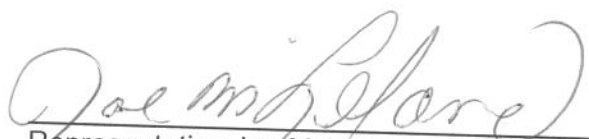
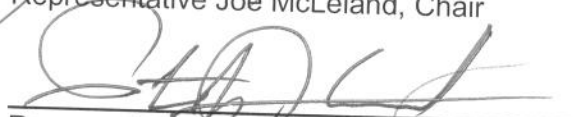



FY 2012 and FY 2013


General Government Budget Committee


Department of Administration  
Judicial Branch  
Judicial Council

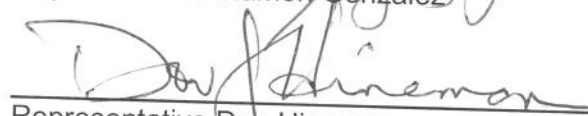
  
Representative Joe McLeland, Chair

  
Representative Pete DeGraaf, Vice-Chair

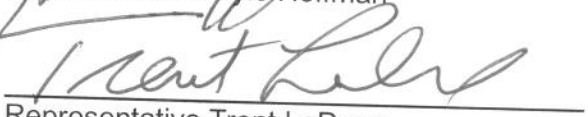
  
Representative Tom Burroughs, Ranking  
Minority Member

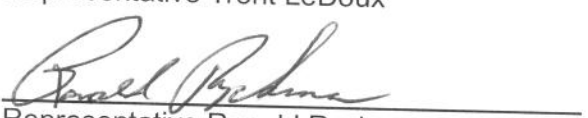
  
Representative Nile Dillmore

  
Representative Ramon Gonzalez

  
Representative Don Hineman

  
Representative Kyle Hoffman

  
Representative Trent LeDoux

  
Representative Ronald Ryckman

## House Budget Committee Report

**Agency:** Department of Administration

**Bill No. --**

**Bill Sec. --**

**Analyst:** Dear

**Analysis Pg. No. --**

**Budget Page No. 20**

Expenditure Summary	Agency Estimate FY 2012	Governor Recommendation FY 2012	House Budget Committee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 68,105,965	\$ 68,105,965	\$ 0
Other Funds	11,065,489	11,065,489	0
Subtotal	<u>\$ 79,171,454</u>	<u>\$ 79,171,454</u>	<u>\$ 0</u>
<b>Capital Improvements:</b>			
State General Fund	\$ 24,956,009	\$ 24,956,009	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 24,956,009</u>	<u>\$ 24,956,009</u>	<u>\$ 0</u>
<b>TOTAL</b>	<u><u>\$ 104,127,463</u></u>	<u><u>\$ 104,127,463</u></u>	<u><u>\$ 0</u></u>
FTE positions	567.7	567.7	0.0
Non FTE Uncl. Perm. Pos.	79.0	79.0	0.0
<b>TOTAL</b>	<u><u>646.7</u></u>	<u><u>646.7</u></u>	<u><u>0.0</u></u>

### Agency Estimate

The **agency** estimates FY 2012 operating expenditures totaling \$79.2 million, a decrease of \$6.4 million, or 7.5 percent, below the amount approved by the 2011 Legislature. The estimate includes \$68.1 million from the State General Fund, a decrease of \$6.0 million, or 8.1 percent, below the approved amount. The decrease is attributable to a reduction in salaries and wages of \$414,134, contractual services by \$60,470 and debt service by \$6.0 million. The agency's request includes 568.3 FTE positions. The agency's request includes \$25.0 million, all from the State General Fund, for debt service principal payments on capital improvements

### Governor's Recommendation

The **Governor** concurs with the agency request.

### House Budget Committee

The **Budget Committee** concurs with the Governor's recommendation.



## House Budget Committee Report

**Agency:** Department of Administration

**Bill No. --**

**Bill Sec. --**

**Analyst:** Dear

**Analysis Pg. No. --**

**Budget Page No. 20**

Expenditure Summary	Agency Request FY 2013	Governor Recommendation FY 2013	House Budget Committee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 70,143,100	\$ 31,962,724	\$ 800,000
Other Funds	3,930,753	39,985,970	0
Subtotal	<u>\$ 74,073,853</u>	<u>\$ 71,948,694</u>	<u>\$ 800,000</u>
<b>Capital Improvements:</b>			
State General Fund	\$ 34,970,298	\$ 12,077,089	\$ (153,373)
Other Funds	0	23,531,077	0
Subtotal	<u>\$ 34,970,298</u>	<u>\$ 35,608,166</u>	<u>\$ (153,373)</u>
<b>TOTAL</b>	<u><u>\$ 109,044,151</u></u>	<u><u>\$ 107,556,860</u></u>	<u><u>\$ 646,627</u></u>
FTE positions	567.7	542.3	0.0
Non FTE Uncl. Perm. Pos.	79.0	79.0	0.0
<b>TOTAL</b>	<u><u>646.7</u></u>	<u><u>621.3</u></u>	<u><u>0.0</u></u>

### Agency Request

The **agency** requests FY 2013 operating expenditures totaling \$74.1 million, a decrease of \$5.1 million, or 6.4 percent, below the current year revised estimate. The request includes \$70.1 million from the State General Fund, an increase of \$2.0 million, or 3.0 percent, above the current year revised estimate. The agency's request includes \$1.5 million, all from the State General Fund, in operating expenditure enhancement requests. The enhancements are for redirection of funding currently appropriated for public broadcasting. Without enhancement requests, the State General Fund request is an increase of \$554,841, or 0.8 percent, above the FY 2012 revised estimate. The agency request also includes an additional \$10.5 million in non-operating expenditure capital improvement enhancement requests.

### Governor's Recommendation

The **Governor** recommends FY 2013 operating expenditures totaling \$72.0 million, including \$32.0 million from the State General Fund, an all funds reduction of \$7.2 million, or 9.1 percent, below the FY 2012 Governor's recommendation. The recommendation is a State General Fund decrease of \$36.1 million, or 53.1 percent, and a special revenue fund increase of \$28.9 million, or 261.4 percent, from the FY 2012 Governor's recommendation.

The recommendation is a decrease of \$2.1 million, or 2.9 percent, below the FY 2013 agency estimate, including a State General Fund reduction of \$38.2 million, or 54.4 percent,

below the FY 2013 agency request. The recommendation is a special revenue fund increase of \$36.1 million, or 917.3 percent, above the FY 2013 agency estimate. The changes reflect the replacement of State General funded debt service with Expanded Lottery Act Revenue Fund monies and the effects of the Voluntary Retirement Incentive Program.

### **House Budget Committee**

The **Budget Committee** concurs with the Governor's recommendation with the following adjustments and recommendations:

1. Delete \$153,373, all from the State General Fund, for rehabilitation and repair of the Statehouse and Cedar Crest for FY 2013.
2. Add \$800,000, all from the State General Fund, to the Public Broadcasting Council Grants account of the Department of Administration, for FY 2013.
3. The Budget Committee recommends that the Department of Administration report to the House Appropriations Committee regarding the rental rates and occupancy levels of state owned buildings.
4. The Budget Committee further recommends that the Department of Administration report prior to Omnibus on the current status of the Docking Building and develop a recommendation on how to proceed either with its demolition or rehabilitation given the current number of State employees.
5. The Budget Committee commends the Department of Administration for reorganizing the Department to increase efficiency by consolidation of the management of the State's Human Resources personnel within the Department of Administration. Which has facilitated a freeze on the hiring of Human Resources employees in State Government.

# House Budget Committee Report

**Agency:** Judicial Branch

**Bill No. --**

**Bill Sec. --**

**Analyst:** Dear

**Analysis Pg. No. --**

**Budget Page No. 174**

Expenditure Summary	Agency Estimate FY 2012	Governor Recommendation FY 2012	House Budget Committee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 102,290,132	\$ 102,290,132	\$ 0
Other Funds	26,839,188	26,839,188	0
Subtotal	<u>\$ 129,129,320</u>	<u>\$ 129,129,320</u>	<u>\$ 0</u>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
<b>TOTAL</b>	<u><u>\$ 129,129,320</u></u>	<u><u>\$ 129,129,320</u></u>	<u><u>\$ 0</u></u>
FTE positions	1,855.3	1,855.3	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<u><u>1,855.3</u></u>	<u><u>1,855.3</u></u>	<u><u>0.0</u></u>

## Agency Estimate

The Judicial Branch requests FY 2012 operating expenditures of \$129.1 million, an increase of \$1.3 million, or 1.0 percent, above the amount approved by the 2011 Legislature. The revised estimate for the State General Fund is equivalent to the amount approved after reappropriation. The reappropriated funds are offsetting the \$3.0 million across the board reduction applied to the Judicial Branch by the 2011 Legislature which was taken in contractual services costs and are being used for salary and wage costs. The Judicial Branch is currently operating with 80 vacant, funded FTE positions for 1,775.3 total FTE.

The revised estimate includes special revenue fund expenditures of \$26.8 million, an increase of \$1.3 million, or 4.9 percent, above the approved amount. The increases include \$997,485 from the Judicial Branch Surcharge Fund. The increase was partially funded by the transfer of \$778,518 from the Judicial Performance fund of the Judicial Council. The funds are being used for appellate and district court salaries as is required by statute.

The estimate includes \$421,000 in Edward Byrne Memorial Justice Assistance Grants (JAG) that were not previously available. The JAG grants are being used to fund e-filing costs that were previously being funded from the Surcharge Fund monies that have been allocated for salaries and wages. There are also \$180,170 in increased estimated expenditures from the Judiciary Technology Fund used to support the courts IT infrastructure and \$106,860 from the District Magistrate Judge Supplemental Compensation Fund. The District Magistrate Judge Supplemental Compensation Fund is a flow through fund supported by the counties to

supplement Magistrate Judge compensation. The increases reflects a decision that a prior procedure to classify compensation as temporary pay was not allowable and the funds were reclassified as wages.

The increases are partially offset by reduction in expenditures from the Access to Justice Fund which provides grants to Kansas Legal Services and other programs providing alternative dispute resolution and legal support services for low-income Kansans. A reduction in the Correctional Supervision Fund used to used to train court services officers to administer the risk-assessment tool called the Level of Services Inventory, Revised (LSI-R) and to implement evidence-based practices. A reduction in American Recovery and Reinvestment Act (ARRA) Violence Against Women grants which provide educational services and enhance dialogue over domestic and sexual violence issues. Finally, the estimate includes a reduction in expenditures from the Non-Judicial Salary Adjustment Fund of \$236,306 which is used to fund undermarket salary adjustments for non-judicial officers and employees of the district courts. The reduction is attributable to fund depletion caused by dropping docket fee revenue.

### **Governor's Recommendation**

The **Governor** concurs with the agency estimate.

### **House Budget Committee Recommendation**

The **Budget Committee** concurs with the Governor's recommendation with the following adjustments:

1. Transfer \$600,000 from the Judicial Branch Education Fund to the Judicial Branch Surcharge Fund.
2. Add language prohibiting the State Treasurer from transferring \$800,000 from fees, costs, other charges or penalties of the State Board of Law Examiners to the Bar Discipline Fee Fund and instead transfer to the Judicial Branch Surcharge Fund.

## House Budget Committee Report

**Agency:** Judicial Branch

**Bill No. --**

**Bill Sec. --**

**Analyst:** Dear

**Analysis Pg. No. --**

**Budget Page No. 174**

Expenditure Summary	Agency Request FY 2013	Governor Recommendation FY 2013	House Budget Committee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 109,876,438	\$ 107,481,638	\$ (149,880)
Other Funds	25,156,349	25,716,349	0
Subtotal	<u>\$ 135,032,787</u>	<u>\$ 133,197,987</u>	<u>\$ (149,880)</u>
<b>Capital Improvements:</b>			
State General Fund	\$ 430,000	\$ 199,499	\$ (199,499)
Other Funds	0	0	0
Subtotal	<u>\$ 430,000</u>	<u>\$ 199,499</u>	<u>\$ (199,499)</u>
<b>TOTAL</b>	<u><u>\$ 135,462,787</u></u>	<u><u>\$ 133,397,486</u></u>	<u><u>\$ (349,379)</u></u>
FTE positions	1,858.3	1,858.3	(3.0)
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<u><u>1,858.3</u></u>	<u><u>1,858.3</u></u>	<u><u>(3.0)</u></u>

### Agency Request

The Judicial Branch requests a FY 2013 operating budget of \$135.0 million, an all funds increase of \$5.9 million, or 4.6 percent, above the revised FY 2012 agency estimate. The request includes State General Fund expenditures of \$109.9 million, an increase of \$7.6 million, or 7.4 percent, above the revised FY 2012 estimate. The request would finance 1,858.3 FTE positions, an increase of 2.8 FTE positions above the revised FY 2012 estimate. The special revenue fund request is \$25.2 million, a reduction of \$1.7 million, or 6.3 percent, below the revised FY 2012 agency estimate. The reductions are attributable to the lack of ARRA funding for JAG Violence Against Women Grants in FY 2013. There is also a reduction of \$750,000 in the Surcharge Fund as there is no transfer from the Judicial Performance Fund which was directed by the legislature. The Judicial Branch is recommending expenditures from the Judiciary Technology Fund to be reduced by \$175,000 due to exhaustion of the fund's resources. In addition, the Judicial Branch is recommending a further reduction of \$105,613 for undermarket salary adjustments for non-judicial officers and employees of the district courts. The current Judicial Branch estimate assumes the surcharge on docket fees created by SB 97 will be extended into FY 2013, legislation would need to be enacted to effect that change.

### Governor's Recommendation

The **Governor** recommends a FY 2013 operating budget of \$133.2 million, including \$107.5 million from the State General Fund. The recommendation is a State General Fund total



reduction of \$2,394,800, or 2.2 percent, from the FY 2013 agency request. The State General Fund reduction is attributable to recommendations against the Judiciary enhancement requests for the e-filing program of \$1,834,800 and the construction of two judicial suites to relocate the appellate court justices (\$230,501). The construction of the judicial suites appears as a capital improvement request.

The Governor also recommends reducing the State General Fund appropriation to the Judiciary by \$560,000 and replacing the funds with docket fees designated for the Center for Police Officer Standards and Training (CPOST) after the recommended dissolution of that entity. CPOST is currently supported by a surcharge on docket fees and Legislative action would need to be taken to halt that funds transfer.

### **House Budget Committee Recommendation**

The **Budget Committee** concurs with the Governor's recommendation with the following adjustments:

1. Delete \$349,379 and 3.0 FTE positions, all from the State General Fund, to remove the operating (\$149,880) and capital improvement (\$199,499) expenditures for implementation of the 14th Court of Appeals judge and staff. The Committee recommends the legislature introduce a bill allowing the Judicial Branch to delay implementation of the additional judge to FY 2014.
2. The Budget Committee notes that Senate Bill 322, currently in the Senate Judiciary Committee, extends the authority for the court to impose a surcharge on docket fees into FY 2013. The Judicial Branch budget is based on the assumption that the authority is extended into FY 2013 and if it is not passed the agency will need to reduce approximately \$11.9 million from the budget.
3. The Budget Committee recommends the House Appropriations Committee review at Omnibus the possibility of capturing an additional percentage of docket fees currently being deposited in the State General Fund and deposit those funds in the Judicial Technology Fund for implementation of the e-filing program. The Budget Committee further requests that the Judicial Branch report back prior to Omnibus on the appropriate percentage to divert from the State General Fund to support the e-filing initiative.

# House Budget Committee Report

**Agency:** Judicial Council

**Bill No. --**

**Bill Sec. --**

**Analyst:** Dear

**Analysis Pg. No. --**

**Budget Page No. 182**

Expenditure Summary	Agency Estimate FY 2012	Governor Recommendation FY 2012	House Budget Committee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	588,829	588,829	0
Subtotal	<u>\$ 588,829</u>	<u>\$ 588,829</u>	<u>\$ 0</u>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
<b>TOTAL</b>	<u><u>\$ 588,829</u></u>	<u><u>\$ 588,829</u></u>	<u><u>\$ 0</u></u>
FTE positions	4.0	4.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<u><u>4.0</u></u>	<u><u>4.0</u></u>	<u><u>0.0</u></u>

## Agency Estimate

The **agency** estimates FY 2012 operating expenditures of \$588,829, all from special revenue funds. The estimate is a decrease of \$154, or less than 0.1 percent, below the amount approved by the 2011 Legislature. The estimate includes \$78,800 all from the Publications Fee Fund, to assist the Judicial Branch in completion of the weighted caseload study to evaluate District Court workloads. The estimate includes funding for 4.0 FTE positions.

## Governor's Recommendation

The **Governor** concurs with the FY 2012 agency estimate.

## House Budget Committee

The **Budget Committee** concurs with the Governor's recommendation.



# House Budget Committee Report

**Agency:** Judicial Council

**Bill No. --**

**Bill Sec. --**

**Analyst:** Dear

**Analysis Pg. No. --**

**Budget Page No. 182**

Expenditure Summary	Agency Request FY 2013	Governor Recommendation FY 2013	House Budget Committee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 1,246,360	\$ 522,448	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 1,246,360</u>	<u>\$ 522,448</u>	<u>\$ 0</u>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
<b>TOTAL</b>	<u><u>\$ 1,246,360</u></u>	<u><u>\$ 522,448</u></u>	<u><u>\$ 0</u></u>
FTE positions	7.0	4.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<u><u>7.0</u></u>	<u><u>4.0</u></u>	<u><u>0.0</u></u>

## Agency Request

The **agency** requests FY 2013 operating expenditures of \$1,246,360, all from special revenue funds. The request is an increase of \$657,531, or 111.7 percent, above the revised FY 2012 estimate. The increase is attributable to the enhancement request of \$639,135, all from the Judicial Performance Fee fund, restarting the Judicial Performance Reviews and an enhancement request of \$84,777 for a staff attorney. The requested enhancement adds 3.0 FTE positions for the Judicial Council. Absent legislative action, 3.54 percent of total docket fees will continue to be directed to the Judicial Performance Fund. The request includes funding for 7.0 FTE positions.

## Governor's Recommendation

The **Governor** recommends FY 2013 operating expenditures of \$522,448, a reduction of \$66,381, or 11.3 percent, below the FY 2012 Governor's recommendation. The recommendation is a decrease of \$723,912, or 58.1 percent, below the FY 2013 agency request. The reduction of \$66,381 from the FY 2012 Governor's recommendation is attributable to the end of the weighted caseload study. The agency has been funding the weighted caseload study as part of the Pegasus Project in the Judicial Branch which will end in FY 2011. The Governor further recommends not funding the agency enhancement requests of \$639,135 to restart Judicial Performance Reviews. The Legislature terminated Judicial Performance reviews in the 2011 Legislature by transferring funds for the reviews to the Judicial Branch. Absent

Legislative modification of existing statutory law, docket fees will continue to be deposited in the Judicial Performance Fund. The Governor also recommends not funding the agency enhancement request (\$84,777) to retain an additional Staff Attorney.

### **House Budget Committee**

The **Budget Committee** concurs with the Governor's recommendation with the following adjustment:

1. Transfer \$800,000 from the Judicial Performance Fund to the Bar Discipline Fee Fund in FY 2013.