

JUDICIAL COUNCIL
Budget and Planning Session
Minutes
Thursday, August 26th, 2010
Large Conference Room A
Matheson Courthouse
Salt Lake City, UT

Chief Justice Christine M. Durham, Presiding

ATTENDEES:

Chief Justice Christine M. Durham, Chair
Hon. Hans Chamberlain, Vice Chair
Justice Jill Parrish for Justice Ron Nehring
Hon. Judith Atherton
Hon. Donald Eyre, Jr.
Hon. Kimberly K. Hornak
Hon. Paul Maughan
Hon. Brendan McCullagh
Hon. Gregory Orme
Hon. Jody Petry
Hon. Keith Stoney
Hon. Michael Westfall
Hon. Thomas Willmore
Lori Nelson, esq.

STAFF PRESENT:

Daniel J. Becker
Myron K. March
Jody Gonzales
Debra Moore
Ray Wahl
Rick Schwermer
Tim Shea
Nancy Volmer
Kim Allard
Alyn Lunceford
Derek Byrne
Diane Abegglen
Jessica VanBuren
Rick Smith

EXCUSED:

GUESTS:

Mary Jane Ciccarello
David Walsh
Gary Syphus
John Nixon
Judge John Baxter
Judge Lee Dever

1. WELCOME AND APPROVAL OF MINUTES: (Chief Justice Christine M. Durham)

Chief Justice Durham welcomed everyone to the meeting. Justice Jill Parrish was introduced and welcomed. She will be replacing Justice Ron Nehring when his term ends in September. She turned the time over to Mr. Becker to provide an overview of the agenda.

2. OVERVIEW OF PLANNING AGENDA: (Daniel J. Becker)

Mr. Becker welcomed Diane Abegglen, new Appellate Court Administrator; Mr. David Walsh, GOPB and Commission on Criminal and Juvenile Justice; and Mr. Gary Syphus, Fiscal Analyst. Mr. John Nixon, Director - Office of Planning and Budget, will provide an overview of the status of the State of Utah economy. Members of the press may be in attendance later in the meeting.

He reviewed the agenda for the budget and planning session. He outlined the budget process which begins in January with the court executives, presiding judges, boards and committees reviewing their needs. Later in the process the requests are received by Mr. Becker and the Executive Budget Committee for final recommendations to be presented to the Council at the August Budget and Planning Session. He mentioned that the August Budget and Planning Session has typically been a two-day meeting. This year will be an abbreviated session as there were few requests received this year.

Mr. Becker asked the Council to use the time during presentations to ensure they understand the requests and justifications behind the requests. He mentioned that Council members received a copy of the budget plan and a copy of *Navigating the Budget*. He noted that the *Navigating the Budget* includes information on the budget cycle and process, Council principles, and summary budgets by program and workload.

The budget and planning session will proceed as follows: 1) workload/demographic trends, 2) fiscal trends and budget process, 3) state economic presentation from the Governor's Office for Planning and Budget (GOPB), 4) building block presentations, 5) analysis and recommendations to be given by Mr. Becker, 6) legislative proposals, and 7) discussion and vote on budget priorities. Upon completing of the budget and planning session, a Council meeting and brief Management Committee meeting will be held.

3. GOVERNOR'S OFFICE OF PLANNING AND BUDGET ECONOMIC PRESENTATION: (John Nixon)

Chief Justice Durham welcomed Mr. Nixon to the meeting.

Mr. Nixon provided an update to the Council on the status of the State of Utah's economy. He presented information relative to the state's budget in the following areas: 1) the environment - revenue downturn; 2) the challenges - pre-session budget situation; 3) the principles - responsible solutions; 4) the solutions - cuts, one-time "backfill"; 5) moving forward - upcoming challenges, available tools; and 6) budget guidelines.

He shared information on the general fund/education fund revenue collections stating that the FY 2011 projection is \$4.36 billion up from \$4.22 billion in FY 2010. He provided comparisons from other states.

He mentioned that there was an additional \$177 million shortfall in FY 2010. There were ongoing base budget reductions, partially backfilled with ARRA and other one-time funds. The total one-time funding of \$460 million took place.

The challenges - pre-session budget situation dealt with the following new cost issues: 1) enrollment growth, 2) medicaid and human services, and 3) employee health and retirement. The one-time funding sources available include: 1) rainy day funds, 2) student population growth account, and 3) additional ARRA anticipated.

He reviewed the following areas pertaining to the state's economy: 1) Governor's budget recommendation principles; 2) December executive order; 3) FY 2010 budget actions, \$177 million gap; 4) FY 2011 budget actions, \$482 million gap; 5) funding for education; 6) 2010 general session outcomes; 7) FY 2010 budget closeout; 8) impact on FY 2011; 9) FY 2012 budget guidelines, 10) preliminary requests for FY 2012 and 11) timeline for turning in budgets.

Mr. Nixon reported that the projections for the FY 2010 budget closeout are between \$50 million to \$150 million shortfall. The FY 2011 revenue growth is projected at a 3.3% increase.

A question was asked relative to the four-day work week being used by the Executive Branch and whether there are any discussions of changing back to a five-day work week. He

provided an explanation and mentioned that there were no discussions taking place regarding a change back to a five-day work week.

Mr. Nixon was thanked for his overview and for all the help he provides during the Legislative Session.

4. PLACING BUDGET PROPOSALS IN CONTEXT:

Workload/Demographic Trends:

Ms. Allard updated the Council on the FY 10 Case and Weighted Workload Report.

Supreme Court Case Filings. The report provided a 10-year view with 620 case filings in 2010 compared to 593 case filings in FY 2009 which represents a 4% increase in case filings.

Court of Appeals Case Filings. There were 883 case filings in FY 2010 compared to 871 case filings in FY 2009 which represents a 1% increase in case filings.

District Court Case Filings. Overall, district court case filings were down 1%. Every case type is down with the exception of debt collection, 1% increase; and judgments, 14% increase.

Judicial Weighted Workload Summary - District Court. She reviewed the following relative to the weighted caseload for the district court: 1) district court filings, 2) district court judicial hours, 3) caseload as % of standard, and 4) judicial weighted hours for the Third and Eighth District. The judicial weighted hours for the Third and Eighth District were reviewed relative to the requests for judgeships in both districts.

Justice Court Case Filings. Ms. Allard reviewed a five year view of case filings to include: 1) overall case filings, 2) traffic filings, 3) misdemeanor filings, and 4) small claims filings. Small claims were shown with the following numbers for FY 10: 1) justice courts, 19,398 - 3% decrease; and 2) district courts, 19,200 - 16% decrease.

Juvenile Court Referrals. The statewide juvenile court referral trend noted a 7% decrease in FY 10, 44,432 referrals from FY 09, 47,936 referrals. The referrals were reviewed by category to include: 1) felony, 2) misdemeanor, 3) infraction, 4) contempt, 5) status, 6) traffic, 7) adult violations, 8) child welfare proceedings, 9) termination parent rights, and 10) domestic/probate.

Judicial Weighted Workload Summary - Juvenile Court. She reviewed the following relative to the weighted caseload for the juvenile court: 1) juvenile court referrals, 2) juvenile court judicial hours, and 3) caseload as % of standard.

Ms. Allard provided a comparison by court level of incoming cases/referrals for FY 10.

Fiscal Trends & Budget Process:

Mr. March provided an update of the fiscal data and trends for the Utah Courts. The information included: 1) one-time monies, 2) restricted accounts, 3) budget cuts, 4) increases in retirement benefits, and 5) increases in health benefits.

Children's Legal Defense Fund. The primary source of revenue for this fund is derived from filing fees. Additional sources of revenue comes from the sale of the Divorce Education videos and the fee assessed for the Divorce Education class. Currently, the fund is healthy. The estimated revenue for FY 2011 is \$928,000, and the estimated appropriation for FY 2011 is \$808,200.

Alternative Dispute Resolution. The revenue to the Alternative Dispute Resolution Fund is derived from filing fees. With the increase of certain civil filing fees, two mediator positions

were funded. The estimated revenue for FY 2011 is \$400,000, and the estimated appropriation for FY 2011 is \$415,300. There is a reserve of approximately \$200,000.

Court Complex Fund. This fund was created to fund construction and operating expenses for the Matheson Courthouse. The fund is used to fund other Court projects. The estimated revenue for FY 2011 is \$4,883,835, and the estimated appropriation for FY 2011 is \$4,700,000.

Law Library Non-Lapsing Fund. The Judicial Council controls these funds. These funds are available for issues relative to library operations and legal education efforts for the public. The fund is derived from new attorney fees. The balance in the fund from FY 2010 is \$62,647.

Security Fee. This was converted to perimeter security after the FY 2009 Legislative Session. It is now funded in a restricted account.

Justice Court Technology, Security, and Training Account. Mr. March reported that the fund is healthy. Budget cuts were taken from this fund. The estimated revenue looks good.

Mr. Byrne reported that the courts have taken a cumulative reduction of \$8.5 million in cuts for FY 2009-2011, with a 9% workforce reduction of non-judicial staff.

Summary of FY 2012 Proposals:

The following categories were highlighted: 1) district requests, totaling \$913,600; 2) IT requests, totaling \$17,900, 3) Self Help Center request, totaling \$349,200, and 4) jury/witness/interpreter requests, totaling close to \$2 million.

5. DISTRICT BOARD OF JUDGES REPORT: (Debra Moore)

Ms. Moore was welcomed. She mentioned that Judge Hadfield, District Board chair, sends his apologies for not being able to attend the meeting. A memo outlining the District Board's FY 2012 budget priorities was distributed.

She reported that the District Board is advancing the same requests as for FY 2011. The requests include: 1) three law clerks , 2) Eighth District Court Judge, and 3) Third District Court Judge.

The request for three law clerks is to replace two time-limited law clerk positions in the Third District and one time-limited law clerk position in the Second District.

Currently, the caseload in the Eighth District is being managed with the assistance of shared judicial resources from the Seventh District. Questions were asked regarding the caseload numbers relative to the sharing of judicial resources from the Seventh District. Ms. Moore provided an explanation.

Ms. Moore noted that the judicial weighted caseload results show a caseload as a percentage of standard of 114% in the Third District based on the year ending April 30,2010. This reflects a four-year upward trend that peaked last year at 119% of standard. In addition, a statewide trend of increasingly complex litigation may impact the Third District as reflected by the fact that 61.4% of all appeals between January 2007 and April 2010 originated in the Third District. Discussion took place.

6. STANDING COMMITTEE ON TECHNOLOGY REPORT: (Kim Allard)

Ms. Allard was welcomed.

She reported that the Standing Committee on Technology is requesting the following: 1) a one-time request for replacement of 12 CRTs with LCD monitors for use in the Logan Courthouse training room, totaling \$3,000, and 2) a one-time request for replacement of one digital microfilm scanner/printers used by the Second District Court, totaling \$7,450.

7. FACILITIES COMMITTEE REPORT: (Judge Lee Dever and Alyn Lunceford)

Judge Dever and Mr. Lunceford were welcomed to the meeting.

The Facilities building block request of \$33,000 would provide funding for ongoing lease and contract obligations. There are no increases to contract sites at this time. Mr. Lunceford explained the operation and maintenance cost increase of \$25,000 for the Spanish Fork courthouse.

The recommendation for this request is not to seek new funds for this request, but to absorb it with existing funds.

An additional handout with three capital development projects was distributed. The requests include: 1) request for funding of a new Ogden Juvenile Court facility, 2) Northern Utah County land bank request, and 3) request for funding to purchase the (county-owned) Farmington courthouse. An explanation for each request was provided.

Chief Justice Durham thanked Judge Dever and Mr. Lunceford for their presentation.

8. OTHER REQUESTS:

JUROR/WITNESS, SUPPLEMENTAL AND FY 2012: (Myron K. March)

Mr. March reported that the building block request of \$600,000 is to increase ongoing funding to eliminate deficit spending in the account. The supplemental building block request of \$1,195,800 would cover the estimated deficit for FY 10 and FY 11

The committee on interpreters is looking at ways to reduce expenses.

OCAP GENERAL FUND RESTRICTED ONE-TIME INCREASE: (Kim Allard)

Ms. Allard provided a brief history of the creation and use of the Online Court Assistance Program. She mentioned that there is an Online Court Assistance Policy Board chaired by Judge John Morris.

The one-time request is to draw \$100,000 from the restricted account. The funds would be used to complete the conversion of the Online Court Assistance Programs to a new more universally available development platform and complete the work required to make documents generated by the OCAP program to be electronically filed.

UPDATE OF JUROR VIDEO: (Nancy Volmer)

Ms. Volmer was welcomed.

Ms. Volmer reported that the *Selected to Serve* jury video is over 10 years old and is in need of an update. The request is for one-time funding of \$15,000 to update the video. She mentioned that the Criminal Law Section has committed to provide \$5,000 for the \$20,000 project.

SELF-HELP CENTER FUNDING: (Jessica Van Buren and Mary Jane Ciccarello)

Chief Justice Durham welcomed Judge Baxter, Ms. Van Buren and Ms. Ciccarello to the meeting.

Judge Baxter provided a brief history of the program. The Self-Help Center was established and staffed by one attorney as a two-year pilot, approved by the Judicial Council in 2006. The Self-Help Center provides service to the Second, Sixth, Seventh and Eighth Districts. Currently, there is one permanent attorney and two part-time attorneys staffing the Self-Help

Center. The part-time attorneys grant funding will end in December 2010.

The Self-Help Center building block request of \$349,200 would cover funding for three FTEs. It was mentioned that funding of \$50,000 would cover the salaries for the part-time attorneys to maintain their service through June 2011.

Judge Baxter updated the Council on the progress of the Self-Help Center. The information presented to the Council included: 1) 2008-2010 trends; 2) 2010 trends; 3) contacts, totaling 6,027; 4) service by judicial district, 5) demographics, 6) customer satisfaction, and 7) customer feedback.

It was mentioned that the Self-Help Center is one of the most important judicial outreach projects available to the public. Judge Baxter thanked the Council for their support of the program.

The question was asked as to the expansion of the program statewide. It was reported that staff funding is what is keeping the program from statewide expansion.

Chief Justice thanked Judge Baxter, Ms. Van Buren and Ms. Ciccarello for all that they do for the Self-Help Center.

GUARDIAN AD LITEM: (Rick Smith)

Mr. Smith was welcomed to the meeting.

He mentioned that the Guardian ad Litem's budget is contained within the Judicial Branch, but it is essentially a free-standing budget. The Guardian ad Litem has three budget requests that have been reviewed by the GAL Oversight Committee.

Case Management System. The first request is for a one-time supplemental appropriation in the current fiscal year of \$150,000 from the GAL Service Restricted Account to be used to pay for part of the programming cost of a comprehensive case management program. The design process for the case management system has been completed. The system will integrate with CARE, CORIS and the DCFS SAFE system.

Lease Increases. The request in the amount of \$27,000 would provide sufficient funding to sustain ongoing lease and contract obligations for the Provo and Cedar City locations.

One-Time Limited Staff Position. The Guardian ad Litem would like to seek Legislative approval for a \$55,000 increase to the GAL Court Assessment Dedicated Credit Account for a total appropriation of \$75,000 each year to fund a temporary time-limited support staff position to a permanent position.

9. STATE COURT ADMINISTRATOR'S ANALYSIS AND RECOMMENDATIONS:

Mr. Becker mentioned that each year, the budget requests are reviewed by the Executive Budget Committee prior to the August Budget and Planning Session. This year's committee included: 1) Dan Becker, 2) Myron March, 3) Derek Byrne, 4) Kim Allard, 5) Alyn Lunceford, 6) Duane Betournay, and 7) Paul Vance.

The committee received requests totaling \$2 million, and supplemental requests totaling \$1.2 million. With new state revenue projected at \$140 million dollars, and existing obligations totaling about three times that amount, as stated by Mr. Nixon earlier in the day, the courts face another challenging year.

Mr. Becker summarized key areas as outlined in the workload/demographic trend presentation.

He noted that Council members received his recommendations by email prior to the session.

Mr. Becker recommended that only the request for law clerks (\$264,000) and the juror/witness/interpreter budget (\$600,000) be advanced to the Legislature.

Law Clerks. Funding for the law clerks would not add additional law clerks, but it would allow existing temporary clerks to be funded with ongoing funds. In addition, it is recommended that the one time-limited juvenile law clerk, currently funded through grant and one-time funding, be funded through this request. If more than one clerk is funded, the second position should be the juvenile law clerk position. If all three are funded, two district and one juvenile law clerk positions would be created.

Juror/Witness/Interpreter. It is recommended that an ongoing request of \$600,000 in the juror/witness/interpreter budget be advanced as a mandate to bring the ongoing budget in line with actual expenses. A supplemental increase to cover the projected FY 2011 deficit in the budget should be advanced.

Judgeship Requests. Mr. Becker recommended that the requests for new judgeships in the Eighth and Third Districts not be advanced at the present time. Mr. Becker reported that he met with Judge Peterson from the Eighth District last week. Eighth District needs were discussed at that time. He recommended that the sharing of judicial resources between the Seventh and Eighth Districts continue. He suggested that the presiding judges of the two districts work together in scheduling court in each district for the coming year with the knowledge that combined resources would be used. He noted that combining of judicial resources from the Seventh and Eighth District is a temporary measure, not a permanent solution for needs of the Eighth District.

Discussion took place relative to the possibility of combining the Seventh and Eighth Districts. A Council member raised the issue of moving just Duchesne County from the Eighth to the Seventh District, as an alternative to consolidating the two districts. The Council was in consensus to examine this issue and request staff to prepare an analysis of such a change.

Lease and Contracts. Mr. Becker suggested that the \$33,000 lease and contract increase be covered within the existing lease and contract budget.

OCAP Expansion. The Online Court Assistance Program Restricted Account has a sufficient balance to allow a one-time additional appropriation of \$100,000, and it was recommended that this request be advanced.

Mr. Becker mentioned that a conservative estimate of potential carry forward funds for FY 2010 was relied upon when the budget plan was prepared in May. The actual carry forward was \$831,900 more than what was projected and budgeted for. He recommended that the Council use the funds in the following ways: 1) place \$481,450 of that amount in reserve for FY 2011, 2) one-time funding for DP equipment upgrade in the First District training room, \$3,000; 3) one-time funding for microfiche reader in 2nd District, \$7,450; 4) new jury orientation video, \$15,000; 5) one-time funding for the Self-Help Center, \$50,000; 6) one-time funding of senior judge budget, \$100,000; and 7) IT programming increase for electronic record project and for an in-chambers case management system, \$175,000.

10. LEGISLATIVE PROPOSALS: (Rick Schwermer and Tim Shea) & Brent Johnson

Mr. Schwermer provided information relative to the proposed legislation. He mentioned that there are several proposals that may have fiscal impact. Mr. Schwermer reported that the Liaison Committee met yesterday. The Committee reviewed internal legislation and two pieces of external legislation. He noted that the Committee took no position on the Immigration Bill. A protected document *Criminal Contempt Amendments* was deferred for consideration before the

Council today. A review of the internal legislation, legislation the Judicial Council would consider advancing in the upcoming Legislative Session, will take place. There are four pieces of legislation for Council consideration to include: 1) a joint resolution, 2) guardianship amendments, 3) housekeeping bill, and 4) juvenile court amendments bill.

Mr. Shea reviewed the following pieces of legislation for the Council:

Joint Resolution. With the formation of the Orem Justice Court, the resolution allows for removal of the district court operations from the City of Orem. The resolutions would also allow the City of Orem Justice Court to use the space previously used for district court operations.

Guardianship Amendments. The proposed amendments are the same as what was before the legislature last year. Mr. Shea will meet with the group of people opposed to the legislation last year to answer questions. A meeting with the Department of Education will take place as well. Changes made to the legislation were mentioned.

Motion: Judge McCullagh moved to approve the joint resolution. Ms. Nelson seconded the motion, and it passed unanimously.

Motion: Judge Chamberlain moved to approve the Guardianship Amendment. Judge Stoney seconded the motion, and it passed unanimously.

Section 20A-9-201 - Declarations of Candidacy. The proposed legislation would allow justice court judges to file a declaration of candidacy to be a candidate for more than one justice court judge office. A declaration of candidacy is valid for all jurisdictions for which the judge sits. The issue of a judge of a justice court existing by means of an interlocal agreement was addressed. Clarification regarding offices of justice court judges was made. Discussion took place.

Section 78A-6-103 - Jurisdiction of Juvenile Court. The proposed legislation pertains to child protective orders and when they should be filed in juvenile court.

Motion: Judge Eyre moved to not include the proposed amendments to Section 78A-6-103 - Jurisdiction of Juvenile Court in the Housekeeping Bill. It was seconded, and it passed unanimously.

Section 78B-7-205 - Service–Income withholding–Expiration. The proposed legislation deals with the duration of child protective orders.

Section 78A-6-103 - Juvenile Court Technical Changes. The proposed legislation clarifies that the juvenile court has exclusive original jurisdiction in proceedings concerning de novo review of final agency actions after all administrative remedies have been exhausted.

Motion: Judge McCullagh moved to strike the proposed legislation regarding juvenile court and jurisdiction from the housekeeping bill. Judge Westfall seconded the motion, and it passed unanimously.

Section 78A-6-1103 - Modification or termination of custody order or decree. The proposed legislation clarifies the language regarding appeals.

Section 78A-6-1113 - Property damage caused by a minor. The proposed legislation allows the court to order that restitution be paid by the minor's parent or guardian as part of the

minor's disposition order.

Section 77-38a-404 - Minimum Restitution. The proposed amendment provides that a restitution payment be at least \$5.00 before it is disbursed to the victim unless the payment is the final payment.

Motion: Ms. Nelson moved to approve the general provisions of the housekeeping bill not altered by previous motions. Judge McCullagh seconded the motion, and it passed unanimously.

Section 78A-6-113 - Placement of minor in detention or shelter facility. The proposed legislation includes a change that states that a shelter hearing may not be waived, but a detention hearing may be waived by a parent or legal guardian of the minor with the consent of a judge. The legislation allows the court to commit a minor to a place of detention or an alternative to detention not to exceed 60 days subject to the court retaining continuing jurisdiction over the minor.

Section 78A-6-306 - Shelter Hearing. The proposed legislation provides an opportunity to provide relevant testimony or proffer evidence at a shelter hearing. Discussion took place.

Motion: Judge McCullagh moved to strike the change adding proffer evidence. Judge Westfall seconded the motion. It passed with Judge Hornak, Judge Maughan, Judge Stoney, Judge Eyre, and Ms. Nelson voting no.

Motion: Ms. Nelson moved to change the word "testimony" to "evidence" on the line adding proffer evidence. Judge McCullagh seconded the motion. It passed with Judge McCullagh and Judge Atherton voting no.

Section 78A-6-312 - Dispositional hearing. The proposed amendment eliminates the requirement of listing conditions under which the permanency goal will be abandoned and an explanation of the effect of abandoning or modifying the primary permanency goal.

Motion: Judge McCullagh moved to strike the change eliminating the requirement of listing conditions under which the permanency goal will be abandoned and an explanation of the effect of abandoning or modifying the primary permanency goal. Judge Eyre seconded the motion. It passed with Judge Hornak voting no.

Section 78A-6-604 - Minor held in detention. The proposed legislation changes the word "shall" to "may" on line 719. Explanation provided.

Criminal Contempt Amendments. Mr. Johnson provided a brief history behind this amendment. It coincides with the Gardner vs. York Case. The amendment creates three levels of the contempt process. Mr. Johnson provided a definition of the levels of contempt. It was mentioned that the Liaison Committee voted to defer for Council consideration. Discussion took place.

11. DISCUSSION AND VOTE ON BUDGET PRIORITIES: (Rick Schwermer)

Mr. Schwermer reminded the Council of the process of prioritizing the budget requests. He mentioned that it is important to understand all of the requests presented and address each item and make a decision on each request. The items will be categorized as follows: 1) fiscal

note requests, 2) mandates/obligations, 3) appropriation building block, 4) FY 2011 alternative funding sources, 5) and eliminate FY 2012 building blocks.

Law Clerks. The Council agreed to submit this request as an appropriation building block.

Eighth District Judgeship. The Council agreed to eliminate this request and pursue alternative coverage options.

Third District Judgeship. The Council agreed to eliminate this request.

Replace 12 CRTs with LCD Monitors. The Council agreed to use alternate funding for this request.

Digital Microfilm Scanner/Printers. The Council agreed to use alternate funding for one of the two machines in this request.

Self-Help Center. The Council agreed to eliminate the request for FY 2012 and use alternate funding for \$50,000 for FY 2011.

Juror Video. The Council agreed to use alternate funding for this request.

OCAP (Available Restricted Funds). The Council agreed to submit this request as an appropriation building block.

Lease Increases. The Council agreed to eliminate this request.

Jury/Witness/Interpreter Ongoing Increase. The Council agreed to submit this request as a mandate/obligation.

Jury/Witness/Interpreter–FY10 and FY11 Deficits. The Council agreed to submit this request as a mandate/obligation.

| Proposed Budget Request Description | Request \$ | Mandates/ Obligations | FY 2012 Appropriation Building Block | FY 11 Alternative Funding Sources | Eliminate FY12 Building Blocks |
|---|-------------------|----------------------------------|---|--|---|
| Law Clerks (3 FTEs) | 264,000 | | 264,000 | | |
| Judge-8th District (3 FTEs) | 324,800 | | | | 324,800 |
| Judge-3rd District (3 FTEs) | 324,800 | | | | 324,800 |
| Replace 12 CRTs with LCD Monitors-1st District; 1 Time | 3,000 | | | 3,000 | |
| Digital Microfilm Scanner/Printers-2nd District; 1 Time | 14,900 | | | 7,450 | |
| Self-Help Center (3 FTEs) | 349,200 | | | 50,000 | 349,200 |
| Juror Video Update-1 Time | 15,000 | | | 15,000 | |
| OCAP (Available Restricted Funds)-1 Time | 100,000 | | 100,000 | | |
| Lease Increases | 33,000 | | | | 33,000 |
| J/W/I Ongoing Increase to Eliminate Deficits | 600,000 | 600,000 | | | |
| SUPPLEMENTALS-FY 2011 | | | | | |
| Juror/Witness/Interpreter--FY10 and FY11 Deficits | 1,195,800 | 1,195,800 | | | |
| | 3,224,500 | 1,795,800 | 364,000 | 75,450 | 1,031,800 |

| Judicial Council Approved Recommendations from the State Court Administrator | Additional 1-time Expenditures |
|--|--------------------------------|
| Senior Judge | 100,000 |
| IT Programming Increase for e-filing | 175,000 |
| Replace 12 CRTs with LCD Monitors-1st District; 1 Time | 3,000 |
| Digital Microfilm Scanner/Printers-2nd District; 1 Time | 7,450 |
| Self-Help Center (3 FTEs) | 50,000 |
| Juror Video Update-1 Time | 15,000 |
| Reserve | 481,450 |
| Total | 831,900 |

| | |
|------------------------|---------|
| Total Reserve for FY11 | 731,450 |
|------------------------|---------|

Motion: Judge Maughan moved to approve the 2012 budget items being submitted as appropriation building block requests or mandates including the law clerk request, the OCAP request, and the jury/witness/interpreter requests. Judge McCullagh seconded the motion, and it passed unanimously.

Motion: Judge Maughan moved to approve the remainder of the budget requests as categorized, including one-time additions to the FY 2011 budget plan. Judge Eyre seconded the motion, and it passed unanimously.

Motion: Judge Eyre moved to forward the Facilities requests as priorities to include the Ogden Juvenile Court facility, the Northern Utah County land bank request, and request for funding to purchase the (county-owned) Farmington courthouse. Judge Maughan seconded the motion, and it passed unanimously.

Motion: Judge Eyre moved to approve the Guardian ad Litem requests as presented. Ms. Nelson seconded the motion, and it passed unanimously.

12. ADJOURN

Motion: Judge Maughan moved to adjourn the budget and planning session and commence with the Council meeting. Judge Petry seconded the motion, and it passed unanimously.

The meeting was adjourned.