

**JUDICIAL COUNCIL
BUDGET AND PLANNING SESSION**

**Minutes
August 20, 2021
Matheson Courthouse
Meeting held through Webex
8:00 a.m. – 12:59 p.m.**

Chief Justice Matthew B. Durrant, Presiding

Members:

Chief Justice Matthew B. Durrant, Chair
Hon. Samuel Chiara
Hon. Augustus Chin
Hon. David Connors
Hon. Paul Farr
Hon. Michelle Heward
Justice Deno Himonas
Hon. Mark May
Hon. David Mortensen
Hon. Derek Pullan
Rob Rice, esq.
Hon. Brook Sessions

Excused:

Hon. Todd Shaughnessy, Vice Chair
Hon. Brian Cannell
Hon. Ryan Evershed
Hon. Kara Pettit

Guests:

Hon. Marvin Bagley, Sixth District Court
Jonathan Ball, Legislative Fiscal Analyst
Jim Bauer, JTCE, Third Juvenile Court
Hon. Dennis Fuchs, Senior Judge
Scotti Hill, Attorney
Hon. Keith Kelly, Third District Court

AOC Staff:

Ron Gordon
Cathy Dupont
Michael Drechsel
Heidi Anderson
Shane Bahr
Paul Barron
Alisha Johnson
Tania Mashburn
Jordan Murray
Bart Olsen
Zerina Ocanovic
Jim Peters
Jon Puente
Nini Rich
Neira Siaperas
Nick Stiles
Karl Sweeney
Shonna Thomas
Jeni Wood
Kim Zimmerman

Guests (cont.):

Kristina King, OLRGC
Hon. Mark Kouris, Third District Court
Chris Morgan, TCE, Sixth District Court
Nate Talley, Deputy Director, GOPB

1. **WELCOME: (Chief Justice Matthew B. Durrant)**
Chief Justice Matthew B. Durrant welcomed everyone to the meeting.

2. **OVERVIEW: (Ron Gordon)**
Ron Gordon provided an explanation of the process for budget requests and the duties of the Judicial Council.

Annually, the Judiciary submits requests to the Legislative Fiscal Analyst Office (LFA) for ongoing and one-time funding for new initiatives. Before these requests are submitted to the LFA, the Judicial Council reviews the requests and determines if they should go forward through the legislative process. The final prioritized list is called the Annual Budget Plan. The requests have been reviewed and prioritized by the Budget and Fiscal Management Committee for discussion and approval by the Council. Requests that are approved by the Council to forward to the Legislature will be addressed in the General Session.

The requests approved for advancement to the Legislature will fall into one of the following two categories:

- a) **Judicial Priorities/Building Blocks** – Items requested that the Council elects to pursue through the legislative appropriations process. Building block requests are submitted to the Legislature and to the Governor.
- b) **Legislative Fiscal Note** – Items requested by a Board or Committee that the Council elects to pursue through legislation and an accompanying fiscal note (i.e. the addition of a new judge requires legislation and, therefore, cannot be submitted via a building block and would be required to go through the legislative fiscal note process).

3. UTAH ECONOMIC OUTLOOK: (Nate Talley)

Chief Justice Durrant welcomed Nate Talley, Deputy Director and Chief Economist for the Governor’s Office of Planning and Budget. State growth factors include federal stimulus shocks, population growth, optimism, and COVID experience and response. Potential risk factors include revenue sustainability, inflation, labor shortages, and public benefit enrollment. Utah had a 18.4% increase in population from 2010 to 2020. Consumer confidence has declined nationwide, most likely due to the Delta variant. Utah has a 2.7% unemployment rate. As of May, housing costs were up 30%.

Sales tax revenue

The General Fund Portion of state sales tax collections are preliminarily estimated to have grown by 16.5% overall in Fiscal Year 2021, outpacing the General Fund sales tax estimate of 9.6%.

Income tax revenue

Individual income tax collections are preliminarily estimated to have grown by 53.3% in Fiscal Year 2021, against a Consensus projection of 44.3%.

Combined education fund/general fund

Initial estimates suggest a sizable year-end revenue surplus of \$800 million relative to adopted Consensus numbers. This initial estimate will be adjusted as final accounting closeout occurs.

Economic indicators	CY20	CY21(est.)	CY22(forecasted)
Population	1.5%	1.4%	1.4%
Nonfarm Employment	-1.3%	4.4%	2.9%
Unemployment Rate	4.7%	2.7%	2.8%
Total Personal Income	8.5%	5.5%	2.6%

Taxable Retail Sales	8.4%	16.4%	4.0%
Residential Permit Value	9.1%	26.4%	3.8%

Chief Justice Durrant thanked Mr. Talley and appreciated his presentation.

4. LEGISLATURE’S APPROACH TO FY23 BUDGET: (Jonathan Ball)

Chief Justice Durrant welcomed Jonathan Ball, Legislative Fiscal Analyst. Mr. Ball explained that the state is projecting a surplus of 800M. The challenge with having an \$800M surplus includes managing expectations. Perception of the surplus is a concern. Fiscally speaking, in a normal growth year, surplus can be tripled to estimate how much new revenue is available for the budget. Surplus is funds that have already been collected. If expectations are set too high, promises must either be made or broken so controlling the expectations during the legislative session will be critical.

More than 12% of the normal gross domestic product (GDP) has been injected into the state’s economy in one year by the federal government. Normally, the state has 4% growth in GDP. The state did not include the American Rescue Plan Act in the revenue estimates.

The state is conscious of the fact that one-time revenue can’t be spent more than once so they have a set of tools to assist with sustainability. Inflation is a concern because the state is now required by law to pay for inflation in public education (Constitutional Amendment G). Another concern is wage inflation due to a lot of turnover in high demand jobs, such as, social services, law enforcement, corrections, and judicial assistants.

The state is paying attention to people migrating to Utah, perhaps in a transitory position where they move to Utah but work remotely through an out-of-state job with the intent of not staying in Utah long term.

The legislature will need to restore some of the budget changes that were made as a result of the pandemic. Some examples he gave included the need to pay off the bond in the amount \$300M for the prison, \$120M for higher education was rescinded during the June special session, that will need to be readdressed, water, \$1.2B in transportation needs, and seismic upgrades in public buildings. These one-time funding items will pay off in the future.

Mr. Ball said they try to avoid one-time funding for FTEs but understands that it occasionally occurs. Mr. Ball recommended fixing those imbalances. Judge David Mortensen asked if there would be an uptick in property tax revenue based on real estate values. Mr. Ball explained that because of a property tax equalization, there will not be an increase for existing houses unless the municipalities and counties act to maintain rates at the current level. There will be an increase associated with new housing units.

Mr. Ball described the legislative process for the budget. Generally speaking, a budget request is sent to the legislature with the Governor’s budget recommendations. The legislature starts the process with the prior year’s ongoing appropriation, which is called the base budget bill. The base budget bills are determined in December of each year through the executive appropriations subcommittee and must be passed by the 10th day of the general session. The

primary reason for the base budget bill is to ensure proper transition from year to year. The next step occurs about the second to the last week of the 45-day general session. The legislature passes six supplemental bills to the base budget: compensation, internal service funds, current budget year public education changes, new year public education changes, and one bill for everyone else (current and new year). The last item for the legislature, at midnight on the last day of the general session, is appropriation adjustments, which includes funding fiscal impact bills resulting from legislation that passed.

The legislative leadership relies on subcommittees to prioritize budget requests. The Executive Office and Criminal Justice Appropriations Subcommittee considers and prioritizes the Judiciary's requests. The obvious first strategy is to have the budget request items as high on the priority list as possible. The leadership team then reviews all of the subcommittees lists' and determines which requests could fit in the revenue estimate. In the past, requests in the Governors budget were considered eligible for the prioritization practice. Lately, however, budget requests for appropriations that are sponsored by a legislator are getting more attention. Mr. Ball explained that the Judiciary may have an advantage as the third branch of government because having Chief Justice Durrant speak to the Speaker of the House and the President of the Senate can be meaningful. The caucuses will ultimately determine if there is enough support for the requests.

Chief Justice Durrant thanked Mr. Ball and appreciated his insights and counsel.

5. CASE FILINGS/WEIGHTED CASELOADS FY21: (Paul Barron, Shane Bahr, and Neira Siaperas)

Chief Justice Durrant welcomed Paul Barron, Shane Bahr, and Neira Siaperas. The information included in a caseload is compiled using methodology developed by committees for each weighted caseload: district, juvenile, justice, and district and juvenile clerical. The weighted caseloads represent the needed judicial or clerical resources relative to available resources. The need is calculated in terms of certain case filings or events multiplied by the weights or hours needed to complete the tasks for those filings or events. For district and juvenile courts, an interim report is provided in May and the final report is provided in August.

The reports presented to the Council were prepared using a 3-year average of case filings or events, while in previous years, only the prior fiscal year's counts were used. This change was implemented for the FY21 Interim Report at the recommendation of the National Center for State Courts (NCSC) according to their best practices and helps moderate the effects of any single year being especially high or low for case filings or events.

The 3-year average for the FY21 Final Reports was calculated using case filings from July 1, 2018 to June 30, 2021, in one-year intervals (FY19, FY20, and FY21). The Interim Report prepared in May used the 3-year average of case filings from April 1, 2018 – March 31, 2021, also in one-year intervals. As expected, this slight shift in time frame resulted in a slight change in the overall judicial and clerical needs. Replacing the April 1, 2018 – June 30, 2018 counts, which was a relatively high quarter for case filings, with the April 1, 2021 – June 30, 2021 counts, which was a particularly low quarter for case filings, resulted in a lower overall 3-

year average of case filings than was used for the FY21 Interim Report. Since the start of the pandemic in March 2020, the courts have seen an overall decrease in case filings.

Previously reported findings are included in the tables for district and juvenile judicial weighted caseloads to show the change over time. Prior years' results were not prepared using a 3-year average but reflect the caseloads of a single fiscal year. Additionally, no figures were included in the charts for FY20 since a final report was not published in that year due to the pandemic and the NCSC review.

District Court Judicial Weighted Caseload

Statewide, the district judicial weighted caseload shows relatively balanced Judicial staffing with a statewide understaffing of less than one full judicial officer (-0.6). This went down slightly from the Interim Report which showed a statewide need of just over one judicial officer (-1.3). This slight decrease was expected because of the shift of the time frame to include less pre-pandemic time with higher filing counts and more pandemic time with lower filing counts. As intended, the 3-year average did help temper those effects, as the filings for FY21 were the lowest of the three years used.

The individual needs of each district vary, with the greatest staffing need in the Third District Court showing a need of just under two judicial officers (-1.9). No other district exceeds a need or overstaffing of more than one judge. Three districts show some slight understaffing, three districts indicate slight overstaffing and the remaining two districts indicate no need.

Juvenile Judicial Weighted Caseload

The juvenile judicial weighted caseload shows significant changes from the last report prepared in 2019. This is due to a significant overhaul to the case weights that was conducted in 2020. Upon request of the juvenile bench, a committee was created to review and assess the case weights used in this report. The last time extensive changes were made to the juvenile weighted caseload report was in 2010. As a result of legislative and practice changes since 2010, the bench believed the report inaccurately reflected the hours needed to complete their work.

The changes to the juvenile judicial weighted caseload included the addition of new case types and the review of several different hearings and event types resulting in new case weights on all case types. Additionally, the committee surveyed judges about their travel time and adjusted the travel time allotted in each district. Overall, the changes reflect an increase in workload compared to previous years, especially in the years following implementation of HB239 in 2017. This highlights the judges' concern that after HB239 the report no longer represented their work accurately.

Overall, the FY21 final report shows a need of 1.6 juvenile court judges statewide. The Fourth District Court shows the greatest need at 1.7 judges. No other district shows a need or overstaffing of more than one judge.

Clerical Weighted Caseload

The clerical weighted caseload includes district and juvenile courts due to the dual nature of several of the smaller districts. In those districts, the court needs are combined as staff may be assigned to work in both district and juvenile courts.

Due to the pandemic and the review by the NCSC, this report and the work of the juvenile weighted caseload committee was put on hold in FY20. Prior to the pause, the committee decided to eliminate the case managers and team managers from being considered as available resources for the weighted caseload. The committee agreed that they are less available to perform the work of a judicial assistant than when the methodology was developed, making them more available to perform their supervisory roles. Because of this change, comparing the FY21 clerical caseload to any prior year is difficult, as the prior years consistently showed significant overstaffing, likely due to the overestimation of the case and team managers' availability to perform judicial assistant work.

The final FY21 statewide clerical need shows an overstaffing of 1.92, whereas the interim report showed a shortage of 1.79 FTE. This is due to more pandemic months being included in the final 3-year average.

Chief Justice Durrant thanked Mr. Barron, Mr. Bahr, and Ms. Siaperas.

6. BUDGET AND FISCAL MANAGEMENT PRIORITIZATION PROCESS: (Judge Mark May, Bart Olsen, Heidi Anderson, Jon Puente, Shane Bahr, Neira Siaperas, Judge Keith Kelly, Shonna Thomas, Chris Morgan, Judge Brody Keisel, and Judge Mark Kouris)

Chief Justice Durrant welcomed the presenters. Factors in ranking items include

- How essential is this request to accomplish the mission of the courts, and
- Does the expenditure provide a good return on the investment?

Motion: Judge May moved to go into an executive session to discuss a security concern. Judge Pullan seconded the motion, and it passed unanimously. The Council reconvened the public meeting.

Judicial Assistants Recruit and Retain. Bart Olsen

\$3,900,000 ongoing

Bart Olsen described the critical need to increase salaries for judicial assistants. The high level of turnover for judicial assistants is a crisis sustained nearly through the entire past decade. Judicial assistants carry out a core function of Utah's courthouses. Additional funding would restore the ability of the Judiciary to internally manage business processes, organizational operations, staff training, and other related matters successfully with an acceptable level of turnover within the core functions.

Judge Derek Pullan asked about the current turnover rate and what the targeted turnover rate should be. Bart Olsen said the turnover rate in 2020 was 16.5% and the goal is between 5-10% turnover, which is industry standard. The pandemic created a downward trend in turnover rate to 16.47% from 17.84% in 2019. The courts have about 55 open, active JA recruitments,

which is about 1/5 of total JA positions. In 2011, the JA pay rate was about 80% of the average Utah non-farm employment rate. In 2020, the JA pay rate declined to about 70%. Mr. Olsen said the rate of pay is a significant factor in the turnover rate. The courts churn rate is 21.86% below what is considered full employment. Turnover is when an employee leaves an organization. Churn is when an employee moves from one position to another within the organization.

Mr. Olsen explained that exit surveys completed by judicial assistants who leave the courts show average, salary is the among the highest percentage of reasons given for leaving the courts.

IT Infrastructure and Development. Heidi Anderson

\$1,122,000 ongoing

To improve access to justice in Utah by improving the courts' information technology infrastructure and development through upgrading outdated hardware/software, ensuring ongoing funding for critical security software and adding additional development staff. This request includes all of the \$802,000 of one-time IT spending requests approved in the 2021 Legislative Session. To those requests they have added a request for spending an additional \$320,000 of ongoing funds to address a critical need to purchase cyber security ransomware insurance. All of these requests are urgent. And that urgency has only increased with the issues surrounding access to justice in a post-COVID court system. All of these requests will enable to the courts to move forward in efforts to serve the people of Utah.

Public Outreach Coordinator. Jon Puente

\$120,000 ongoing

The Committee on Judicial Outreach and the Committee on Resources for Self-Represented Parties recommended the creation of a Public Outreach Coordinator position. The position was also recommended in the past by the courts' Racial and Ethnic Fairness Study. The public outreach coordinator is necessary to invest more time and resources toward actively reaching out to marginalized communities, to provide more public education about the role and functions of the Judicial Branch, and to reach self-represented litigants during a time of social and economic uncertainty. Both the National Center for State Courts and the Chief Justice of the Supreme Court of the United States have identified an urgent need for the role of a public outreach coordinator. Last fiscal year, the Judicial Council approved and funded a public outreach coordinator with one-time funds and housed the position in the Office of Fairness and Accountability. In a short time, the OFA through the Public Outreach Coordinator has started to formalize and coordinate efforts to forge important partnerships, engage community leaders, and spearhead outreach efforts to historically marginalized communities in need. Mr. Puente is working to create a uniform program that judges can use when presenting to schools.

Statewide Treatment Court Coordinator. Shane Bahr, Neira Siaperas

\$97,700 ongoing

This is a new shared position that will serve juvenile and district courts. This position will be housed at the AOC and primary supervision will be provided by the District Court Administrator in collaboration with the Juvenile Court Administrator. In March, 2019 the Council requested a small workgroup be created and tasked with conducting an inventory of treatment court coordination and certification. The work product from this workgroup resulted in

the Inventory and Recommendations Concerning Coordination and Certification of Problem-Solving Courts in Utah Report, which was submitted the Council in November, 2019. Members of the workgroup concluded that a more structured and robust coordinating approach at the state and local level needs to be implemented.

Mr. Bahr envisioned that this position would assist Judge Fuchs who will serve as a subject-matter expert, create training curriculum, and distribute pertinent information to the courts and court entities. Judge Fuchs is paid through a contract from the Division of Substance Abuse and Mental Health.

Court Visitor Program Coordinator. Judge Keith Kelly, Shonna Thomas

\$92,024 ongoing OR one-time funds

The Court Visitor Program, under the Guardianship Reporting and Monitoring Program (GRAMP), provides to judges a cadre of trained volunteers to serve as court visitors in guardianship and conservatorship proceedings. GRAMP was created to assist the Judiciary, provide the court with tools to establish accountability in guardianship and conservatorship cases, and to detect potential abuse in the vulnerable adult population. Current funding supports two FTE who work under GRAMP. This program has been overwhelmingly successful and an additional FTE is needed to manage the current workload and to expand services to other vulnerable adults and children in the state of Utah.

Sixth District Court Juvenile Judge. Judge Brody Keisel, Chris Morgan

\$449,100 ongoing

\$25,000 one-time funds

\$474,100 Total

The Sixth District Court sought funding for a new juvenile court judge and two JAs for a variety of reasons. The Sixth District Court is the only district in the state with just one juvenile court judge. It is also the only district with only two district court judges. In spite of the small number of judges it is an enormous district, geographically speaking. The district encompasses six counties, covering more counties than any other judicial district in the state. As such, there are a variety of juvenile court dockets being heard in six different counties by one judge every month. In addition to those courtroom calendars, the juvenile court judge carries a partial district court caseload. Not only is this a challenge for the judge, it is also a challenge for the judicial assistants who have to work in both a juvenile court and district court setting.

The methodology and case weights for the juvenile judicial weighted caseload were revised and updated in 2020 to align with statutory, policy, and practice changes affecting the work of juvenile court judges. The 2020 modifications in the juvenile study were the first significant changes to the methodology and case weights since 2010. The FY21 juvenile judicial weighted caseload report indicates an overall statewide need for 1.6 juvenile court judges, including the need for .6 of an additional juvenile court judge in the Sixth District Court. The only juvenile court judge in the Sixth District Court currently carries a 158% workload (total hours needed/total available hours).

Other Factors

- A 180% increase in Child Welfare Cases in Sixth District Court over the last six years

- Potentially negative impact on compliance with statutorily required timelines due to the lack of available court dates for child welfare hearings
- Sustained population growth in Sanpete and Sevier Counties
- Anticipated legislation that would expand juvenile court jurisdiction for offenses committed by individuals over the age of 18

Judge Bagley said the three judges cover both district and juvenile courts. Justice Deno Himonas felt the Council should determine the accuracy of weighted caseloads in situations where district and juvenile courts share judges. Judge Pullan remembered that the Council discussed the thresholds a few years ago.

Judge Samuel Chiara said the Seventh District Court has two judges but it was reported that they have .9 juvenile court judges too many. Neira Siaperas mentioned the Board of Juvenile Court Judges and the Seventh District Bench agreed to assist the Sixth District Court, although scheduling and traveling challenges are of concern. The “one family – one judge” model used in the courts is difficult to meet in these situations. Judge Michelle Heward said the impact of the evidence-based practice is more critical in juvenile cases in rural areas.

Third District Court Criminal Commissioners. Judge Mark Kouris

\$584,000 ongoing

Based on the FY21 district judicial weighted caseload report there is a need for judicial officers in the Third District Court (1.9), the Fourth District Court (.2), and the Sixth District Court (.2). At the same time, the report indicates there are potential judicial resources available in the First, Second, and Seventh District Courts. In the end, the district judicial weighted caseload report showed an overall statewide need of .6 district judicial officers. While the number of judicial officers needed per the weighted caseload report is important to consider, the need should also be evaluated relative to the total number of judicial officers in the district.

As reflected in the multi-year district judicial weighted workload study, the data continues to show judicial need in the Third District Court. In FY19, (pre-pandemic) the workload study indicated a need for 3.7 judicial officers in the Third District Court. The judicial need indicated in the FY21 study dropped to 1.9 judicial officers. A fifty percent reduction in anticipated need from the previous report which can largely be attributed to a significant decrease in filings as a result of the pandemic. Judge Kouris recognized that productivity has declined in the Third District Court.

More than 18,000 people go through first appearance calendars in a courtroom each year. The legal defender’s office and the district attorney’s office have provided attorneys for first appearance calendars. Justice Himonas thought this was an excellent idea but asked if the General Counsel’s Office had opined on the constitutionality of commissioners. Judge Kouris stated the reality is that even if new judges were hired, that wouldn’t reduce the calendar time by very much and the need for first appearance court would still be present. The commissioners/magistrate’s duties would not cross the constitutionality issue. Judge Brendan McCullagh is working to change Utah Code § 78A-2-220 to allow justice courts to order no-bail holds.

Chief Justice Durrant thanked the presenters.

7. FINALIZE JUDICIAL COUNCIL PRIORITIES: (Judge Mark May)

Chief Justice Durrant welcomed Judge Mark May. Judge May described the process for the Judicial Council members who may by motion and vote, assign any requests not advanced as a Judicial Priority/Building Block or Legislative Fiscal Note into one the following two categories:

a) Deferral or Alternative Funding

i. Deferral – Items which are removed from consideration for general fund money in the general session and will be brought back to the Council in the spring or summer for reconsideration of funding through 1) submission as a general session judicial priority for the next year; 2) year-end surplus funds (one-time funds); 3) carryforward funds (one-time funds) or 4) ongoing turnover savings (ongoing funds generally used for personnel matters).

ii. Alternative funding—Items requested for which funding may be available from sources other than the legislature including grants and items (2), (3) or (4) above.

b) Elimination – Items that are requested that the Council elects not to pursue during the legislative general session are removed from consideration for general fund money and will not be automatically considered again.

The Council discussed the merits of placing multiple IT requests into one budget request versus voting on the requests separately. Ms. Dupont stated the Council decided in previous years to reduce the number of legislative requests as a strategy.

The Council agreed that future IT budget requests do not need to be bundled, however, the Council accepted that this year’s request was bundled because that was how the legislature approved it last year. Chief Justice Durrant noted that the Council can unbundle requests if they choose. Judge Mortensen asked if the legislature approved a bundled sum, would the funds need to be spent specifically as identified in the request. Alisha Johnson confirmed the funds must be spent as identified. Ms. Dupont felt the courts have an obligation to accurately spend the money appropriated by the legislature. Under certain situations, there are slight adjustments but the authority for spending comes from the Council and legislature. Judge Connors wanted to know how the Council monitored the spending of funds they approved. Mr. Gordon said the AOC will provide a year-end overview of what was asked for, what was received, and how those funds were spent.

Judge Connors requested the Court Visitor Program be moved above the Treatment Court Coordinator. Justice Himonas said the Board of Appellate Court Judges felt there was a priority for the Office of Fairness and Accountability.

From his perspective, Justice Himonas thought the Third District Court Commissioners request, once the constitutionality issue is resolved, made a strong case. Judge Mortensen found the Third District Court’s presentation inconsistent, believing district court judges should be able to handle the first appearance calendars. Judge Connors recommended creating a study

committee to address the Third District Courts request for commissioners. Rob Rice agreed and added that the Council should review the statutory requirements.

Fiscal notes are attached to legislation. Building blocks do not require statute to advance. Deferred items are not sent to the Legislature.

The Committee completed the prioritized list. The results of the voting are as follows:

Ranked	Amount	Ongoing or One-time	Item
1 st	\$3,900,000	Ongoing	Judicial Assistants Recruit and Retain
2 nd	\$1,122,000	Ongoing	IT Infrastructure and Development
3 rd	\$120,000	Ongoing	Public Outreach Coordinator
4 th	\$25,000	One-time	Sixth District Court Juvenile Judge
	\$449,100	Ongoing	(Included with the Sixth District Court request)
5 th	\$92,024 (changed by Finance after meeting to \$92,100)	Ongoing	Court Visitor Program Coordinator
6 th	\$97,700	Ongoing	Statewide Treatment Court Coordinator
Removed	\$584,000	Ongoing	Third District Court Criminal Commissioners

The total approved request for ongoing funds is \$6,264,900 and for one-time funds is \$25,000.

Motion: Judge Pullan moved to set the Judicial Assistants Recruit and Retain request for \$3,900,000 in ongoing funds in the first prioritized position. Justice Himonas seconded the motion, and it passed unanimously.

Motion: Justice Himonas moved to make the IT Infrastructure and Development request for \$1,122,000 in ongoing funds in the second prioritized position. Judge May seconded the motion, and it passed with Judge Connors opposing.

Motion: Justice Himonas moved to ensure that as a matter of policy that the Council will not vote on any judicial officer requests without having a district-by-district comparison. Judge Connors seconded the motion, and it passed unanimously.

Motion: Justice Himonas moved to remove the Third District Court Criminal Commissioners request to send it to a one-year study committee. Judge Connors seconded the motion, and it passed unanimously.

Motion: Justice Himonas moved to remove the Sixth District Court Juvenile Judge request to send it to a one-year study committee. Judge Connors seconded the motion. Justice Himonas withdrew his motion.

Judge Chiara believed the Sixth District Court Juvenile Judge request should remain on the ranking list. Judge Heward recalled there was a similar request that was put forth. Ms. Siaperas said the Board of Juvenile Court Judges could coordinate coverage to assign and maintain cases between the Sixth and Seventh District Courts. Chief Justice Durrant agreed with the idea that the Council needs to consider these decisions based on an agreed upon standard and based on a review of statewide data from the districts. Chief Justice Durrant reminded the Council that they were provided comparative data for the Sixth District Court request. Judge May preferred not to remove the Sixth District Court request. The Council agreed to leave the request on the list.

Judge Connors informed the Council that the court visitor program statute requires a court visitor to meet with an individual when a protected person cannot appear in court and a statutory duty to monitor reports. Judge Connors noted the courts are filling the statutory requirements but are many months behind on cases.

Chief Justice Durrant thanked Judge May.

Motion: Justice Himonas moved to approve the list as prioritized as listed above and send the entire list to the Legislature. Judge Connors seconded the motion, and it passed unanimously.

8. ADJOURN

The meeting adjourned.