	-
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# Legislatively Proposed 2023 - 2025 Key Performance Measures

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**Agency:** Commission on Judicial Fitness and Disability

**Mission Statement:**

*The mission of the Commission is to ensure the quality and effectiveness of the state judicial system*

Legislatively Proposed KPMs	Metrics	Agency Request	Last Reported Result	Target 2024	Target 2025
1. Percent of Commission recommendations forwarded to the Supreme Court that are upheld by the Supreme Court.		Approved	100%	100%	100%
2. Percent of judges prosecuted by the Commission who are not exonerated.		Approved	100%	100%	100%
3. Percent of stipulated agreements unchanged and approved by the Supreme Court.		Approved	100%	100%	100%
4. Percent of prosecutions completed within two years of first review through date of final Commission action before the Supreme Court.		Approved	100%	95%	95%
5. Percent of total best practices met by the Board.		Approved	100	100	100
6. Percent of complaints upon which the Commission makes a decision within six months of when the complaint is received in the Commission office. - Measures the timely review of complaints. The target is set at 75% with the recognition that most complaints should be investigated and completed within this timeframe, but that some types of cases, including those resulting in complex investigations and prosecutions will take longer to resolve appropriately.		Proposed New		75%	75%

**LFO Recommendation:**

The Legislative Fiscal Office recommends approval of the Commission's 2023-25 Key Performance Measures and targets, including the Commission-proposed KPM #6, as a new timeliness measure.

**SubCommittee Action:**

SB 5513-1  
(LC 9513)  
5/3/23 (DFY/ps)

Requested by JOINT COMMITTEE ON WAYS AND MEANS

**PROPOSED AMENDMENTS TO  
SENATE BILL 5513**

1 Delete lines 5 and 6 of the printed bill and insert:

2 **“SECTION 1. There are appropriated to the Commission on Judicial**  
3 **Fitness and Disability, for the biennium beginning July 1, 2023, out of**  
4 **the General Fund, the following amounts, for the following purposes:**

5 (1) Administration..... \$ 311,257

6 (2) Extraordinary expenses ..... \$ 21,839”.

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