



State of Kansas

Office of Judicial Administration

Kansas Judicial Center
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HOUSE APPROPRIATIONS COMMITTEE

Hon. Ron Ryckman, Jr., Chairman
Hon. Sharon Schwartz, Vice Chairman
Hon. Jerry Henry, R.M. Member

March 16, 2015
9:00 am
Room 112-N

Stephanie Bunten
Budget & Fiscal Officer
Office of Judicial Administration, Kansas Judicial Branch

TESTIMONY IN SUPPORT OF HB 2365/ HB 2370

Thank you for allowing me the opportunity to testify in support of the Judicial Branch budget. On behalf of Judicial Branch employees across Kansas, I also thank you for the approval that you gave last week to the additions to our FY 2016 and FY 2017 budgets. We ask that the committee place these recommendations in HB 2370, the mega budget bill.

We testified before the General Government Budget Committee that additional estimated amounts of \$11.4 million for FY 2016 and \$16.2 million for FY 2017 would be needed to fill reduced docket fee revenue, to fund personnel cost adjustments, to replace funding that is unavailable to operations (because it is directed to the e-courts project), and to fund the 27th payroll in FY 2017. The additions that you approved last week, while short of what we identified as necessary funding, gets us closer to the total.

With the Judicial Branch base budget being comprised of approximately 96% salaries, any cuts to the budget directly impact our employees throughout Kansas. We have over 250 judges and 1,500 employees across the state of Kansas who perform a critical role in providing public safety and who, every day, make a difference in the lives of their neighbors and fellow

Kansans. Keeping courts open allows our employees to perform their absolutely critical role in providing public safety.

For example, approximately 35,000 criminal cases were filed last year in Kansas courts. In addition, Judicial Branch employees across Kansas performed the following duties:

- Nearly 17,000 criminal defendants on probation were supervised by our 350 court services officers.
- Restraining orders were issued to protect more than 12,000 Kansans from abuse or from stalking by another; protection from abuse that was directed toward an intimate partner or household member, including minor children, and protection from stalking.
- Last year, we also issued orders to protect more than 6,000 Kansas kids who unfortunately qualified as “children in need of care.” By statute, this includes children who “have been physically, mentally or emotionally abused or neglected or sexually abused . . . or abandoned.”

These cases involving the safety of Kansans are just some of the various types of the 400,000 cases handled by your courts last year. We also decided approximately 105,000 civil contract cases, more than 9,000 probate cases, and almost 8,000 property disputes. Although adoption cases are low in number, they are high on the scale of satisfaction. We granted nearly 1,800 adoptions of children.

Last year, our court clerks also collected approximately \$180 million, which included restitution for crime victims and money for private judgments, state agencies, and the general funds of counties and the State.

The Judicial Branch of your government did all this and more, with an annual budget of less than 1% of the entire state budget.

Again, we greatly appreciate the action last week of the House Appropriations Committee to add State General Fund dollars of \$6.67 million in FY 2016 and \$11 million in FY

Testimony
March 16, 2015
Page 3

2017 that moves us closer to the totals needed to keep courts open in those years. We would ask that the committee place these recommendations in HB 2370, the mega budget bill.

Thank you.

HOUSE APPROPRIATIONS RECOMMENDATIONS 3/11/2015 - ATTACHMENT A

FY 2015 - FY 2017 Judicial Branch Changes from the Governor's Recommendation

FY 2015 Gov Rec from Agency	\$	(4,275,352)	FY 2017 Gov Rec from Agency	\$	(29,902,941)
DUI Reinstatements Shortfall		648,204	DUI Reinstatements Shortfall		648,204
Docket Fee Shortfall		3,000,000	Docket Fee Shortfall		4,453,050
Governor KPERS Reduction		673,754	27'th Payroll (SGF ONLY)		4,123,600
	\$	4,321,958	Step Movement		1,152,063
No adjustments were made for FY 2015			80 - 120 Vacant Positions		3,346,485
FY 2016 Gov Rec from Agency	\$	(23,262,340)	KPERS Fringe Increases		1,423,701
DUI Reinstatements Shortfall		648,204	Health Insurance		307,670
Docket Fee Shortfall		3,386,192	Other Fringe Increases		371,528
Step Movement		545,538	Shrinkage Reduction		642,641
80 - 120 Vacant Positions		3,309,619	FY 2015 Merit Increases		360,000
KPERS Fringe Increases		1,306,148	E - Judicial Salary Increase		3,653,770
Judicial Retirement		861,364	E - Non Judicial Salary Increase		6,973,074
Other Fringe Increases		313,367	E - 9 Judges and Staff		971,449
Other Contractual Services		156,000	E - 20 Clerks		837,366
Shrinkage Reduction		1,101,863	Bonus Reduction		(381,993)
FY 2015 Merit Increases		360,000	Governor's Health Insurance Reduction		1,077,136
E - Judicial Salary Increase		1,785,907		\$	29,959,744
E - Non Judicial Salary Increase		6,683,063			\$11,020,083
E - 9 Judges and Staff		939,628	House Appropriations Recommendations - March 11, 2015 House Gen. Gov. Budget Recs - March 4, 2015 1) — A statement recommending legislation striking the one judge per county rule, in order to give flexibility to the Judicial Branch. 2) — In the case that furloughs occur, target furloughs to areas of less need and low filing volume as identified in the WCL study. 3) For FY 16 & FY 17, collect revenue data for dispositive motions (including Motions for Summary Judgment).		
E - 20 Clerks		747,745			
E - Appellate Court Remodel		402,778			
Bonus Reduction		(381,993)			
Governor's Health Insurance Reduction		1,094,918			
	\$	23,260,341			
		\$6,671,275			

Note: Totals do not account for \$3.1 million in restricted spending authority due to E-Filing Management Fund.

no e-courts fill - restriction stays

The Kansas Judicial Branch is an independent co-equal branch of government under the administrative control of the Kansas Supreme Court per Article 3 of the Kansas Constitution.

The Kansas Judicial Branch:

- Employs approximately **1,500 non-judicial employees and 250 judges and justices** who pay mortgages and taxes and who purchase goods and services in Kansas.
- Has 31 Judicial Districts.

The Kansas Judicial Branch provides **equal access to justice for all Kansans** in all 105 counties and **COSTS LESS THAN 1% OF THE STATE GENERAL FUND.**

On the average, every YEAR, the Kansas Judicial Branch:

- Decides **400,000 cases**. In a state with a population of 2.8 million, with at least two parties in each case, Kansas courts affect a significant portion of the population.
- Decides **9,212 probate cases, 104,848 contract and 7,991 property** disputes.
- Protects **12,290 people** by issuing restraining orders.
- Protects **6,176 children** who are in need of care.
- Grants **1,776 adoptions and 12,618 divorces**.
- Disposes **19,540 felony cases and 15,384 misdemeanor cases**.
- Court services officers supervise nearly **17,000 criminal defendants** on probation.

The Kansas Judicial Branch is **ranked 5th most business friendly court system in the country** by the U.S. Chamber Institute for Legal Reform.

Every DAY, the Kansas Judicial Branch:

- Collects approximately **\$600,000** for crime victims, people and companies that are parties to litigation, state agencies, and County and State General Funds.
- Operates with an annual average shortage of at least **80 employees** for the last 5 years.

The base BUDGET for the Kansas Judicial Branch is 96% salaries. The courts' operating costs are paid by Kansas counties.

- The base budget has **NOT** been fully funded **since Fiscal Year 2009**.
- Because the base budget is 96% salary, any cuts directly impact staff in your county.
- Kansas judges have served **without** a salary increase **since 2008**.
- Non-judicial employees served without a pay increase since 2008 until they received a 2% under market increase in 2014; that was offset by an additional 1% retirement cost increase in 2014 and 2015.

(Prepared and distributed by the Kansas District Judges Association, utilizing the 2013 Annual Report of the Kansas Courts, 2014 filing information, FY 2015 Governor's Comparison Report, and the daily collection data is from the Kansas Association of District Court Clerks and Administrators.)