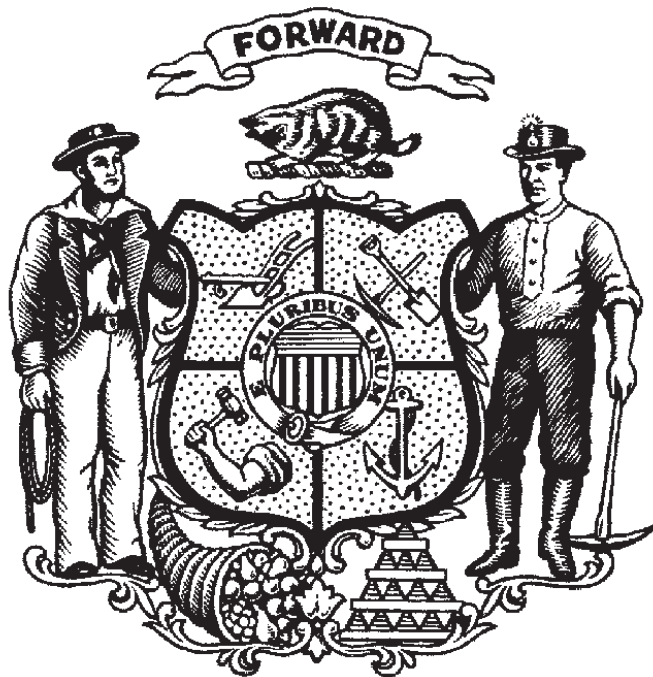


# State of Wisconsin

## Supreme Court



Agency Budget Request  
2011 – 2013 Biennium  
October 1, 2010

# State of Wisconsin

## Supreme Court

### Table of Contents

<b>Section</b>	<b>Page</b>
Cover Letter	3
Agency Information	6
Agency Total by Fund Source	7
Agency Total by Program and Sub Program	8
Agency Total by Decision Item	10
GPR Earned	11
Program Revenue Balance Sheets	12
Segregated Funds Revenue and Balance Sheet	24
Decision Item Information	
DIN 2000 – Adjusted Base	25
DIN 3002 – Remove Non-Continuing Elements	28
DIN 3003 - Full Funding of Salaries and Fringe Benefits	30
DIN 3010 – Full Funding of Lease Costs	33
DIN 6211 – Convert Project Auditor Position to Permanent	36
DIN 6212 – Biennial Appropriation for Director of State Courts	44
DIN 6213 – Judicial Compensation Commission Creation	46
DIN 6214 – State Law Library Funding	53



# Supreme Court of Wisconsin

DIRECTOR OF STATE COURTS

P.O. BOX 1688

MADISON, WISCONSIN 53701-1688

Shirley S. Abrahamson  
Chief Justice

16 East State Capitol  
Telephone 608-266-6828  
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A. John Voelker  
Director of State  
Courts

October 1, 2010

Daniel Schooff, Secretary  
Department of Administration  
101 E. Wilson Street, 10<sup>th</sup> Floor  
Madison, WI 53707

Dear Secretary Schooff:

I submit to you the proposed 2011-2013 biennial budgets of the Circuit Courts, Court of Appeals and Supreme Court of Wisconsin. The combined budgets advance our commitment to provide judges and courts with the resources they need to meet the constitutional responsibilities of the court system through partnerships with other justice stakeholders.

The centerpiece of this partnership budget is a new financial assistance program for counties that would provide additional State support of the circuit courts at a time when counties are struggling to keep under their levy limits and hold down property taxes. Under this proposal, which was previously submitted in our 2007-2009 and 2009-2011 biennial budget requests, the current circuit court support and guardian ad litem payment programs would be eliminated. In their place, a new circuit court financial support payment program would be created, funded through a sum sufficient appropriation consisting of 82 percent of the court support services surcharge revenues collected by county clerks of circuit court in the previous calendar year. Currently, court support services surcharge revenues are deposited to the General Fund, while revenues from virtually every other court-collected surcharge are deposited to program revenue appropriations for specified uses. Under the proposal, the surcharge would be passed-through to counties to provide them financial support for operating their circuit courts.

The following additional requests, while modest, address pressing needs of the court system:

- In conjunction with the new financial assistance program, it should be recognized that for the State to responsibly increase its funding of the circuit courts, accurate revenue and expenditure data are essential. A request is made to convert to permanent a project auditor position created in 2007 Act 20 in order to continue the audit function authorized in Act 20. In 2009-10, 19 counties were audited, providing valuable information for proper county payments, the streamlining of court functions, and proper reporting. Without the auditor position, at least 30 counties will never be audited, and county court financial information will continue to be inconsistent and incomplete, making it impossible to accurately estimate the costs of any state funding proposal.
- There continues to be an increasing need to provide non-English speakers and the hearing-impaired with trained and certified interpreters in the courts. Additional funds are requested

for the current state program that reimburses counties for court interpreter services to reflect increasing demand and the higher reimbursement rates for certified interpreters. With the numbers of limited English speakers in Wisconsin continuing to increase, interpretation has become a basic court service. Interpreters make possible accurate testimony and ensure that parties understand the court process; accurate interpretation is as important for judges as it is for the parties involved. The federal Department of Justice has increased its efforts to review state courts for compliance with language access in court proceedings and to investigate complaints.

- Judicial compensation has been a long-standing concern, in Wisconsin and throughout the country. It is requested to create a Wisconsin Judicial Compensation Commission to study and make recommendations on judicial compensation, with the objective to ensure that judicial salaries are equitable, set regularly and objectively, and treated in a nonpolitical atmosphere. Two national legal organizations have advocated for the creation of judicial compensation commissions, and 20 states have such commissions.
- Increased funding is requested for the Wisconsin State Law Library in order to maintain the collection of continuing legal publications and cover increased on-line services costs. Without access to accurate, up-to-date legal information, our state courts and others involved in the legal system cannot do their jobs.
- Two appropriation changes are requested: one to create a program revenue-receipts appropriation in the Circuit Courts and one to modify the Director of State Courts appropriation to provide additional flexibility in administering the court system. Neither request has a fiscal cost.

The court system is just a part of a larger, interrelated justice system. Our courts become backlogged when other justice partners, particularly the district attorney and public defender offices, lack resources. To that end, the court system encourages you to support the district attorney and public defender offices' requests to be properly staffed and funded. Further, while indigent defense is a state executive, not judicial, branch function, the efficient delivery of this constitutional right impacts the fairness and efficiency of the entire court system. Therefore, we supported, and applaud, the enactment of 2009 Act 164 to update the State Public Defender indigency guidelines so that it once again can fully perform this mandated function. While this change will increase efficiencies and remove a burden on counties, the impact on district attorney offices cannot be ignored.

The justice system cannot properly meet the constitutional requirement for competent indigent counsel without experienced assistant district attorneys, assistant state public defenders and appointed counsel. With the statutory \$40 per hour payment rate for private counsel appointed by the State Public Defender and the shortage of prosecutor positions in district attorney offices, the availability of competent, experienced attorneys to represent both the State and the defendant is of increasing concern. We urge you to address these issues so that the criminal courts can efficiently and effectively provide justice to those who come before the court.

One further point must be made. The proliferation of court surcharges and fees is a troubling trend. It seems that every new program remotely connected to the justice system is now funded with new or increased surcharges or fees. We all must be cognizant that access to the court system cannot be reserved only for those who can pay. The continued proliferation of surcharges both jeopardizes access to the court system and questions the fairness in our penalty structure — the punishment may no longer fit the crime. There is also the problem of diminishing returns. Many state programs are funded in whole or in part by court fee and/or surcharge revenues. The ability to pay has not increased along with these increased fees and surcharges; indeed, the troubling fiscal climate has reduced many citizens' ability to pay. As a result, funding for existing justice programs is in jeopardy.

In summary, we are confident that these budget requests reflect our shared goal of fair and effective delivery of justice to the people of Wisconsin. We want to assure you of our continuing efforts in making court operations more effective and efficient, and look forward to working with you and your staff in the coming months in meeting these goals.

Sincerely,

A. John Voelker  
Director of State Courts

cc: Chief Justice Shirley Abrahamson  
Nicholas Chiarkas, State Public Defender  
Winn S. Collins, President of the Wisconsin District Attorneys Association

## **AGENCY DESCRIPTION**

The Wisconsin Supreme Court, consisting of seven justices elected to ten-year terms, has original jurisdiction in certain cases of statewide concern and, since August 1978, discretionary appellate jurisdiction on all other issues arising under Wisconsin law. The court considers petitions to review decisions of the Court of Appeals, petitions to bypass the Court of Appeals and certifications from that court. It is the highest tribunal for actions commenced in state courts, except where a federal question allowing an appeal to the U.S. Supreme Court is raised. It is the final authority on the state constitution.

The constitution provides that the Wisconsin Supreme Court has the superintending and administrative authority over all courts in the state. The chief justice is the administrative head of the state judicial system and exercises this authority both directly and through the director of state courts pursuant to rules adopted by the Supreme Court.

# by Fund Source

Year	ANNUAL SUMMARY				BIENNIAL SUMMARY				
	Adjusted Base	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE	Base Year Doubled (BYD)	Biennial Request	Change From (BYD)	Change From BYD %
0,568	\$14,842,100	\$15,406,500	\$15,402,000	114.50	114.50	\$29,684,200	\$30,808,500	\$1,124,300	3.8%
0,568	\$14,842,100	\$15,406,500	\$15,402,000	114.50	114.50	\$29,684,200	\$30,808,500	\$1,124,300	3.8%
3,969	\$14,726,200	\$15,044,600	\$15,044,600	95.25	95.25	\$29,452,400	\$30,089,200	\$636,800	2.2%
3,969	\$14,726,200	\$15,044,600	\$15,044,600	95.25	95.25	\$29,452,400	\$30,089,200	\$636,800	2.2%
0,025	\$924,000	\$914,600	\$914,600	5.00	5.00	\$1,848,000	\$1,829,200	(\$18,800)	-1.0%
0,025	\$924,000	\$914,600	\$914,600	5.00	5.00	\$1,848,000	\$1,829,200	(\$18,800)	-1.0%
5,301	\$768,100	\$766,700	\$766,700	5.00	5.00	\$1,536,200	\$1,533,400	(\$2,800)	-0.2%
5,301	\$768,100	\$766,700	\$766,700	5.00	5.00	\$1,536,200	\$1,533,400	(\$2,800)	-0.2%
2,863	\$31,260,400	\$32,132,400	\$32,127,900	219.75	219.75	\$62,520,800	\$64,260,300	\$1,739,500	2.8%

# by Program & SubProgram

Adjusted Base	ANNUAL SUMMARY				BIENNIAL SUMMARY			
	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE	Base Year Doubled (BYD)	Biennial Request	Change From (BYD)	Change From BYD %
<b>Family court proceedings</b>								
5,033,500	\$5,236,100	\$5,236,100	38.50	38.50	\$10,067,000	\$10,472,200	\$405,200	4.03%
\$0	\$0	\$0	0.00	0.00	\$0	\$0	\$0	
<b>5,033,500</b>	<b>\$5,236,100</b>	<b>\$5,236,100</b>	<b>38.50</b>	<b>38.50</b>	<b>\$10,067,000</b>	<b>\$10,472,200</b>	<b>\$405,200</b>	<b>4.03%</b>
<b>5,033,500</b>	<b>\$5,236,100</b>	<b>\$5,236,100</b>	<b>38.50</b>	<b>38.50</b>	<b>\$10,067,000</b>	<b>\$10,472,200</b>	<b>\$405,200</b>	<b>4.03%</b>
<b>County of state courts</b>								
7,621,800	\$7,839,200	\$7,811,500	66.00	66.00	\$15,243,600	\$15,650,700	\$407,100	2.67%
0,442,900	\$10,668,200	\$10,668,200	53.25	53.25	\$20,885,800	\$21,336,400	\$450,600	2.16%
\$924,000	\$914,600	\$914,600	5.00	5.00	\$1,848,000	\$1,829,200	(\$18,800)	-1.02%
\$768,100	\$766,700	\$766,700	5.00	5.00	\$1,536,200	\$1,533,400	(\$2,800)	-0.18%
<b>9,756,800</b>	<b>\$20,188,700</b>	<b>\$20,161,000</b>	<b>129.25</b>	<b>129.25</b>	<b>\$39,513,600</b>	<b>\$40,349,700</b>	<b>\$836,100</b>	<b>2.12%</b>
<b>9,756,800</b>	<b>\$20,188,700</b>	<b>\$20,161,000</b>	<b>129.25</b>	<b>129.25</b>	<b>\$39,513,600</b>	<b>\$40,349,700</b>	<b>\$836,100</b>	<b>2.12%</b>
<b>Administrators and responsibility</b>								
3,525,300	\$3,617,300	\$3,617,300	35.50	35.50	\$7,050,600	\$7,234,600	\$184,000	2.61%
<b>3,525,300</b>	<b>\$3,617,300</b>	<b>\$3,617,300</b>	<b>35.50</b>	<b>35.50</b>	<b>\$7,050,600</b>	<b>\$7,234,600</b>	<b>\$184,000</b>	<b>2.61%</b>



# by Program & SubProgram

3,525,300	\$3,617,300	\$3,617,300	35.50	35.50	\$7,050,600	\$7,234,600	\$184,000	2.61%
ary								
2,186,800	\$2,331,200	\$2,354,400	10.00	10.00	\$4,373,600	\$4,685,600	\$312,000	7.13%
\$758,000	\$759,100	\$759,100	6.50	6.50	\$1,516,000	\$1,518,200	\$2,200	0.15%
2,944,800	\$3,090,300	\$3,113,500	16.50	16.50	\$5,889,600	\$6,203,800	\$314,200	5.33%
2,944,800	\$3,090,300	\$3,113,500	16.50	16.50	\$5,889,600	\$6,203,800	\$314,200	5.33%
1,260,400	\$32,132,400	\$32,127,900	219.75	219.75	\$62,520,800	\$64,260,300	\$1,739,500	2.78%

# by Decision Item

Decision Item	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
nding Level	\$31,260,400	\$31,260,400	220.75	220.75
ontinuing Elements from the Base	(\$105,700)	(\$158,600)	(2.00)	(2.00)
ontinuing Position Salaries and Fringe Benefits	\$655,800	\$655,800	0.00	0.00
ase and Directed Moves Costs	\$172,100	\$172,100	0.00	0.00
uditor Position to Permanent	\$50,300	\$75,500	1.00	1.00
Funding	\$99,500	\$122,700	0.00	0.00
	\$32,132,400	\$32,127,900	219.75	219.75

DES	TITLES
80	Supreme Court
01	Supreme court proceedings
R	Agency Request

September 21, 2010

Revenue	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
	\$0	\$0	\$0	\$0
e	\$53,400	\$59,000	\$59,000	\$59,000
	<b>\$53,400</b>	<b>\$59,000</b>	<b>\$59,000</b>	<b>\$59,000</b>

# Revenue

CODES	TITLES
680	Supreme Court
02	Director of state courts
21	Gifts and grants

ATION

Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
	\$169,300	\$153,300	\$111,500	\$112,000
	\$6,900	\$500	\$500	\$500
	\$176,200	\$153,800	\$112,000	\$112,500
	\$22,895	\$42,300	\$0	\$0
nding Level	\$0	\$0	\$42,300	\$42,300
ntinuing Position Salaries	\$0	\$0	(\$42,300)	(\$42,300)
	\$22,895	\$42,300	\$0	\$0
	\$153,305	\$111,500	\$112,000	\$112,500

0

# Revenue

CODES	TITLES
680	Supreme Court
02	Director of state courts
22	Materials and services

TION

Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
	\$146,000	\$226,900	\$227,600	\$228,300
Sales	\$119,100	\$61,000	\$61,000	\$61,000
	\$265,100	\$287,900	\$288,600	\$289,300
	\$38,200	\$60,300	\$0	\$0
ending Level	\$0	\$0	\$60,300	\$60,300
	\$38,200	\$60,300	\$60,300	\$60,300
	\$226,900	\$227,600	\$228,300	\$229,000

0

# Revenue

CODES	TITLES
680	Supreme Court
02	Director of state courts
23	Municipal judge training

Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
	<b>\$39,200</b>	<b>\$37,900</b>	<b>\$48,200</b>	<b>\$48,800</b>
ts	\$159,400	\$159,400	\$159,400	\$159,400
	\$4,000	\$4,000	\$4,000	\$4,000
	<b>\$202,600</b>	<b>\$201,300</b>	<b>\$211,600</b>	<b>\$212,200</b>
	<b>\$164,700</b>	<b>\$153,100</b>	<b>\$0</b>	<b>\$0</b>
	\$0	\$0	\$1,600	\$3,200
ves	\$0	\$0	\$900	\$1,800
e	\$0	\$0	\$2,600	\$0
	\$0	\$0	\$400	\$900
nding Level	\$0	\$0	\$153,100	\$153,100
ase and Directed Moves	\$0	\$0	\$1,100	\$1,100
ntinuing Position Salaries	\$0	\$0	\$3,100	\$3,100
	<b>\$164,700</b>	<b>\$153,100</b>	<b>\$162,800</b>	<b>\$163,200</b>
	<b>\$37,900</b>	<b>\$48,200</b>	<b>\$48,800</b>	<b>\$49,000</b>

# Revenue

CODES	TITLES
680	Supreme Court
02	Director of state courts
24	Court commissioner training

ATION

nd Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
	\$0	\$0	\$0	\$400
	\$0	\$0	\$63,000	\$63,000
	\$0	\$0	\$63,000	\$63,400
	\$0	\$0	\$0	\$0
nding Level	\$0	\$0	\$62,800	\$62,800
ntinuing Position Salaries	\$0	\$0	(\$200)	(\$200)
	\$0	\$0	\$62,600	\$62,600
	\$0	\$0	\$400	\$800

0

# Revenue

CODES	TITLES
680	Supreme Court
02	Director of state courts
25	Court information systems

Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
	<b>\$1,190,800</b>	<b>\$723,600</b>	<b>\$829,300</b>	<b>\$456,100</b>
	\$5,516,800	\$5,600,000	\$5,660,000	\$5,660,000
Surcharge	\$3,803,100	\$4,129,400	\$4,200,000	\$4,200,000
	\$42,000	\$50,000	\$60,000	\$60,000
	\$95,700	\$177,000	\$100,000	\$100,000
	<b>\$10,648,400</b>	<b>\$10,680,000</b>	<b>\$10,849,300</b>	<b>\$10,476,100</b>
	<b>\$9,924,800</b>	<b>\$9,850,700</b>	<b>\$0</b>	<b>\$0</b>
	\$0	\$0	\$78,900	\$159,300
Leases	\$0	\$0	\$67,900	\$134,800
Telephone	\$0	\$0	\$125,900	\$0
	\$0	\$0	\$13,600	\$27,600
Funding Level	\$0	\$0	\$9,850,700	\$9,850,700
Base and Directed Moves	\$0	\$0	\$59,400	\$59,400
Continuing Position Salaries	\$0	\$0	\$196,800	\$196,800



	\$9,924,800	\$9,850,700	\$10,393,200	\$10,428,600
	\$723,600	\$829,300	\$456,100	\$47,500

# Revenue

CODES	TITLES
680	Supreme Court
02	Director of state courts
26	Central services

ATION

Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
	\$0	\$0	\$0	\$0
	\$171,700	\$228,600	\$245,100	\$244,800
	<b>\$171,700</b>	<b>\$228,600</b>	<b>\$245,100</b>	<b>\$244,800</b>
	\$171,700	\$228,600	\$0	\$0
	\$0	\$0	\$2,900	\$6,000
ves	\$0	\$0	\$1,200	\$2,300
e	\$0	\$0	\$4,700	\$0
	\$0	\$0	\$300	\$500
nding Level	\$0	\$0	\$228,600	\$228,600
ase and Directed Moves	\$0	\$0	\$900	\$900
ntinuing Position Salaries	\$0	\$0	\$6,500	\$6,500
	<b>\$171,700</b>	<b>\$228,600</b>	<b>\$245,100</b>	<b>\$244,800</b>
	\$0	\$0	\$0	\$0

0

# Revenue

CODES	TITLES
680	Supreme Court
02	Director of state courts
30	Court interpreter training and certification

ATION

Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
	\$12,300	\$12,900	\$7,800	\$4,700
	\$27,600	\$40,000	\$42,000	\$42,000
	<b>\$39,900</b>	<b>\$52,900</b>	<b>\$49,800</b>	<b>\$46,700</b>
	\$26,982	\$45,100	\$0	\$0
ending Level	\$0	\$0	\$45,100	\$45,100
	<b>\$26,982</b>	<b>\$45,100</b>	<b>\$45,100</b>	<b>\$45,100</b>
	<b>\$12,918</b>	<b>\$7,800</b>	<b>\$4,700</b>	<b>\$1,600</b>

# Revenue

CODES	TITLES
680	Supreme Court
03	Bar examiners and responsibility
31	Board of bar examiners

Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
	<b>\$443,100</b>	<b>\$671,500</b>	<b>\$822,600</b>	<b>\$806,100</b>
ing	\$543,500	\$500,000	\$422,700	\$422,700
tion	\$462,300	\$400,000	\$392,500	\$392,500
	<b>\$1,448,900</b>	<b>\$1,571,500</b>	<b>\$1,637,800</b>	<b>\$1,621,300</b>
	<b>\$777,400</b>	<b>\$748,900</b>	<b>\$0</b>	<b>\$0</b>
	\$0	\$0	\$10,500	\$21,200
ves	\$0	\$0	\$9,100	\$18,100
e	\$0	\$0	\$16,700	\$0
	\$0	\$0	\$2,200	\$4,500
nding Level	\$0	\$0	\$748,900	\$748,900
ase and Directed Moves	\$0	\$0	\$5,600	\$5,600
ntinuing Position Salaries	\$0	\$0	\$38,700	\$38,700
	<b>\$777,400</b>	<b>\$748,900</b>	<b>\$831,700</b>	<b>\$837,000</b>
	<b>\$671,500</b>	<b>\$822,600</b>	<b>\$806,100</b>	<b>\$784,300</b>

# Revenue

CODES	TITLES
680	Supreme Court
03	Bar examiners and responsibility
33	Office of lawyer regulation

ATION

Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
	<b>\$200,000</b>	<b>\$255,100</b>	<b>\$378,700</b>	<b>\$309,900</b>
	\$2,800,400	\$2,800,000	\$2,800,000	\$2,800,000
	\$204,300	\$100,000	\$100,000	\$100,000
	<b>\$3,204,700</b>	<b>\$3,155,100</b>	<b>\$3,278,700</b>	<b>\$3,209,900</b>
	<b>\$2,949,600</b>	<b>\$2,776,400</b>	<b>\$0</b>	<b>\$0</b>
	\$0	\$0	\$37,800	\$76,400
ves	\$0	\$0	\$40,300	\$80,000
e	\$0	\$0	\$60,300	\$0
	\$0	\$0	\$6,300	\$12,800
nding Level	\$0	\$0	\$2,776,400	\$2,776,400
ase and Directed Moves	\$0	\$0	\$16,800	\$16,800
ntinuing Position Salaries	\$0	\$0	\$30,900	\$30,900
	<b>\$2,949,600</b>	<b>\$2,776,400</b>	<b>\$2,968,800</b>	<b>\$2,993,300</b>
	<b>\$255,100</b>	<b>\$378,700</b>	<b>\$309,900</b>	<b>\$216,600</b>

0

# Revenue

CODES	TITLES
680	Supreme Court
04	Law library
21	Library collections and services

ATION

nd Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
	\$97,100	\$100,200	\$69,300	\$40,500
	\$26,100	\$27,000	\$28,000	\$30,000
ues	\$77,400	\$78,000	\$80,000	\$82,000
	<b>\$200,600</b>	<b>\$205,200</b>	<b>\$177,300</b>	<b>\$152,500</b>
	<b>\$100,400</b>	<b>\$135,900</b>	<b>\$0</b>	<b>\$0</b>
nding Level	\$0	\$0	\$135,900	\$135,900
ntinuing Position Salaries	\$0	\$0	\$900	\$900
	<b>\$100,400</b>	<b>\$135,900</b>	<b>\$136,800</b>	<b>\$136,800</b>
	<b>\$100,200</b>	<b>\$69,300</b>	<b>\$40,500</b>	<b>\$15,700</b>

0

# Revenue

CODES	TITLES
680	Supreme Court
04	Law library
22	Gifts and grants

ATION

Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
	\$188,500	\$186,500	\$183,500	\$172,200
	\$320,000	\$320,000	\$320,000	\$320,000
	\$508,500	\$506,500	\$503,500	\$492,200
	\$322,031	\$323,000	\$0	\$0
	\$0	\$0	\$2,900	\$5,900
ives	\$0	\$0	\$500	\$1,000
e	\$0	\$0	\$4,700	\$0
nding Level	\$0	\$0	\$323,000	\$323,000
ntinuing Position Salaries	\$0	\$0	\$200	\$200
	\$322,031	\$323,000	\$331,300	\$330,100
	\$186,469	\$183,500	\$172,200	\$162,100

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# Segregated Funds Revenue and Balances Statement

	CODES	TITLES
DEPARTMENT	680	Supreme Court
NUMERIC	62	Mediation fund
PROGRAM	02	Director of state courts
SUBPROGRAM		
WISMA RT FUND	MEDIATION	

Revenue and Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
<b>Opening Balance</b>	<b>\$200</b>	<b>\$48,900</b>	<b>\$78,500</b>	<b>\$78,400</b>
Assessments and Interest	\$357,300	\$380,000	\$375,000	\$375,000
<b>Total Revenue</b>	<b>\$357,500</b>	<b>\$428,900</b>	<b>\$453,500</b>	<b>\$453,400</b>
<b>Expenditures</b>	<b>\$308,600</b>	<b>\$350,400</b>	<b>\$0</b>	<b>\$0</b>
Compensation Reserve	\$0	\$0	\$3,000	\$6,000
Health Insurance Reserves	\$0	\$0	\$4,400	\$8,700
27th Pay Period Reserve	\$0	\$0	\$4,700	\$0
Space Reserve	\$0	\$0	\$11,000	\$22,000
2000 Adjusted Base Funding Level	\$0	\$0	\$353,400	\$353,400
3010 Full Funding of Lease and Directed Moves Costs	\$0	\$0	\$4,900	\$4,900
3003 Full Funding of Continuing Position Salaries and Fringe Benefits	\$0	\$0	(\$6,300)	(\$6,300)
<b>Total Expenditures</b>	<b>\$308,600</b>	<b>\$350,400</b>	<b>\$375,100</b>	<b>\$388,700</b>
<b>Closing Balance</b>	<b>\$48,900</b>	<b>\$78,500</b>	<b>\$78,400</b>	<b>\$64,700</b>



## Decision Item by Line

	<b>CODES</b>	<b>TITLES</b>
<b>DEPARTMENT</b>	680	Supreme Court
	<b>CODES</b>	<b>TITLES</b>
<b>DECISION ITEM</b>	2000	Adjusted Base Funding Level

	<b>Expenditure items</b>	<b>1st Year Cost</b>	<b>2nd Year Cost</b>
01	Permanent Position Salaries	\$14,465,900	\$14,465,900
02	Turnover	\$0	\$0
03	Project Position Salaries	\$30,100	\$30,100
04	LTE/Misc. Salaries	\$378,500	\$378,500
05	Fringe Benefits	\$5,964,800	\$5,964,800
06	Supplies and Services	\$9,383,500	\$9,383,500
07	Permanent Property	\$1,037,600	\$1,037,600
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
<b>17</b>	<b>Total Cost</b>	<b>\$31,260,400</b>	<b>\$31,260,400</b>
18	Project Positions Authorized	2.00	2.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	218.75	218.75

### DIN 2000 NARRATIVE

Adjusted Base Funding Level

	Source of Funds	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE	
<b>Decision Item</b>	<b>2000</b>	<b>Adjusted Base Funding Level</b>				
	GPR	S	\$14,842,100	\$14,842,100	115.50	115.50
	PR	S	\$14,726,200	\$14,726,200	95.25	95.25
	PR Federal	S	\$924,000	\$924,000	5.00	5.00
	SEG	S	\$768,100	\$768,100	5.00	5.00
	<b>Total</b>		<b>\$31,260,400</b>	<b>\$31,260,400</b>	<b>220.75</b>	<b>220.75</b>
<b>Agency Total</b>			<b>\$31,260,400</b>	<b>\$31,260,400</b>	<b>220.75</b>	<b>220.75</b>

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	<b>2000</b>	<b>Adjusted Base Funding Level</b>			
<b>01</b>	<b>Supreme court proceedings</b>				
	01 General program operations	\$5,033,500	\$5,033,500	38.50	38.50
	41 Federal aid	\$0	\$0	0.00	0.00
	<b>Supreme court proceedings SubTotal</b>	<b>\$5,033,500</b>	<b>\$5,033,500</b>	<b>38.50</b>	<b>38.50</b>
<b>02</b>	<b>Director of state courts</b>				
	01 General program operations	\$7,621,800	\$7,621,800	67.00	67.00
	02 Judicial planning and research	\$0	\$0	0.00	0.00
	20 Interagency and intra-agency automation assistance	\$0	\$0	0.00	0.00
	21 Gifts and grants	\$42,300	\$42,300	0.00	0.00
	22 Materials and services	\$60,300	\$60,300	0.00	0.00
	23 Municipal judge training	\$153,100	\$153,100	1.25	1.25
	24 Court commissioner training	\$62,800	\$62,800	0.50	0.50
	25 Court information systems	\$9,850,700	\$9,850,700	49.00	49.00
	26 Central services	\$228,600	\$228,600	2.50	2.50
	30 Court interpreter training and certification	\$45,100	\$45,100	0.00	0.00
	41 Federal aid	\$924,000	\$924,000	5.00	5.00
	62 Mediation fund	\$768,100	\$768,100	5.00	5.00

<b>03</b>	<b>Bar examiners and responsibility</b>				
	31 Board of bar examiners	\$748,900	\$748,900	8.00	8.00
	33 Office of lawyer regulation	\$2,776,400	\$2,776,400	27.50	27.50
	<b>Bar examiners and responsibility SubTotal</b>	<b>\$3,525,300</b>	<b>\$3,525,300</b>	<b>35.50</b>	<b>35.50</b>
<b>04</b>	<b>Law library</b>				
	01 General program operations	\$2,186,800	\$2,186,800	10.00	10.00
	21 Library collections and services	\$135,900	\$135,900	1.00	1.00
	22 Gifts and grants	\$622,100	\$622,100	5.50	5.50
	<b>Law library SubTotal</b>	<b>\$2,944,800</b>	<b>\$2,944,800</b>	<b>16.50</b>	<b>16.50</b>
	<b>Adjusted Base Funding Level SubTotal</b>	<b>\$31,260,400</b>	<b>\$31,260,400</b>	<b>220.75</b>	<b>220.75</b>
	<b>Agency Total</b>	<b>\$31,260,400</b>	<b>\$31,260,400</b>	<b>220.75</b>	<b>220.75</b>

# Decision Item by Line

	<b>CODES</b>	<b>TITLES</b>
<b>DEPARTMENT</b>	680	Supreme Court
	<b>CODES</b>	<b>TITLES</b>
<b>DECISION ITEM</b>	3002	Removal of Noncontinuing Elements from the Base

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	(\$72,500)	(\$108,800)
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	(\$33,200)	(\$49,800)
06	Supplies and Services	\$0	\$0
07	Permanent Property	\$0	\$0
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
<b>17</b>	<b>Total Cost</b>	<b>(\$105,700)</b>	<b>(\$158,600)</b>
18	Project Positions Authorized	-2.00	-2.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

## DIN 3002 NARRATIVE

Standard Budget Adjustment - Removal of Noncontinuing Elements from the Base

# Decision Item by Numeric

## Supreme Court

	Source of Funds			1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE	
<b>Decision Item</b>	<b>3002</b>	<b>Removal of Noncontinuing Elements from the Base</b>						
	GPR	S	(\$105,700)	(\$158,600)	(2.00)	(2.00)		
	<b>Total</b>		<b>(\$105,700)</b>	<b>(\$158,600)</b>	<b>(2.00)</b>	<b>(2.00)</b>		
<b>Agency Total</b>			<b>(\$105,700)</b>	<b>(\$158,600)</b>	<b>(2.00)</b>	<b>(2.00)</b>		

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	<b>3002</b>	<b>Removal of Noncontinuing Elements from the Base</b>			
<b>02</b>	<b>Director of state courts</b>				
	01 General program operations	(\$105,700)	(\$158,600)	(2.00)	(2.00)
	<b>Director of state courts SubTotal</b>	<b>(\$105,700)</b>	<b>(\$158,600)</b>	<b>(2.00)</b>	<b>(2.00)</b>
	<b>Removal of Noncontinuing Elements from the Base SubTotal</b>	<b>(\$105,700)</b>	<b>(\$158,600)</b>	<b>(2.00)</b>	<b>(2.00)</b>
	<b>Agency Total</b>	<b>(\$105,700)</b>	<b>(\$158,600)</b>	<b>(2.00)</b>	<b>(2.00)</b>

## Decision Item by Line

	<b>CODES</b>	<b>TITLES</b>
<b>DEPARTMENT</b>	680	Supreme Court
	<b>CODES</b>	<b>TITLES</b>
<b>DECISION ITEM</b>	3003	Full Funding of Continuing Position Salaries and Fringe Benefits

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	(\$13,400)	(\$13,400)
02	Turnover	\$0	\$0
03	Project Position Salaries	(\$30,100)	(\$30,100)
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	\$699,300	\$699,300
06	Supplies and Services	\$0	\$0
07	Permanent Property	\$0	\$0
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
<b>17</b>	<b>Total Cost</b>	<b>\$655,800</b>	<b>\$655,800</b>
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

### DIN 3003 NARRATIVE

Standard Budget Adjustment - Full Funding of Continuing Position Salaries and Fringe Benefits

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
<b>Decision Item</b>	<b>3003</b>	<b>Full Funding of Continuing Position Salaries and Fringe Benefits</b>				
	GPR	S	\$437,000	\$437,000	0.00	0.00
	PR	S	\$234,600	\$234,600	0.00	0.00
	PR Federal	S	(\$9,500)	(\$9,500)	0.00	0.00
	SEG	S	(\$6,300)	(\$6,300)	0.00	0.00
	<b>Total</b>		<b>\$655,800</b>	<b>\$655,800</b>	<b>0.00</b>	<b>0.00</b>
<b>Agency Total</b>			<b>\$655,800</b>	<b>\$655,800</b>	<b>0.00</b>	<b>0.00</b>

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	<b>3003</b>	<b>Full Funding of Continuing Position Salaries and Fringe Benefits</b>			
<b>01</b>	<b>Supreme court proceedings</b>				
	01 General program operations	\$185,200	\$185,200	0.00	0.00
	<b>Supreme court proceedings SubTotal</b>	<b>\$185,200</b>	<b>\$185,200</b>	<b>0.00</b>	<b>0.00</b>
<b>02</b>	<b>Director of state courts</b>				
	01 General program operations	\$227,700	\$227,700	0.00	0.00
	21 Gifts and grants	(\$42,300)	(\$42,300)	0.00	0.00
	23 Municipal judge training	\$3,100	\$3,100	0.00	0.00
	24 Court commissioner training	(\$200)	(\$200)	0.00	0.00
	25 Court information systems	\$196,800	\$196,800	0.00	0.00
	26 Central services	\$6,500	\$6,500	0.00	0.00
	41 Federal aid	(\$9,500)	(\$9,500)	0.00	0.00
	62 Mediation fund	(\$6,300)	(\$6,300)	0.00	0.00
	<b>Director of state courts SubTotal</b>	<b>\$375,800</b>	<b>\$375,800</b>	<b>0.00</b>	<b>0.00</b>
<b>03</b>	<b>Bar examiners and responsibility</b>				
	31 Board of bar examiners	\$38,700	\$38,700	0.00	0.00
	33 Office of lawyer regulation	\$30,900	\$30,900	0.00	0.00
	<b>Bar examiners and responsibility SubTotal</b>	<b>\$69,600</b>	<b>\$69,600</b>	<b>0.00</b>	<b>0.00</b>
<b>04</b>	<b>Law library</b>				
	01 General program operations	\$24,100	\$24,100	0.00	0.00

	21 Library collections and services	\$900	\$900	0.00	0.00
	22 Gifts and grants	\$200	\$200	0.00	0.00
	<b>Law library SubTotal</b>	<b>\$25,200</b>	<b>\$25,200</b>	<b>0.00</b>	<b>0.00</b>
	<b>Full Funding of Continuing Position Salaries and Fringe Benefits SubTotal</b>	<b>\$655,800</b>	<b>\$655,800</b>	<b>0.00</b>	<b>0.00</b>
	<b>Agency Total</b>	<b>\$655,800</b>	<b>\$655,800</b>	<b>0.00</b>	<b>0.00</b>



## Decision Item by Line

	<b>CODES</b>	<b>TITLES</b>
<b>DEPARTMENT</b>	680	Supreme Court
	<b>CODES</b>	<b>TITLES</b>
<b>DECISION ITEM</b>	3010	Full Funding of Lease and Directed Moves Costs

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$0	\$0
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	\$0	\$0
06	Supplies and Services	\$172,100	\$172,100
07	Permanent Property	\$0	\$0
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
<b>17</b>	<b>Total Cost</b>	<b>\$172,100</b>	<b>\$172,100</b>
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

### DIN 3010 NARRATIVE

Standard Budget Adjustment - Full Funding of Lease and Directed Moves Costs

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
<b>Decision Item</b>	<b>3010</b>	<b>Full Funding of Lease and Directed Moves Costs</b>				
	GPR	S	\$83,300	\$83,300	0.00	0.00
	PR	S	\$83,800	\$83,800	0.00	0.00
	PR Federal	S	\$100	\$100	0.00	0.00
	SEG	S	\$4,900	\$4,900	0.00	0.00
	<b>Total</b>		<b>\$172,100</b>	<b>\$172,100</b>	<b>0.00</b>	<b>0.00</b>
<b>Agency Total</b>			<b>\$172,100</b>	<b>\$172,100</b>	<b>0.00</b>	<b>0.00</b>

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	<b>3010</b>	<b>Full Funding of Lease and Directed Moves Costs</b>			
<b>01</b>	<b>Supreme court proceedings</b>				
	01 General program operations	\$17,400	\$17,400	0.00	0.00
	<b>Supreme court proceedings SubTotal</b>	<b>\$17,400</b>	<b>\$17,400</b>	<b>0.00</b>	<b>0.00</b>
<b>02</b>	<b>Director of state courts</b>				
	01 General program operations	\$45,100	\$45,100	0.00	0.00
	23 Municipal judge training	\$1,100	\$1,100	0.00	0.00
	25 Court information systems	\$59,400	\$59,400	0.00	0.00
	26 Central services	\$900	\$900	0.00	0.00
	41 Federal aid	\$100	\$100	0.00	0.00
	62 Mediation fund	\$4,900	\$4,900	0.00	0.00
	<b>Director of state courts SubTotal</b>	<b>\$111,500</b>	<b>\$111,500</b>	<b>0.00</b>	<b>0.00</b>
<b>03</b>	<b>Bar examiners and responsibility</b>				
	31 Board of bar examiners	\$5,600	\$5,600	0.00	0.00
	33 Office of lawyer regulation	\$16,800	\$16,800	0.00	0.00
	<b>Bar examiners and responsibility SubTotal</b>	<b>\$22,400</b>	<b>\$22,400</b>	<b>0.00</b>	<b>0.00</b>
<b>04</b>	<b>Law library</b>				
	01 General program operations	\$20,800	\$20,800	0.00	0.00
	<b>Law library SubTotal</b>	<b>\$20,800</b>	<b>\$20,800</b>	<b>0.00</b>	<b>0.00</b>
	<b>Full Funding of Lease and Directed Moves Costs SubTotal</b>	<b>\$172,100</b>	<b>\$172,100</b>	<b>0.00</b>	<b>0.00</b>
	<b>Agency Total</b>	<b>\$172,100</b>	<b>\$172,100</b>	<b>0.00</b>	<b>0.00</b>

## Decision Item by Line

	<b>CODES</b>	<b>TITLES</b>
<b>DEPARTMENT</b>	680	Supreme Court
	<b>CODES</b>	<b>TITLES</b>
<b>DECISION ITEM</b>	6211	Convert Project Auditor Position to Permanent

	<b>Expenditure items</b>	<b>1st Year Cost</b>	<b>2nd Year Cost</b>
01	Permanent Position Salaries	\$34,500	\$51,800
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	\$15,800	\$23,700
06	Supplies and Services	\$0	\$0
07	Permanent Property	\$0	\$0
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
<b>17</b>	<b>Total Cost</b>	<b>\$50,300</b>	<b>\$75,500</b>
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	1.00	1.00

## DIN 6211 NARRATIVE

The Supreme Court requests \$50,300 GPR in 2011-12 and \$75,500 GPR in 2012-13 and 1.0 GPR position for the conversion of a project auditor position to permanent. The position was first provided in 2007 Act 20, the 2007-09 biennial budget act, and was extended for two more years in the 2009-11 biennial budget act. Project position authority and the same amount of funding are deleted under standard budget adjustments.

Under 2007 Act 20, counties are required to adhere to a uniform chart of accounts developed by the Director of State Courts Office when recording all financial transactions related to court services. Act 20 also authorizes the Director's Office to audit the annual court financial information reported by counties to ensure compliance in reporting. Per the statutory requirement, the Director's Office assembled a work group of county financial officers, clerks of circuit court, and Director of State Courts staff to develop the Circuit Court Revenue and Expenditure Uniform Chart of Accounts for use beginning with the 2008 annual reports. The project auditor staffed the work group, tracked and compiled the 2007, 2008 and 2009 annual reports, worked with IT staff to develop a database for on-line reporting, and provides technical assistance to county staff on using the new format. The extension of the project position also allowed the audit function to be implemented, under which the Director's Office can verify the consistency and accuracy in reporting practices among counties. The auditor is responsible for reconciling what a county reports annually with the county's corresponding accounting records to ensure that the reported information represents the actual county revenue and expenditures that support the operation of the circuit court, includes all court-related budgets, reconciles to the county's general ledger, and contains financial and staffing information that can be compared with other counties.

In 2009-10, 19 counties were audited, and early audit findings show the importance of this function. The variety of methods to report guardian ad litem (GAL) and court interpreter expenditures have resulted in miscalculated county payments under the GAL payment program and different calculations for interpreter reimbursements. Feedback from audited counties has been positive; clerks of court have appreciated the assistance in streamlining reporting, making optimal use of existing resources and assuring information is reported properly. Several counties have asked to be moved up on the audit schedule. If the auditor position were terminated, at least 30 counties will never be audited, and without uniform, audited financial information, the court financial records collected from counties under s. 758.19(5)(e), Wis. Stats., will continue to be inconsistent and incomplete. Without complete, accurate information on circuit court operational costs, accurate cost estimates regarding any proposal for State funding of county-funded court services is not possible.

## DIN 6211 ISSUE PAPER

**Issue:** Conversion of Project Auditor Position to Permanent for Standardized County Reporting of Court Costs and Revenues

**APPN: 680-201**

**DIN: 6211**

	<u>2011-2012</u>	<u>2012-2013</u>
<b>Permanent Salary</b>	\$34,500	\$51,800
<b>LTE Salary</b>		
<b>Fringe Benefits</b>	\$15,800	\$23,700
<b>Supplies &amp; Services</b>		
<b>Permanent Property</b>		
<b>One-Time</b>		
<b>TOTAL</b>	<b>\$50,300</b>	<b>\$75,500</b>
<b>FTE</b>	<b>1.0</b>	<b>1.0</b>

### NARRATIVE

The Supreme Court requests \$50,300 GPR in 2011-12 and \$75,500 GPR in 2012-13 and 1.0 GPR position for the conversion of a GPR project auditor position to permanent. The position was first provided in 2007 Act 20, the 2007-09 biennial budget act, as a two-year project position. In 2009 Act 28, the 2009-11 biennial budget act, the project position was extended for two more years. Funding for the project auditor position is in the Director of State Courts Office adjusted base. Since authorization for the project position is ending, position authority for the project auditor position and the same amount of funding are deleted under standard budget adjustments.

#### Background

Over at least the last 20 years, the Director of State Courts Office has received numerous questions from legislators and others on the costs of operating Wisconsin's circuit courts. Some of the questions came from persons interested in the State assuming some or all of the substantial share of circuit court costs paid by counties. Because no mechanism existed to get accurate county cost information, these questions could not be answered with certainty.

In February 2004, the Wisconsin Supreme Court's Planning and Policy Advisory Committee's (PPAC) Subcommittee on Court Financing issued its final report. The

charge of PPAC's Subcommittee on Court Financing was to sort through issues associated with the funding and delivery of court services and identify a stable, responsible, and effective funding mechanism. The Subcommittee recognized that for the State to responsibly take over any county-funded court services, accurate revenue and expenditure data is essential. Without such information, court services would likely be under-funded. While making no specific recommendations concerning State takeover of county court costs, the Subcommittee did recommend that statutes be modified to allow the Director of State Courts to audit the county court financial information to assure accurate revenue and expenditure information.

As a result of the Subcommittee's work, the 2007-2009 biennial budget act gave the Director of State Courts the statutory authorization to institute a standardized program for recording, reporting, and auditing the revenues and expenditures of Wisconsin's circuit courts. Specifically, under s. 758.19(5)(am), Wis. Stats., the Director of State Courts may create a uniform chart of accounts that "each county shall be required to use for the recording of all financial transactions relating to the operation of circuit courts." In addition, statutes authorize the Director to audit the annual financial information reported by counties to ensure compliance with the uniform chart of accounts. 2007 Act 20 also authorized a two-year project auditor position to assist in the creation of this new program.

After passage, the Director's Office worked with a group of county financial officers, clerks of circuit court and Director of State Courts staff to develop the uniform chart of accounts, with the workgroup staffed by the project auditor. In October 2008, the Director of State Court released the *Circuit Court Revenue and Expenditure Uniform Chart of Accounts*. The chart of accounts provides guidance to counties on how to complete the annual reporting requirements of circuit court costs and revenues under s. 758.19(5)(e), Wis. Stats. Beginning with the reporting of calendar year 2008 information, each county is required to submit to the Director the county's revenue and cost information associated with operating the county's circuit court over the past calendar year in a manner that comports with the State's uniform chart of accounts.

The project auditor has also worked with IT staff to develop a database for county expenditures and revenues, provides technical assistance to county fiscal staff and clerks of circuit court on how to properly use the new reporting format and uniform chart of accounts, and compiled the 2007 and 2008 county annual reports. Among other uses, these reports are used for annually reporting to the Governor and Legislature as required under s. 758.19 (5)(i), Wis. Stats.

### Audit Function

In addition to developing the uniform chart of accounts, 2007 Act 20 also authorized the Director of State Courts to audit the annual financial information reported by counties to ensure compliance with the uniform chart of accounts. The extension of the two-year auditor position in 2009 Act 28 allowed the audit function to be implemented. For this function, the auditor is responsible for reconciling what a county reports on its annual report with the county's corresponding financial accounting records to ensure that the

county-reported financial information:

- Represents the actual county revenue and expenditures that support the operation of the county's circuit court;
- Includes all court-related budgets;
- Reconciles to the county's general ledger; and
- Includes financial and staffing information in a manner that can be compared to other counties' court-related financial and staffing information.

Early audit findings have shown the importance of this audit function. In 2009-10, the auditor visited 19 counties (Chippewa, Crawford, Eau Claire, Forest, Green Lake, Jackson, Kenosha, Lafayette, Manitowoc, Marquette, Monroe, Price, Rock, Sawyer, Vernon, Vilas, Washburn, Waupaca and Wood) and found a number of inconsistencies in the reporting of county financial and staffing data including:

- Counties are using a variety of methods for capturing GAL expenditures and recoupments which, in turn, impacts the financial assistance a county receives under the State's GAL payment program (the Director's Office is reviewing this information to make the recording of GAL expenditures and recoupments more uniform across counties);
- One county materially overstated their GAL expenditures in calendar year 2008 because they erroneously recorded indigent defense counsel expenditures as GAL expenditures;
- One county lost \$1,000 in payment from the State's Guardian Ad Litem (GAL) payment program due to misreporting;
- Some counties are classifying non-court related costs as court expenditures (e.g., one county included the expenses related to their Corporation Counsel as court-related expenditures);
- Some counties are reporting salaries and fringe benefits for some cost centers but do not report the corresponding staffing levels for these cost centers (e.g., the report includes salaries and fringe benefits for Family Court Commissioner/Court Commissioner cost center but no corresponding position authority);
- Counties are requesting reimbursement for court interpreter expenditures differently (this information is being used by the Director's Office to standardize counties' reimbursement requests);
- Some counties improperly categorized expenditures (e.g., law books were coded under a travel expenditure code, meals provided to non-jurors were coded under juror meals, work performed by contractors were coded under salary expenditures, etc.);
- Some counties' reporting of court revenue did not reconcile to the counties' general ledger (i.e., the county made adjustments to revenues but the Clerks' Office was not notified of the adjustments and therefore did not report the correct amount to the Director's Office);
- One county is having its clerk of circuit courts collect and recognize as a court revenue non-statutory fees; and



- Counties are reporting county personnel employed by non-court related departments as court staff, raising separation of power concerns.

### Benefits of Audit Function

The original purpose behind establishing the audit function within the Director's Office was to verify that the counties' were consistently and reliably applying the circuit court uniform chart of accounts when reporting their court-related revenue and expenditures. There is no question that the auditor has been successful in helping counties to properly report their financial data to the Director's Office. However, during the past year, the Director's Office and the counties have realized other benefits from the audit function, including:

- Having the ability to respond to requests for information on the cost of operating the circuit courts;
- Ensuring an equitable distribution of financial assistance to counties because revenue and cost data used in the statutory formulas is more reliable;
- Allowing counties to use data of similar-sized counties to support their budget requests as well as using this information to evaluate if they are using their resources efficiently and effectively;
- Providing counties with guidance on best practices on how to use their information systems so they are able to maximize the use of their available resources; and
- Helping the Director's Office identify potential programmatic issues counties are facing and using the information gathered during the audit process to support the development of sound policies and procedures for the circuit courts.

A permanent position is needed to not only complete the first round of audits, but to continue the process on an on-going, three-year cycle. Circuit courts vary greatly in organizational structure and administrative procedures. Getting disparate organizations to record and report financial information in a uniform, consistent manner is not an easy task. The auditing process has been a learning experience for both counties and the Director's Office. As more counties are audited, the Director's Office continues to gain insights on circuit court operations. This will allow the Office to revise the uniform chart of accounts so it properly captures all the revenue and expenditures that encompass circuit court operations. Furthermore, a continuing audit process within the Director's Office will ensure that counties correctly report their financial information without being impacted by such factors as county staff turnover, implementation of new programs and/or law changes. Without an on-going audit procedure, the reported financial information will continue to be unreliable.

Feedback from the counties that have been audited has been very positive. Clerks of circuit court have appreciated the assistance provided by the auditor in streamlining reporting, making optimal use of existing resources, and assuring information is reported properly. As a result of this positive feedback, several counties have asked to be moved up on the audit schedule.

The Director of State Courts must institutionalize this auditing function to ensure that the annual financial data collected by counties is reliable and adheres to the State's uniform

chart of accounts. Without converting the two-year auditor project position to permanent position authority, the Director's Office will not have the resources available to continue conducting these audits.

The audit plan is based on an ambitious three-year cycle: one-third of the counties to be audited each fiscal year, with a new cycle beginning in year four. If the auditor position were terminated, at least 30 counties will never be audited.

Without the auditor position, counties would continue to be required to follow the uniform chart of accounts when submitting their annual reports, but they would no longer be checked to see if they are accurate. If counties are required to comply with a uniform chart of accounts but the Director's Office does not verify, through an audit process, that counties are properly adhering to the uniform chart of accounts, the likelihood of inconsistent reporting among and within counties will continue and accurate and comparable cost data cannot be collected from counties.

By auditing the county-provided information, the Director's Office can provide assurances to the Supreme Court, the Governor and the Legislature that the financial information provided by the counties conforms to the State's uniform chart of accounts and, ultimately, can verify the consistency in reporting practices among counties. This will assure that counties are no longer shortchanged or overpaid under the county payment programs (as identified through the audit process), as well as provide accurate information should the State at some point in the future assume some or all of these county costs.

Without these audits, the data collected from counties under s. 758.19(5)(e), Wis. Stats., will continue to be inconsistent and incomplete. As the PPAC Subcommittee recognized in its report, without auditing counties' adherence to the uniform chart of accounts, the State will not be able to responsibly take over county-funded court services because accurate cost data will not be available and the State may not properly fund these services.

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
<b>Decision Item</b>	<b>6211</b>	<b>Convert Project Auditor Position to Permanent</b>				
	GPR	S	\$50,300	\$75,500	1.00	1.00
	<b>Total</b>		<b>\$50,300</b>	<b>\$75,500</b>	<b>1.00</b>	<b>1.00</b>
<b>Agency Total</b>			<b>\$50,300</b>	<b>\$75,500</b>	<b>1.00</b>	<b>1.00</b>

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	<b>6211</b>	<b>Convert Project Auditor Position to Permanent</b>			
<b>02</b>	<b>Director of state courts</b>				
	01 General program operations	\$50,300	\$75,500	1.00	1.00
	<b>Director of state courts SubTotal</b>	<b>\$50,300</b>	<b>\$75,500</b>	<b>1.00</b>	<b>1.00</b>
	<b>Convert Project Auditor Position to Permanent SubTotal</b>	<b>\$50,300</b>	<b>\$75,500</b>	<b>1.00</b>	<b>1.00</b>
	<b>Agency Total</b>	<b>\$50,300</b>	<b>\$75,500</b>	<b>1.00</b>	<b>1.00</b>

## DIN 6212 NARRATIVE

The Supreme Court requests a statutory language change to convert the Director of State Courts Office appropriation from annual to biennial in order to provide the Judicial Branch with management flexibility. Within the Judicial Branch, the Director of State Courts Office is funded from an annual sum certain appropriation. The annual, sum certain appropriation for the Director's Office limits administrative flexibility and efficiency. This flexibility is particularly needed in these times of budget cutbacks to effectively and efficiently manage the increasing needs of the Judicial Branch without concomitant increasing resources. A biennial appropriation would enhance the Courts' ability to direct resources where they can best be used. This request has no fiscal effect.

This proposal will provide the Judicial Branch with the same management flexibility currently afforded the Legislative Branch. The primary source of expenditure authority for the Legislative Branch is three GPR sum sufficient appropriations: one for the Senate, one for the Assembly and one for Legislative Documents. These appropriations, in addition to paying salaries and benefits of elected officials and their staff, fund all legislative administrative functions as well as computer purchases for all legislative staff, whether or not they are funded from the sum sufficient appropriations. All GPR legislative functions that are not funded from the three sum sufficient appropriations are funded from biennial appropriations. This includes data processing services and the legislative service agencies.

Within the Judicial Branch, the Director of State Courts Office is funded from an annual sum certain appropriation. The functions provided by the Director's Office (administrative services, policy analysis, program support and data processing services) are analogous to the functions provided by the legislative service agencies, the clerk's offices in either house or legislative information processing staff. All of these are funded either from sum sufficient or biennial appropriations. The annual, sum certain appropriation for the Director's Office limits administrative flexibility and efficiency that the biennial appropriations afford the Legislative Branch.

Conversion of the Director's Office appropriation to biennial would provide:

- Administrative flexibility and efficiency.
- The ability to direct resources where they can best be used.
- Parity with the Legislative Branch.

## **DIN 6212 STATUTORY LANGUAGE DRAFT / STATEMENT OF INTENT**

### **Statutory Language Change: Biennial Appropriation for the Director of State Courts Office**

#### **NARRATIVE**

The Director of State Courts requests a statutory language change to convert the Director of State Courts Office general program operations appropriation [s. 20.680 (2)(a)] from an annual to a biennial appropriation in order to provide increased administrative flexibility and efficiency, and provide the ability to direct resources where they can best be used.

## DIN 6213 NARRATIVE

The Supreme Court requests statutory language to create a Wisconsin Judicial Compensation Commission to study and make recommendations on judicial compensation, with the objective to assure that highly qualified persons are attracted to the bench and can serve without unreasonable economic hardship. Judicial compensation has been a long-standing concern, and several Wisconsin studies have recommended increased judicial salaries and changes in the way fair and reasonable compensation is determined. Some states have created judicial compensation commissions to ensure that judicial salaries are equitable, set regularly and objectively, and treated in a nonpolitical atmosphere. Two national legal organizations have advocated for such an approach. The proposal for a Wisconsin Judicial Compensation Commission is based primarily on Maryland's Commission.

Under the proposal, every two years the Commission will review judicial salaries and make written recommendations to the Governor and JCOER (Joint Committee on Employment Relations) no later than December 1 of each even-numbered year. The Governor will include in the biennial budget request funding for the recommendations. JCOER will approve the recommendations unless by a majority JCOER votes not to approve or makes modifications to the recommendations, stating why the changes are necessary. When state employees receive a general wage adjustment, judges would receive either the general wage adjustment awarded to all employees or the salary increase recommended by the Commission, whichever is larger.

The Commission would consist of seven members, appointed as follows: (1) two by the Governor; (2) one by the President of the Senate; (3) one by the Assembly Speaker; (4) one each by the Deans of the University of Wisconsin and Marquette University Law Schools; and (5) one by the President of the Wisconsin State Bar. The Director of State Courts Office would provide staffing and support as necessary. No additional resources are being requested.

Wisconsin's judicial salaries continue to lag behind comparable counterparts. Without meaningful salary increases, there is concern that only independently wealthy or relatively inexperienced attorneys will choose judicial service. Decision-makers in our courts must be competent and compensated in some way comparable to the advocates who appear before them. The judiciary's level of influence and decision-making has a direct impact on Wisconsin's citizens and communities. Quality people must be attracted and retained for the difficult role of judge. Based on other states' experiences, a judicial compensation commission is seen as the best mechanism for setting equitable judicial salaries.

## DIN 6213 ISSUE PAPER

**Issue Name:** Creation of a Wisconsin Judicial Compensation Commission

**APPN:** 680-201    **DIN:** 6213

### NARRATIVE

The Supreme Court requests statutory language to create a Wisconsin Judicial Compensation Commission to study and make recommendations on judicial compensation, with the objective to assure that highly qualified persons are attracted to the bench and will serve without unreasonable economic hardship.

#### Background

Judicial compensation has been a long-standing concern – in Wisconsin, in other states and at the federal level. The erosion of judicial salaries compared to inflation indices and other professions has been well documented. In comparison to their 1978 salaries (when adjusted by the Consumer Price Index), current salaries of all Wisconsin judges and justices have declined by 12 percent.

The inadequacy of Wisconsin's judicial compensation is also apparent when looking at the salaries of judges in other Midwest states and other Wisconsin elected officials. As of July 2009, the salaries of Wisconsin Circuit Court judges, Court of Appeals judges and Supreme Court justices ranked 5th, 6th and 6th respectively out of seven Midwest states. In comparison, the salaries of Wisconsin's attorney general and Wisconsin's governor ranked 2nd and 3rd respectively.

Wisconsin has no systematic way for salary adjustments to be made based on analyses tied specifically to the judiciary. There have however been several ad hoc studies in Wisconsin looking at judicial compensation. A January 1973 report from the Citizens Study Committee on Judicial Organization included recommendations for increased judicial salary levels as well as a recommendation to create a system capable of self-adjustment to meet future needs.

Another committee that recommended increased judicial salaries was the Compensation Study Committee Pursuant to 1983 Wisconsin Act 27. The committee's responsibility was to review compensation of elected officials for the purpose of determining what compensation was fair and reasonable. The committee considered all financial and non-financial aspects of the job, and concluded alternative career income to be of principle importance in the case of the judiciary. Their report stated, "The term of office is long and the job is difficult . . . There will always be an income disparity [with] . . . income in private [practice]. . . Income potential became and is presently very important to the judges, and those who are good are encouraged by inadequate pay to leave the bench for the opportunity of much larger financial reward. Very simply the great disparity between income levels will lead to a lesser quality judiciary."

In 1990 the Wisconsin Supreme Court submitted a report, Wisconsin Judicial Salaries: A Proposal for Fair Compensation, to the Governor and Department of Employment Relations Secretary that compared Wisconsin judicial salaries to the federal judiciary, other Wisconsin public employees, the consumer price index and other states' judicial salaries. Using these benchmarks, the report concluded justices and judges needed salary increases in the range of 20 percent. Finally, in 2004 the Director of State Courts Office prepared a report, Analysis of Wisconsin's Judicial Compensation, which documented salary inequities and the importance of adequate judicial compensation. The report proposed catch-up increases to judicial salaries of 16.2 percent over the biennium in addition to any general wage adjustments.

### Current Procedure

Under current law, salaries for the judiciary are established in the same manner as for positions in the classified service. Proposed changes in judicial salaries and benefits, along with those for other elected officials, are submitted by the Office of State Employment Relations (OSER), on behalf of the Governor, to the Legislature's Joint Committee on Employment Relations (JCOER) as part of a larger proposal for unrepresented state employees. JCOER consists of the co-chairs of the Joint Committee on Finance, Senate President, Assembly Speaker, Senate majority and minority leaders, and Assembly majority and minority leaders.

If JCOER approves the proposal, its action is final. If JCOER modifies the proposal, it is submitted to the Governor for approval. JCOER may override a Governor's veto with a vote of six of the eight members of the committee. Once the plan is finalized, any compensation adjustments granted to justices or judges become effective when a new justice or judge takes office after the effective date of the approved compensation plan.

Typically, the OSER Director presents a proposed compensation plan that covers each year of the upcoming biennium to JCOER in the spring of the odd-numbered year for the biennium that begins on July 1 of that year. The approved plan may be modified during the biennium following the same procedure outlined above. However, there is no legal requirement that compensation increases be approved, nor are salary adjustments tied to cost of living increases or other benchmarks such as other states' judicial salaries.

### Judicial Compensation Commissions in Other States

Some states have taken a more structured and analytic approach to setting judicial compensation by creating judicial compensation commissions. These commissions objectives generally are to ensure that judicial salaries are equitable, set regularly and objectively, and treated in a nonpolitical atmosphere. Twenty states currently have some form of permanent judicial compensation commission as authorized by either statute or constitution: seven states have a formal commission that reviews only the salaries for judges while 13 states have commissions that review the salaries for officials in all three branches of government.

Two national legal organizations have advocated for the creation of state judicial compensation commissions. In 1994 the American Judicature Society (AJS) concluded



that judicial compensation commissions are best able to determine the amount of compensation necessary to create the most qualified judicial applicant pool, retain an experienced judiciary, and provide a mechanism for making these determinations on a regular basis.

The American Bar Association (ABA) Standing Committee on Judicial Independence established a subcommittee on state judicial compensation. Based on the subcommittee's analysis, in 2003 the ABA adopted a resolution encouraging states and territories to determine judicial compensation levels through the use of independent commissions. Both AJS and the ABA proposed that a compensation commission have the force-of-law, subject to legislative override.

### Proposal for a Wisconsin Judicial Compensation Commission

The Wisconsin Trial Judges Association (WTJA) developed a proposal for a Wisconsin Judicial Compensation Commission. In March 2010, the WTJA asked the Supreme Court to include in the Court's biennial budget submission a request for the establishment of a Judicial Compensation Commission consistent with its proposal. The WTJA proposal, which is based primarily on the State of Maryland's statute, is as follows:

#### ***Purpose of a Judicial Compensation Commission***

The commission shall study and make recommendations with respect to all aspects of judicial compensation, to the end that the judicial compensation structure shall be adequate to assure that highly qualified persons will be attracted to the bench and will continue to serve there without unreasonable economic hardship.

Beginning in 2011, and every two years thereafter, the commission shall review the salaries of the judges of the Supreme Court, Court of Appeals and Circuit Courts of this State. The commission shall make written recommendations to the Governor and JCOER (Joint Committee on Employment Relations) every two years, no later than December 1 of each even-numbered year. The Governor shall include in the budget for the next biennium funding sufficient to implement such recommendations. JCOER shall approve the written recommendations, unless by a majority JCOER agrees not to approve or to make modifications to the commission's recommendations, stating why the changes are necessary.

#### ***General Salary Increases for State Employees***

Whenever a general increase is awarded to State employees, each judge shall receive the same percentage increase in salary as awarded to the highest salary grade for State employees receiving an increase. However, in any year that a judge's salary is to be increased in accordance with a recommendation of the commission, the judge may not receive both a salary increase under this subsection and a salary increase recommended by the commission, but rather the judge shall only be entitled to receive an increase based upon either the general increase awarded to all State employees or the salary increase recommended by the commission, whichever is larger.

#### ***Make-up of the Commission***

The commission consists of seven members. In nominating and appointing members, special consideration shall be given to individuals who have knowledge of compensation practices, as well as legal and financial matters. The members shall be appointed as follows: 1) two members by the Governor; 2) one member by the President of the Senate; 3) one member by the Speaker of the Assembly; 4) one member by the Dean of the University of Wisconsin Law School; 5) one member by the Dean of the Marquette University Law School; and 6) one member by the President of the State Bar of Wisconsin.

The members of the commission shall elect a member as chair of the commission.

### ***Term***

The term of a member is four years. However, of the members first appointed to the initial commission, one of the Governor's appointees, and the appointees of the President of the Senate and the Speaker of the Assembly, shall each be designated to serve for 2 years. A member is eligible for reappointment.

### ***Compensation***

Members of the commission shall serve without compensation, but shall be reimbursed for reasonable expenses incurred in carrying out their responsibilities under this section.

### ***Support***

The Office of the Director of State Courts shall provide such staffing and support as is necessary for the commission to carry out its duties.

### **Resources Needed**

No additional resources are being requested.

### **Conclusion**

Wisconsin's judicial salaries continue to lag behind comparable counterparts. At some point, inadequate salaries will outweigh the intangible rewards of a judge's job, discouraging talented lawyers from seeking or accepting judgeships. To continue to attract high quality people, substantial salary increases are needed. Without meaningful increases, there is concern that only independently wealthy or relatively inexperienced attorneys will choose judicial service. For Wisconsin's adversarial justice system to work, decision-makers must be competent and compensated in some way comparable to the advocates who appear before them.

The judiciary's level of influence and decision-making has a direct impact on Wisconsin's citizens and communities. Quality people must be attracted and retained for the difficult role of a judge. The importance of retaining the valuable skills and insights offered by the State's experienced judges cannot be stressed enough. Based on other states experiences, a judicial compensation commission is seen as the best mechanism for setting equitable judicial salaries.

## DIN 6213 STATUTORY LANGUAGE DRAFT / STATEMENT OF INTENT

### **Statutory Language Change: Creation of Wisconsin Judicial Compensation Commission**

#### **NARRATIVE**

The Supreme Court requests new statutory language to create a Wisconsin Judicial Compensation Commission to study and make recommendations on judicial compensation, with the objective to assure that highly qualified persons are attracted to the bench and will serve without unreasonable economic hardship.

The following statutory language is requested for a newly-created Wisconsin Judicial Compensation Commission:

#### ***Purpose of a Judicial Compensation Commission***

The commission shall study and make recommendations with respect to all aspects of judicial compensation, to the end that the judicial compensation structure shall be adequate to assure that highly qualified persons will be attracted to the bench and will continue to serve there without unreasonable economic hardship.

#### ***Procedure***

Beginning in 2011, and every two years thereafter, the commission shall review the salaries of the judges of the Supreme Court, Court of Appeals and Circuit Courts of this State. The commission shall make written recommendations to the Governor and JCOER (Joint Committee on Employment Relations) every two years, no later than December 1 of each even-numbered year. The Governor shall include in the budget for the next biennium funding sufficient to implement such recommendations. JCOER shall approve the written recommendations, unless by a majority JCOER agrees not to approve or to make modifications to the commission's recommendations, stating why the changes are necessary.

Whenever a general increase is awarded to State employees, each judge shall receive the same percentage increase in salary as awarded to the highest salary grade for State employees receiving an increase. However, in any year that a judge's salary is to be increased in accordance with a recommendation of the commission, the judge may not receive both a salary increase under this subsection and a salary increase recommended by the commission, but rather the judge shall only be entitled to receive an increase based upon either the general increase awarded to all State employees or the salary increase recommended by the commission, whichever is larger.

#### ***Commission Membership***

The commission consists of seven members. In nominating and appointing members, special consideration shall be given to individuals who have knowledge of compensation

practices, as well as legal and financial matters. The members shall be appointed as follows: 1) two members by the Governor; 2) one member by the President of the Senate; 3) one member by the Speaker of the Assembly; 4) one member by the Dean of the University of Wisconsin Law School; 5) one member by the Dean of the Marquette University Law School; and 6) one member by the President of the State Bar of Wisconsin.

The members of the commission shall elect a member as chair of the commission.

***Term***

The term of a member is four years. However, of the members first appointed to the initial commission, one of the Governor's appointees, and the appointees of the President of the Senate and the Speaker of the Assembly, shall each be designated to serve for two years. A member is eligible for reappointment.

***Compensation***

Members of the commission shall serve without compensation, but shall be reimbursed for reasonable expenses incurred in carrying out their responsibilities under this section.

***Support***

The Office of the Director of State Courts shall provide such staffing and support as is necessary for the commission to carry out its duties.

## Decision Item by Line

	<b>CODES</b>	<b>TITLES</b>
<b>DEPARTMENT</b>	680	Supreme Court
	<b>CODES</b>	<b>TITLES</b>
<b>DECISION ITEM</b>	6214	State Law Library Funding

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$0	\$0
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	\$0	\$0
06	Supplies and Services	\$99,500	\$122,700
07	Permanent Property	\$0	\$0
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
<b>17</b>	<b>Total Cost</b>	<b>\$99,500</b>	<b>\$122,700</b>
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

## DIN 6214 NARRATIVE

The Supreme Court requests \$99,500 in 2011-12 and \$122,700 in 2012-13 for the Wisconsin State Law Library (WSLL) for: (1) 10% annual inflationary increases for book and online services (\$58,500 in 2011-12 and \$122,700 in 2010-11); and (2) \$41,000 in 2011-12 to purchase West's National Reporter System on DVD.

WSLL's legal collection has two categories: new and continuing. New publications provide information in developing legal areas such as internet use and commerce, personal privacy and scientific evidence. New editions of currently owned works provide up-to-date analyses of the developing law and commentary on legislative changes. New publications, which should account for at least 10% of a library's book expenditures, accounted for only 2% of 2007-08 and 0.9% of 2009-10 book expenditures. Continuing publications include updates to statutory law, case law, administrative rules and regulations (primary resource materials), and analyses of and commentaries on primary source materials (secondary materials). These include complete sets of statutes and court decisions for all 50 states and the federal government; regional reporters and digests, and titles on various types of law such as tax law, social security, and employment safety and health. Continuations must be purchased on a regular basis when issued. If not, entire sets are no longer useful.

Library users have also increasingly been relying on online legal services for their legal research. As a result, WSLL has cut back book purchases in order to free up funding for certain online services. While online services have allowed WSLL to reduce some of its book and continuation purchases, these services cannot totally supplant WSLL's core collections. Costs for legal materials continue to increase. Legal serials (periodicals, court reporters, citators, state and federal codes, state and federal digests, legal encyclopedias, newsletters, looseleaf services and supplemented legal treatises) have increased in price at an annual average of 9.5% since 2005. Increases for online services have been increasing at 9–10% per year. Many of these online services are substituting for materials WSLL once had in print – they are not “in addition” to the regular collection. The budget for books and online services has not been adjusted for inflation since the 1999-2001 biennium, when WSLL asked for a 7.5% increase and received only 3%.

West's National Reporter System is a collection of the reported decisions of all state and federal appellate courts, dating back to the earliest reported decisions. WSLL currently has these volumes in print and the collections are growing at an ever-increasing rate. WSLL would like to purchase West's National Reporter System on DVD in anticipation of future space limitations for shelving the bound volumes. The DVDs include the complete first series for each regional reporter and the 2nd (and in some cases 3rd) series through 1995. The federal reporters cover 1880–1985. The publisher is currently offering a 40% discount if the entire collection is purchased at one time.

## DIN 6214 ISSUE PAPER

**Issue Name:** Funding for Law Library Books and Online Services

**APPN:** 680-401

**DIN:** 6214

	<u>2011-2012</u>	<u>2012-2013</u>
<b>Permanent Salary</b>		
<b>LTE Salary</b>		
<b>Fringe Benefits</b>		
<b>Supplies &amp; Services</b>	\$99,500	\$122,700
<b>Permanent Property</b>		
<b>One-Time</b>		
<b>TOTAL</b>	<b>\$99,500</b>	<b>\$122,700</b>

### NARRATIVE

The Supreme Court requests \$99,500 GPR in 2011-12 and \$122,700 GPR in 2012-13 for the Wisconsin State Law Library for: (1) inflationary increases for book and online services (\$58,500 in 2011-12 and \$122,700 GPR in 2012-13); and (2) \$41,000 GPR in 2011-12 to purchase West's National Reporter System on DVD.

#### Background

Under current law, the Supreme Court is required to maintain a state law library for the use of officers and employees of the State (including the Supreme Court, the Court of Appeals, the Governor's Office, the Legislature and state agencies), attorneys and the public. The Wisconsin State Law Library (WSLL) is a public library open to all citizens of Wisconsin. It also serves as the primary legal resource center for the Wisconsin Supreme Court and Court of Appeals.

WSLL's collection includes briefs for all Wisconsin Supreme Court and Court of Appeals cases, as well as session laws, statutory codes, court reports, administrative rules and regulations, legal indexes, and digests of the federal government and all fifty states and U.S. territories. General reference materials include selected documents of the federal government, legal and bar periodicals, legal treatises and legal encyclopedias. WSLL also provides online reference and legal research services. By

the very nature of its collection and whom it serves, it is essential for the library's collection to remain up-to-date and complete.

WSLL's legal collection is divided into two categories: new and continuing. New publications increase the breadth and depth of the library's collection; they provide information in developing legal areas such as internet use and commerce, personal privacy and scientific evidence. New editions of currently owned works provide up-to-date analyses of the developing law and commentary on legislative changes. New publications, which should account for at least 10% of a library's book expenditures<sup>[1]</sup>, accounted for only 2.0% of 2007-08 and 0.8% of 2009-10 book expenditures.

Continuing publications include updates to statutory law, case law, administrative rules and regulations (primary resource materials), and analyses of and commentaries on primary source materials (secondary materials). These include complete sets of statutes and court decisions for all 50 states and the federal government; regional reporters and digests; titles on various types of law such as tax law, unemployment insurance, labor relations, social security, and employment safety and health. Update cycles vary - some materials are updated weekly while others may only receive annual supplementation. Continuations must be purchased on a regular basis when issued. If not, entire sets, when interrupted, are no longer useful.

Library users over recent years have increasingly been relying on online legal services for their legal research. As a result, WSLL has cut back book purchases in order to free up funding for certain online services. While online services have allowed WSLL to reduce some of its print purchases, the costs for online materials are equal if not higher than for print.

#### Inflationary Increases for Books and Online Services

**Books and Continuations.** Costs for legal materials continue to increase. According to the American Association of Law Libraries (AALL) *Price Index for Legal Publications 6c* (reporting data through 2008), legal serials (periodicals, court reporters, citators, state and federal codes, state and federal digests, legal encyclopedias, newsletters, looseleaf services and supplemented legal treatises) have increased in price at an annual average of 9.6% since 2005.

*Library Journal*, reporting their annual periodicals price survey<sup>[2]</sup>, indicates that the cost of law-related periodicals has risen 36% between 2006 and 2010, averaging 8% per year.

A brief study of WSLL's recent invoices shows a similar range of increases:



TYPE OF LEGAL MATERIAL	ANNUAL COST INCREASES, 2007-2008
Looseleaf services (from Commerce Clearing House and others)	10.0%
Aspen Law & Business treatise supplements	7.5%
State and Federal case law reporters	10.0%
Looseleaf treatises from Matthew Bender	10.0%
Federal, regional and state digests	11.3%
State codes	10.0%

**Online Services.** Increases for online services have averaged between 5–9.5% per year since 2001. Many of these online services are substituting for materials WSLI once had in print – they are not “in addition” to the regular collection.

Shelving space for materials is already beginning to be a problem in certain areas of the library; in order to continue to provide access to materials WSLI must look at media other than print. Online full-text access to the collections offered by HeinOnline and other vendors is currently the best method to achieve increased access and space savings. But online subscriptions are expensive and increasing at approximately 9-10% per year. In 2009-10, HeinOnline services were 9.5% higher than the previous fiscal year.

### Request

The budget for books and online services has not been adjusted for inflation since the 1999-2001 biennium, when WSLI asked for a 7.5% increase and received only 3%. This request asks for a 10% annual increase in funding for books and online services. This will allow WSLI to continue to fulfill its mission by providing access to current legal materials for the use of the courts, the Legislature, state agency personnel, attorneys, and the public.

The funding will be used to:

- maintain legal continuations (periodical subscriptions, looseleaf services, pocket parts

and other current supplementation);

- purchase new editions and replaced volumes;
- maintain online subscriptions for access to Public Access Westlaw, HeinOnLine (full-text access to law reviews, Federal Register, CFR, US federal agency decisions, Congressional Record and other Congressional documents), LLMC Digital, LegalTrac and the State Bar of Wisconsin CLE Books Unbound; and
- purchase new books and subscriptions in popular or newly emerging areas of the law, such as health care, bankruptcy, securities, tax, electronic commerce, internet law, elder law, and materials written for self represented litigants.

WSLL selectively returns supplements and/or cancels subscriptions to a wide variety of publications in order to manage the current materials budget. Even if this request is approved WSLL will still need to evaluate all updates/supplements/new editions before deciding to purchase in light of never-ending inflation in the legal publishing industry.

Law libraries exist to provide access to both current and historical primary (statutes regulations, case law) and secondary (digests, encyclopedias, law reviews, treatises, directories, dictionaries, etc.) legal information. All of these materials are necessary tools for doing legal research. Because of the nature of the collection, it is critical that the materials be up-to-date. Without additional money for books and online services, major portions of the collection will not be current – and having old/out-of-date legal materials is not good practice for a law library. Users count on WSLL to have up-to-date books and periodicals. Out-of-date legal materials present a danger to even sophisticated law library users, and since WSLL is seeing an increase in use by self-represented litigants it is ever more critical that the materials remain current. Although WSLL would most likely not be faced with malpractice claims, its users certainly could be if they rely on materials that they expect to be up-to-date.

While serving the public and other governmental users is part of WSLL's mandate, a critical function is to serve the Wisconsin judiciary, in particular the appellate justices, judges and their staff. The collection needs to maintain its breadth and currency in order to provide them with the resources they need to achieve fair, open and efficient resolution of disputes.

#### West's National Reporter System on DVD

New collections of full-text online legal materials are increasingly becoming available through subscription – being able to purchase some of these collections will increase services to WSLL's users and allow the library to better manage its space. WSLL is already experiencing over-crowding in certain stack areas; providing access to more materials online will provide an opportunity to make some needed retention decisions with respect to the print collections. Since WSLL was in its last library space for almost 100 years, and the current library was designed to accommodate only five years' growth, space planning/management is critical.

federal appellate courts, dating back to the earliest reported decisions. The Library currently has these volumes in print;<sup>[3]</sup> subscriptions are current and the collections are growing at an ever-increasing rate, reflecting the rise in litigation around the country. WSLI would like to purchase West's National Reporter System on DVD in anticipation of space limitations for shelving the bound volumes. By eliminating the print copies of the first series of all of the regional reporters, WSLI would gain, on average, space for an additional seven years' growth in that area of the library. The opportunity for space gains in the federal area would be much greater – approximately 17 years growth if all of the print reporters (1880-1985) were discarded.

West is now selling the reporters on DVD. The DVDs include the complete first series for each regional reporter and the 2nd (and in some cases 3rd) series through 1995. The federal reporters cover 1880 – 1985.

Prices are as follows:

<b>REPORTER</b>	<b>2010 PURCHASE COST</b>
Northwestern	\$4,655
New York	3,087
California	1,601
Southwest	6,989
Southern	7,247
Southeast	4,549
Pacific	7,520
Northeastern	6,981
Atlantic	7,222
<b>REGIONAL SUBTOTAL</b>	<b>\$49,851</b>
Fed Reporter	5,595
Fed Supplements	5,595

Federal Rules Dec.	1,543
Supreme Court Reports	2,499
Bank. Reports	3,312
<b>FEDERAL SUBTOTAL</b>	<b>\$18,544</b>
<b>GRAND TOTAL</b>	<b>\$68,395</b>
<b>ONE-TIME PURCHASE</b>	<b>\$41,037</b>

The publisher is currently offering a 40% discount if the entire collection is purchased at one time.

In summary, this request will allow WSLI to continue to fulfill its mission by maintaining current legal materials for the use of the courts, state agency personnel, the legislature, attorneys, and the public. WSLI would also be able to provide improved access to materials by maintaining internet-based subscriptions to law reviews, online legal databases such as Westlaw, and the State Bar CLE materials. The request will also provide WSLI with space for future growth for years to come.

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[1] Ten percent is a recommended rule-of-thumb for managing law library acquisitions – the State Law Librarian polled her colleagues around the country to obtain a consensus on this benchmark.

[2] *Library Journal*, April 15, 2010 , <http://www.libraryjournal.com/article/CA6725256.html>

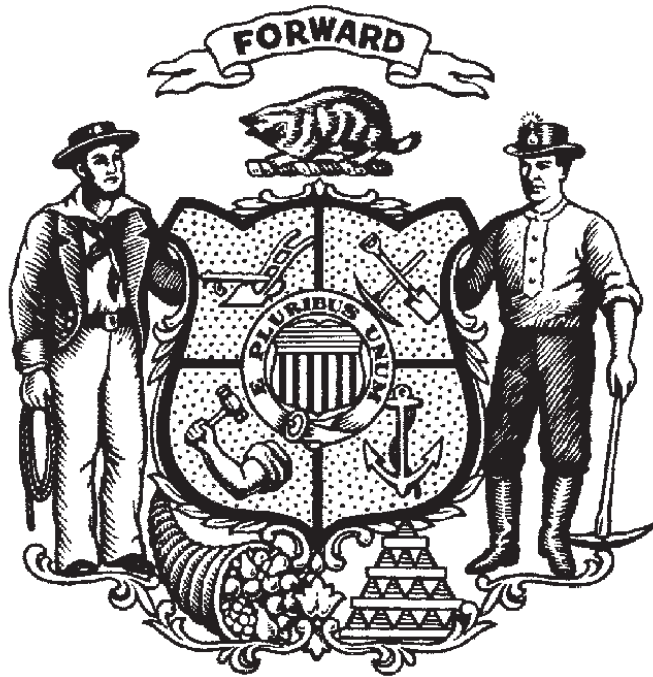
[3] Some portions of these reporters are also maintained in microform, but the bulk of the system is physical volumes.

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
<b>Decision Item</b>	<b>6214</b>	<b>State Law Library Funding</b>				
	GPR	S	\$99,500	\$122,700	0.00	0.00
	<b>Total</b>		<b>\$99,500</b>	<b>\$122,700</b>	<b>0.00</b>	<b>0.00</b>
<b>Agency Total</b>			<b>\$99,500</b>	<b>\$122,700</b>	<b>0.00</b>	<b>0.00</b>

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	<b>6214</b>	<b>State Law Library Funding</b>			
<b>04</b>	<b>Law library</b>				
	01 General program operations	\$99,500	\$122,700	0.00	0.00
	<b>Law library SubTotal</b>	<b>\$99,500</b>	<b>\$122,700</b>	<b>0.00</b>	<b>0.00</b>
	<b>State Law Library Funding SubTotal</b>	<b>\$99,500</b>	<b>\$122,700</b>	<b>0.00</b>	<b>0.00</b>
	<b>Agency Total</b>	<b>\$99,500</b>	<b>\$122,700</b>	<b>0.00</b>	<b>0.00</b>

# State of Wisconsin

## Court of Appeals



Agency Budget Request  
2011 – 2013 Biennium  
October 1, 2010

# State of Wisconsin

## Court of Appeals

### Table of Contents

Section	Page
Agency Information	3
Agency Total by Fund Source	4
Agency Total by Program	5
Agency Total by Decision Item	6
GPR Earned	7
Decision Item Information	
DIN 2000 – Adjusted Base	8
DIN 3003 – Full Funding of Salaries and Fringe Benefits	10
DIN 3010 – Full Funding of Lease Costs	12

## **AGENCY DESCRIPTION**

The Court of Appeals consists of 16 judges elected for staggered six-year terms. The court is divided into four panels located in Milwaukee, Waukesha, Wausau and Madison and is supervised by a chief judge appointed by the Supreme Court.

The Court of Appeals has original jurisdiction to issue prerogative writs and appellate jurisdiction over all final judgments and orders of the Circuit Courts, which can be appealed as a matter of right.

The Court of Appeals usually sits as a three-judge panel to dispose of cases on their merits. However, a single judge may hear certain categories of cases, including small claims; municipal ordinance and traffic violations; and mental health, juvenile and misdemeanor cases. The Court of Appeals provides a written opinion containing a summary of the reasons for a decision made by the court.



# by Fund Source

Year	ANNUAL SUMMARY					BIENNIAL SUMMARY			
	Adjusted Base	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE	Base Year Doubled (BYD)	Biennial Request	Change From (BYD)	Change From BYD %
9,496	\$10,162,000	\$10,477,000	\$10,477,000	75.50	75.50	\$20,324,000	\$20,954,000	\$630,000	3.1%
9,496	\$10,162,000	\$10,477,000	\$10,477,000	75.50	75.50	\$20,324,000	\$20,954,000	\$630,000	3.1%
\$0	\$0	\$0	\$0	0.00	0.00	\$0	\$0	\$0	
\$0	\$0	\$0	\$0	0.00	0.00	\$0	\$0	\$0	
9,496	\$10,162,000	\$10,477,000	\$10,477,000	75.50	75.50	\$20,324,000	\$20,954,000	\$630,000	3.1%

# by Program & SubProgram

ANNUAL SUMMARY					BIENNIAL SUMMARY			
Adjusted Base	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE	Base Year Doubled (BYD)	Biennial Request	Change From (BYD)	Change From BYD %
te proceedings								
10,162,000	\$10,477,000	\$10,477,000	75.50	75.50	\$20,324,000	\$20,954,000	\$630,000	3.10%
\$0	\$0	\$0	0.00	0.00	\$0	\$0	\$0	
<b>10,162,000</b>	<b>\$10,477,000</b>	<b>\$10,477,000</b>	<b>75.50</b>	<b>75.50</b>	<b>\$20,324,000</b>	<b>\$20,954,000</b>	<b>\$630,000</b>	<b>3.10%</b>
<b>10,162,000</b>	<b>\$10,477,000</b>	<b>\$10,477,000</b>	<b>75.50</b>	<b>75.50</b>	<b>\$20,324,000</b>	<b>\$20,954,000</b>	<b>\$630,000</b>	<b>3.10%</b>
<b>10,162,000</b>	<b>\$10,477,000</b>	<b>\$10,477,000</b>	<b>75.50</b>	<b>75.50</b>	<b>\$20,324,000</b>	<b>\$20,954,000</b>	<b>\$630,000</b>	<b>3.10%</b>

## by Decision Item

Decision Item	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
nding Level	\$10,162,000	\$10,162,000	75.50	75.50
ontinuing Position Salaries and Fringe Benefits	\$262,100	\$262,100	0.00	0.00
ase and Directed Moves Costs	\$52,900	\$52,900	0.00	0.00
	\$10,477,000	\$10,477,000	75.50	75.50

DES	TITLES
60	Court of Appeals
01	Appellate proceedings
R	Agency Request

September 08, 2010

Revenue	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
	\$0	\$0	\$0	\$0
	\$229,100	\$218,000	\$218,000	\$218,000
	<b>\$229,100</b>	<b>\$218,000</b>	<b>\$218,000</b>	<b>\$218,000</b>

## Decision Item by Line

	<b>CODES</b>	<b>TITLES</b>
<b>DEPARTMENT</b>	660	Court of Appeals
	<b>CODES</b>	<b>TITLES</b>
<b>DECISION ITEM</b>	2000	Adjusted Base Funding Level

	<b>Expenditure items</b>	<b>1st Year Cost</b>	<b>2nd Year Cost</b>
01	Permanent Position Salaries	\$6,089,800	\$6,089,800
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$25,000	\$25,000
05	Fringe Benefits	\$2,370,500	\$2,370,500
06	Supplies and Services	\$1,526,700	\$1,526,700
07	Permanent Property	\$150,000	\$150,000
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
<b>17</b>	<b>Total Cost</b>	<b>\$10,162,000</b>	<b>\$10,162,000</b>
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	75.50	75.50

### DIN 2000 NARRATIVE

Adjusted Base Funding Level

	Source of Funds	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE	
<b>Decision Item</b>	<b>2000</b>	<b>Adjusted Base Funding Level</b>				
	GPR	S	\$10,162,000	\$10,162,000	75.50	75.50
	PR Federal	S	\$0	\$0	0.00	0.00
	<b>Total</b>		<b>\$10,162,000</b>	<b>\$10,162,000</b>	<b>75.50</b>	<b>75.50</b>
<b>Agency Total</b>		<b>\$10,162,000</b>	<b>\$10,162,000</b>	<b>75.50</b>	<b>75.50</b>	

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	<b>2000</b>	<b>Adjusted Base Funding Level</b>			
<b>01</b>	<b>Appellate proceedings</b>				
	01 General program operations	\$10,162,000	\$10,162,000	75.50	75.50
	41 Federal aid	\$0	\$0	0.00	0.00
	<b>Appellate proceedings SubTotal</b>	<b>\$10,162,000</b>	<b>\$10,162,000</b>	<b>75.50</b>	<b>75.50</b>
	<b>Adjusted Base Funding Level SubTotal</b>	<b>\$10,162,000</b>	<b>\$10,162,000</b>	<b>75.50</b>	<b>75.50</b>
	<b>Agency Total</b>	<b>\$10,162,000</b>	<b>\$10,162,000</b>	<b>75.50</b>	<b>75.50</b>

## Decision Item by Line

	<b>CODES</b>	<b>TITLES</b>
<b>DEPARTMENT</b>	660	Court of Appeals
	<b>CODES</b>	<b>TITLES</b>
<b>DECISION ITEM</b>	3003	Full Funding of Continuing Position Salaries and Fringe Benefits

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	(\$65,500)	(\$65,500)
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	\$327,600	\$327,600
06	Supplies and Services	\$0	\$0
07	Permanent Property	\$0	\$0
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
<b>17</b>	<b>Total Cost</b>	<b>\$262,100</b>	<b>\$262,100</b>
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

### DIN 3003 NARRATIVE

Standard Budget Adjustment - Full Funding of Continuing Position Salaries and Fringe Benefits

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
<b>Decision Item</b>	<b>3003</b>	<b>Full Funding of Continuing Position Salaries and Fringe Benefits</b>				
	GPR	S	\$262,100	\$262,100	0.00	0.00
	<b>Total</b>		<b>\$262,100</b>	<b>\$262,100</b>	<b>0.00</b>	<b>0.00</b>
<b>Agency Total</b>			<b>\$262,100</b>	<b>\$262,100</b>	<b>0.00</b>	<b>0.00</b>

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	<b>3003</b>	<b>Full Funding of Continuing Position Salaries and Fringe Benefits</b>			
<b>01</b>	<b>Appellate proceedings</b>				
	01 General program operations	\$262,100	\$262,100	0.00	0.00
	<b>Appellate proceedings SubTotal</b>	<b>\$262,100</b>	<b>\$262,100</b>	<b>0.00</b>	<b>0.00</b>
	<b>Full Funding of Continuing Position Salaries and Fringe Benefits SubTotal</b>	<b>\$262,100</b>	<b>\$262,100</b>	<b>0.00</b>	<b>0.00</b>
	<b>Agency Total</b>	<b>\$262,100</b>	<b>\$262,100</b>	<b>0.00</b>	<b>0.00</b>



## Decision Item by Line

	<b>CODES</b>	<b>TITLES</b>
<b>DEPARTMENT</b>	660	Court of Appeals
	<b>CODES</b>	<b>TITLES</b>
<b>DECISION ITEM</b>	3010	Full Funding of Lease and Directed Moves Costs

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$0	\$0
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	\$0	\$0
06	Supplies and Services	\$52,900	\$52,900
07	Permanent Property	\$0	\$0
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
<b>17</b>	<b>Total Cost</b>	<b>\$52,900</b>	<b>\$52,900</b>
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

### DIN 3010 NARRATIVE

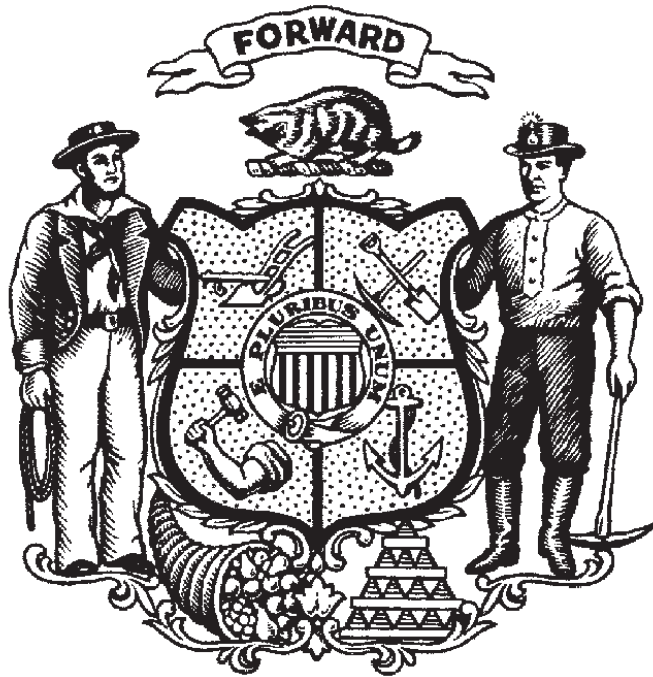
Standard Budget Adjustment - Full Funding of Lease and Directed Moves Costs

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
<b>Decision Item</b>	<b>3010</b>	<b>Full Funding of Lease and Directed Moves Costs</b>				
	GPR	S	\$52,900	\$52,900	0.00	0.00
	<b>Total</b>		<b>\$52,900</b>	<b>\$52,900</b>	<b>0.00</b>	<b>0.00</b>
<b>Agency Total</b>			<b>\$52,900</b>	<b>\$52,900</b>	<b>0.00</b>	<b>0.00</b>

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	<b>3010</b>	<b>Full Funding of Lease and Directed Moves Costs</b>			
<b>01</b>	<b>Appellate proceedings</b>				
	01 General program operations	\$52,900	\$52,900	0.00	0.00
	<b>Appellate proceedings SubTotal</b>	<b>\$52,900</b>	<b>\$52,900</b>	<b>0.00</b>	<b>0.00</b>
	<b>Full Funding of Lease and Directed Moves Costs SubTotal</b>	<b>\$52,900</b>	<b>\$52,900</b>	<b>0.00</b>	<b>0.00</b>
	<b>Agency Total</b>	<b>\$52,900</b>	<b>\$52,900</b>	<b>0.00</b>	<b>0.00</b>

# State of Wisconsin

## Circuit Courts



Agency Budget Request  
2011 – 2013 Biennium  
October 1, 2010

# State of Wisconsin

## Circuit Courts

### Table of Contents

Section	Page
Agency Information	3
Agency Total by Fund Source	4
Agency Total by Program	5
Agency Total by Decision Item	6
GPR Earned	7
Decision Item Information	
DIN 2000 Adjusted Base	8
DIN 3003 Full Funding of Salaries and Fringe Benefits	10
DIN 3010 Full Funding of Leases	12
DIN 4800 Certified Court Interpreters and Caseload Increases	14
DIN 4803 Financial Assistance Programs	19
DIN 4804 Create Program Revenue Appropriation	29

## **AGENCY DESCRIPTION**

The Circuit Courts are Wisconsin's courts of general jurisdiction and consist of 249 judicial positions in 69 judicial circuits. Each county in the state is a circuit, with the exception of Pepin and Buffalo, Menominee and Shawano, and Forest and Florence, which are paired to form three circuits. Where the volume of litigation warrants, a circuit consists of more than one branch (judge). Of the 69 circuits, 41 contain multiple branches.

The Circuit Courts have original jurisdiction in all criminal, civil, juvenile, family and probate cases unless exclusive jurisdiction has been given to another court. The courts have appellate jurisdiction over orders and judgments of the municipal courts and the responsibility to review decisions and orders of state administrative agencies.

For purposes of management, the Circuit Courts are divided into ten administrative districts. Each district has a chief judge appointed by the Supreme Court and a district court administrator who administer the business of the judicial branch in that district in cooperation with the director of state courts at the direction of the chief justice. The first judicial district (Milwaukee County) also has an assistant district court administrator.

# by Fund Source

ANNUAL SUMMARY						BIENNIAL SUMMARY			
ar	Adjusted Base	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE	Base Year Doubled (BYD)	Biennial Request	Change From (BYD)	Change From BYD %
200	\$24,676,800	\$44,207,500	\$44,306,200	0.00	0.00	\$49,353,600	\$88,513,700	\$39,160,100	79.3%
600	\$71,113,200	\$71,671,700	\$71,671,700	527.00	527.00	\$142,226,400	\$143,343,400	\$1,117,000	0.8%
800	\$95,790,000	\$115,879,200	\$115,977,900	527.00	527.00	\$191,580,000	\$231,857,100	\$40,277,100	21.0%
\$0	\$0	\$0	\$0	0.00	0.00	\$0	\$0	\$0	
\$0	\$0	\$0	\$0	0.00	0.00	\$0	\$0	\$0	
\$0	\$0	\$0	\$0	0.00	0.00	\$0	\$0	\$0	
\$0	\$0	\$0	\$0	0.00	0.00	\$0	\$0	\$0	
800	\$95,790,000	\$115,879,200	\$115,977,900	527.00	527.00	\$191,580,000	\$231,857,100	\$40,277,100	21.0%

# by Program & SubProgram

Adjusted Base	ANNUAL SUMMARY				BIENNIAL SUMMARY			
	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE	Base Year Doubled (BYD)	Biennial Request	Change From (BYD)	Change From BYD %
Operations								
4,676,800	\$44,207,500	\$44,306,200	0.00	0.00	\$49,353,600	\$88,513,700	\$39,160,100	79.35%
1,113,200	\$71,671,700	\$71,671,700	527.00	527.00	\$142,226,400	\$143,343,400	\$1,117,000	0.79%
\$0	\$0	\$0	0.00	0.00	\$0	\$0	\$0	
\$0	\$0	\$0	0.00	0.00	\$0	\$0	\$0	
5,790,000	\$115,879,200	\$115,977,900	527.00	527.00	\$191,580,000	\$231,857,100	\$40,277,100	21.02%
5,790,000	\$115,879,200	\$115,977,900	527.00	527.00	\$191,580,000	\$231,857,100	\$40,277,100	21.02%
5,790,000	\$115,879,200	\$115,977,900	527.00	527.00	\$191,580,000	\$231,857,100	\$40,277,100	21.02%

# by Decision Item

Decision Item	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
nding Level	\$95,790,000	\$95,790,000	527.00	527.00
ontinuing Position Salaries and Fringe Benefits	\$558,900	\$558,900	0.00	0.00
ase and Directed Moves Costs	(\$400)	(\$400)	0.00	0.00
erpreters and Caseload Increases	\$134,000	\$232,700	0.00	0.00
ce Programs	\$19,396,700	\$19,396,700	0.00	0.00
revenue Receipts Appropriation	\$0	\$0	0.00	0.00
	\$115,879,200	\$115,977,900	527.00	527.00



DES	TITLES
25	Circuit Courts
R	Agency Request

September 21, 2010

Revenue	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
	\$0	\$0	\$0	\$0
Surcharge	\$51,714,800	\$52,000,000	\$52,000,000	\$52,000,000
	<b>\$51,714,800</b>	<b>\$52,000,000</b>	<b>\$52,000,000</b>	<b>\$52,000,000</b>

# Decision Item by Line

	<b>CODES</b>	<b>TITLES</b>
<b>DEPARTMENT</b>	625	Circuit Courts
	<b>CODES</b>	<b>TITLES</b>
<b>DECISION ITEM</b>	2000	Adjusted Base Funding Level

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$48,331,200	\$48,331,200
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$1,151,500	\$1,151,500
05	Fringe Benefits	\$19,941,900	\$19,941,900
06	Supplies and Services	\$1,681,000	\$1,681,000
07	Permanent Property	\$7,600	\$7,600
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$24,676,800	\$24,676,800
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
<b>17</b>	<b>Total Cost</b>	<b>\$95,790,000</b>	<b>\$95,790,000</b>
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	527.00	527.00

## DIN 2000 NARRATIVE

Adjusted Base Funding Level

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
<b>Decision Item</b>	<b>2000</b>	<b>Adjusted Base Funding Level</b>				
	GPR	L	\$24,676,800	\$24,676,800	0.00	0.00
	GPR	S	\$71,113,200	\$71,113,200	527.00	527.00
	PR Federal	S	\$0	\$0	0.00	0.00
	<b>Total</b>		<b>\$95,790,000</b>	<b>\$95,790,000</b>	<b>527.00</b>	<b>527.00</b>
<b>Agency Total</b>			<b>\$95,790,000</b>	<b>\$95,790,000</b>	<b>527.00</b>	<b>527.00</b>

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	<b>2000</b>	<b>Adjusted Base Funding Level</b>			
<b>01</b>	<b>Court operations</b>				
	01 Circuit courts	\$71,113,200	\$71,113,200	527.00	527.00
	02 Permanent reserve judges	\$0	\$0	0.00	0.00
	04 Violent crime court costs	\$0	\$0	0.00	0.00
	06 Court interpreter fees	\$1,433,500	\$1,433,500	0.00	0.00
	07 Circuit court support payments	\$18,552,200	\$18,552,200	0.00	0.00
	08 Guardian ad litem fees	\$4,691,100	\$4,691,100	0.00	0.00
	41 Federal aid	\$0	\$0	0.00	0.00
	<b>Court operations SubTotal</b>	<b>\$95,790,000</b>	<b>\$95,790,000</b>	<b>527.00</b>	<b>527.00</b>
	<b>Adjusted Base Funding Level SubTotal</b>	<b>\$95,790,000</b>	<b>\$95,790,000</b>	<b>527.00</b>	<b>527.00</b>
	<b>Agency Total</b>	<b>\$95,790,000</b>	<b>\$95,790,000</b>	<b>527.00</b>	<b>527.00</b>

## Decision Item by Line

	<b>CODES</b>	<b>TITLES</b>
<b>DEPARTMENT</b>	625	Circuit Courts
	<b>CODES</b>	<b>TITLES</b>
<b>DECISION ITEM</b>	3003	Full Funding of Continuing Position Salaries and Fringe Benefits

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	(\$922,800)	(\$922,800)
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	\$1,481,700	\$1,481,700
06	Supplies and Services	\$0	\$0
07	Permanent Property	\$0	\$0
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
<b>17</b>	<b>Total Cost</b>	<b>\$558,900</b>	<b>\$558,900</b>
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

### DIN 3003 NARRATIVE

Standard Budget Adjustment - Full Funding of Continuing Position Salaries and Fringe Benefits

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
<b>Decision Item</b>	<b>3003</b>	<b>Full Funding of Continuing Position Salaries and Fringe Benefits</b>				
	GPR	S	\$558,900	\$558,900	0.00	0.00
	<b>Total</b>		<b>\$558,900</b>	<b>\$558,900</b>	<b>0.00</b>	<b>0.00</b>
<b>Agency Total</b>			<b>\$558,900</b>	<b>\$558,900</b>	<b>0.00</b>	<b>0.00</b>

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	<b>3003</b>	<b>Full Funding of Continuing Position Salaries and Fringe Benefits</b>			
<b>01</b>	<b>Court operations</b>				
	01 Circuit courts	\$558,900	\$558,900	0.00	0.00
	<b>Court operations SubTotal</b>	<b>\$558,900</b>	<b>\$558,900</b>	<b>0.00</b>	<b>0.00</b>
	<b>Full Funding of Continuing Position Salaries and Fringe Benefits SubTotal</b>	<b>\$558,900</b>	<b>\$558,900</b>	<b>0.00</b>	<b>0.00</b>
	<b>Agency Total</b>	<b>\$558,900</b>	<b>\$558,900</b>	<b>0.00</b>	<b>0.00</b>

## Decision Item by Line

	<b>CODES</b>	<b>TITLES</b>
<b>DEPARTMENT</b>	625	Circuit Courts
	<b>CODES</b>	<b>TITLES</b>
<b>DECISION ITEM</b>	3010	Full Funding of Lease and Directed Moves Costs

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$0	\$0
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	\$0	\$0
06	Supplies and Services	(\$400)	(\$400)
07	Permanent Property	\$0	\$0
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
<b>17</b>	<b>Total Cost</b>	<b>(\$400)</b>	<b>(\$400)</b>
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

### DIN 3010 NARRATIVE

Standard Budget Adjustment - Full Funding of Lease and Directed Moves Costs

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
<b>Decision Item</b>	<b>3010</b>	<b>Full Funding of Lease and Directed Moves Costs</b>				
	GPR	S	(\$400)	(\$400)	0.00	0.00
	<b>Total</b>		<b>(\$400)</b>	<b>(\$400)</b>	<b>0.00</b>	<b>0.00</b>
<b>Agency Total</b>			<b>(\$400)</b>	<b>(\$400)</b>	<b>0.00</b>	<b>0.00</b>

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	<b>3010</b>	<b>Full Funding of Lease and Directed Moves Costs</b>			
<b>01</b>	<b>Court operations</b>				
	01 Circuit courts	(\$400)	(\$400)	0.00	0.00
	<b>Court operations SubTotal</b>	<b>(\$400)</b>	<b>(\$400)</b>	<b>0.00</b>	<b>0.00</b>
	<b>Full Funding of Lease and Directed Moves Costs SubTotal</b>	<b>(\$400)</b>	<b>(\$400)</b>	<b>0.00</b>	<b>0.00</b>
	<b>Agency Total</b>	<b>(\$400)</b>	<b>(\$400)</b>	<b>0.00</b>	<b>0.00</b>

## Decision Item by Line

	<b>CODES</b>	<b>TITLES</b>
<b>DEPARTMENT</b>	625	Circuit Courts
	<b>CODES</b>	<b>TITLES</b>
<b>DECISION ITEM</b>	4800	Certified Court Interpreters and Caseload Increases

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$0	\$0
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	\$0	\$0
06	Supplies and Services	\$0	\$0
07	Permanent Property	\$0	\$0
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$134,000	\$232,700
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
<b>17</b>	<b>Total Cost</b>	<b>\$134,000</b>	<b>\$232,700</b>
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00



## DIN 4800 NARRATIVE

The Circuit Courts requests \$134,000 in 2011-12 and \$232,700 in 2012-13 for increased court interpreter reimbursement funding to counties as follows: (1) \$57,300 in 2011-12 and \$117,000 in 2012-13 for projected increased use of court interpreters due to caseload growth; and (2) \$76,700 in 2011-12 and \$115,700 in 2012-13 for increased use of certified court interpreters.

2001 Act 16 mandated a court interpreter certification program and increased state reimbursement to counties from \$35 per half day to \$30 per hour for uncertified and \$40 per hour for certified interpreters. Adjusted base funding is \$1,433,500. The need for court interpreters continues to increase as the limited English speaking population (LEP) appearing before our courts increases. Accurate interpretation is crucial to the integrity of court proceedings to ensure access to justice for all. The need for interpreters in rarer languages has also increased with refugees continuing to arrive in Wisconsin. Based on U.S. Census Bureau projections on LEP populations in Wisconsin, a 4.0% annual increase is requested for projected increased court interpreter use (\$57,300 in 2011-12 and \$117,000 in 2012-13).

The number of certified interpreters will also continue to increase. The first group of court interpreters became certified in May 2004. In August 2008 there were 81 certified interpreters and, as of August 2010, there are 95 certified court interpreters. The Court Interpreter Office within the Director of State Courts Office is continuing its efforts to improve interpreter services and ensure the court system is in compliance with state and federal equal rights laws, and the use of certified interpreters is a major part of that strategy. Based on an estimate of seven additional certified court interpreters annually, additional funding of \$76,700 in 2011-12 and \$115,700 in 2012-13 is requested related to the higher reimbursement rates for certified interpreters.

## DIN 4800 ISSUE PAPER

**Issue:** Court Interpreter Reimbursement Caseload and Certified Interpreter Increases

**APPN:** 625-106

**DIN:** 4800

	<u>2011-2012</u>	<u>2012-2013</u>
<b>Permanent Salary</b>		
<b>LTE Salary</b>		
<b>Fringe Benefits</b>		
<b>Supplies &amp; Services</b>		
<b>Permanent Property</b>		
<b>Local Assistance</b>	\$134,000	\$232,700
<b>TOTAL</b>	<b>\$134,000</b>	<b>\$232,700</b>

### NARRATIVE

The Circuit Courts request \$134,000 GPR in 2011-12 and \$232,700 GPR in 2012-13 for increased court interpreter reimbursement funding for counties as follows: (1) \$57,300 in 2011-12 and \$117,000 in 2012-13 for projected increased use of interpreters resulting from population increases of limited English speaking persons; and (2) \$76,700 in 2011-12 and \$115,700 in 2012-13 for projected increased use of certified court interpreters.

### Background

The appointment and payment of court interpreters is a joint state-county responsibility and expense. Court interpreters are hired and paid by the circuit court from county funds. The Director of State Courts Office reimburses counties, within statutory limits, for the use of court interpreters from a separate sum certain appropriation under the Circuit Courts. Counties are reimbursed up to \$40 per hour for court interpreters certified by the Director of State Courts Office, and \$30 per hour for qualified court interpreters (plus travel at the state mileage rate). The adjusted base for interpreter reimbursement is \$1,433,500 GPR.

### Increasing Need for Court Interpreters

Limited English speaking persons (LEPs) continue to appear before our courts in increasing numbers, and accurate interpretation is crucial to the integrity of court proceedings to ensure access to justice for all. An April 2010 Census Bureau report analyzing data for 1980 – 2007 found that the number of people who spoke a language other than English at home in the U.S. has more than doubled in the last three decades and at a pace four times greater than the population's growth. Spanish speakers accounted for the largest numeric increase of 23.7 million, representing a 211 percent

increase. The Vietnamese-speaking population had the largest percentage increase of 511 percent (1 million speakers) over the same timeframe.

Wisconsin's population of persons with limited English proficiency also continues to expand. Between 2000 and 2005, Wisconsin's foreign born population increased by 20 percent. During the same time period, Wisconsin's Hispanic population increased by 19 percent. These trends are projected to continue. According to U.S. Census projections, Wisconsin's Hispanic population is projected to increase by 23 percent between 2005 and 2015. This population has been growing 4.0% each year for the last five years, and the Census Bureau projects that this trend will continue until 2025.

The need for interpreters in rarer languages has increased with refugees continuing to arrive in Wisconsin. From 2005 through 2009, 4,024 refugees have come to the State. About 1,500 are Hmong relocated from Laos. There are about 1,200 from Burma and about 700 from Somalia. In all, refugees have come to Wisconsin from 41 countries including the former Soviet Union, Afghanistan, Iraq, Liberia and the Congo region. Large Spanish-speaking populations are located across the southeast corner of the state, as well as in the Fox Valley and La Crosse. Large Hmong populations are located in Milwaukee, Dane, La Crosse, Marathon, Outagamie, Sheboygan, Brown, Eau Claire, Winnebago, and Manitowoc counties. Many deaf people live in Walworth, Kenosha, and Racine counties, and Milwaukee is home to people from all over the world.

It is expected that these LEP population increases will be reflected in the need for court interpreter services, requiring additional funding for reimbursement to counties. Therefore, a 4.0% increase in funding is requested each year (\$57,300 in 2011-12 and \$117,000 in 2012-13) to reflect projected increased use of interpreters resulting from population increases of limited English speaking persons.

#### Increased Use of Certified Interpreters

Additional funding is also needed due to increased numbers of certified interpreters and their higher reimbursement rates (\$40 per hour for certified interpreters compared to \$30 for qualified interpreters). On May 25, 2004, the first group of certified interpreters -- nine Spanish interpreters and five American Sign Language (ASL) interpreters -- was sworn in by the Chief Justice of the Supreme Court. As of August 2008, there were 81 certified court interpreters. As of May 2010, there are 95 certified court interpreters.

The number of certified interpreters will continue to increase. The Court Interpreter Program Office, part of the Director of State Courts Office, is continuing its efforts to improve interpreter services throughout the court system and ensure the court system is in compliance with state and federal equal rights laws, and the use of certified interpreters is a major part of that strategy. Based on the assumption that seven additional interpreters annually will become certified, increased funding of \$76,700 is requested in 2011-12 and \$115,700 in 2012-13.

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
<b>Decision Item</b>	<b>4800</b>	<b>Certified Court Interpreters and Caseload Increases</b>				
	GPR	L	\$134,000	\$232,700	0.00	0.00
	<b>Total</b>		<b>\$134,000</b>	<b>\$232,700</b>	<b>0.00</b>	<b>0.00</b>
<b>Agency Total</b>			<b>\$134,000</b>	<b>\$232,700</b>	<b>0.00</b>	<b>0.00</b>

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	<b>4800</b>	<b>Certified Court Interpreters and Caseload Increases</b>			
<b>01</b>	<b>Court operations</b>				
	06 Court interpreter fees	\$134,000	\$232,700	0.00	0.00
	<b>Court operations SubTotal</b>	<b>\$134,000</b>	<b>\$232,700</b>	<b>0.00</b>	<b>0.00</b>
	<b>Certified Court Interpreters and Caseload Increases SubTotal</b>	<b>\$134,000</b>	<b>\$232,700</b>	<b>0.00</b>	<b>0.00</b>
	<b>Agency Total</b>	<b>\$134,000</b>	<b>\$232,700</b>	<b>0.00</b>	<b>0.00</b>

## Decision Item by Line

	<b>CODES</b>	<b>TITLES</b>
<b>DEPARTMENT</b>	625	Circuit Courts
	<b>CODES</b>	<b>TITLES</b>
<b>DECISION ITEM</b>	4803	Financial Assistance Programs

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$0	\$0
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	\$0	\$0
06	Supplies and Services	\$0	\$0
07	Permanent Property	\$0	\$0
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$19,396,700	\$19,396,700
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
<b>17</b>	<b>Total Cost</b>	<b>\$19,396,700</b>	<b>\$19,396,700</b>
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

## DIN 4803 NARRATIVE

The Circuit Courts request \$19,396,700 annually and statutory change to consolidate the current county financial assistance programs – the Circuit Court Support and Guardian ad Litem (GAL) payment programs – into a new Circuit Court Financial Support (CCFS) program. Under the request, the new CCFS program would be funded through a sum sufficient appropriation funded with 82 percent of the annual court support services surcharge (CSSS) revenues collected by counties in the previous calendar year. An estimated \$52.0 million in CSSS revenues will be collected in calendar years 2010 and 2011. Therefore, under the proposal \$42.6 million would be appropriated to the new sum sufficient appropriation annually, an increase of \$9.4 million annually over the combined funding of the current Circuit Court Support and GAL payment programs.

Under the proposal, the Director of State Courts Office would distribute payments to counties semi-annually based on the following formula: (1) the amount determined by dividing the number of circuit court branches in the county by the total number of circuit court branches in the state and multiplying that result by one-third of the total amount to be paid; (2) the amount determined by dividing the judicial officer need for the county as measured by the Court's weighted caseload methodology for the previous calendar year by the total judicial officer need for all counties and multiplying the result by one-third of the total amount to be paid; and (3) the amount to be determined by dividing the amount of court fees, fines, forfeitures and surcharges collected in the county in the previous calendar year by the total amount of court fees, fines, forfeitures and surcharges collected in the state in the previous calendar year and multiplying that result by one-third of the total amount to be paid. This formula is similar to the current GAL payment program's formula with slight variations. The Director of State Courts Office believes this proposed formula would provide a better measure of circuit court activity than the current formulas. Payments to counties would continue to be used to offset circuit court costs as specified under s. 758.19(5), Wis. Stats. (all county court expenditures except court costs related to courtroom security and costs related to rent, utilities, maintenance, rehabilitation and construction of court facilities).

The request would provide additional State support to counties at a time counties are struggling to keep under levy limits and hold down property taxes. The court support services surcharge would no longer be a misnomer; it would be directly used to provide assistance to counties for their circuit courts.

## DIN 4803 ISSUE PAPER

**Issue Name:** Consolidation and Formula Revision of the County Circuit Courts' Financial Assistance Programs

**APPN:** 625-107, 108, 109

**DIN:** 4803

	<u>2011-2012</u>	<u>2012-2013</u>
<b>Permanent Salary</b>		
<b>LTE Salary</b>		
<b>Fringe Benefits</b>		
<b>Supplies &amp; Services</b>		
<b>Permanent Property</b>		
<b>Local Assistance</b>	\$19,396,700	\$19,396,700
<b>TOTAL</b>	<b>\$19,396,700</b>	<b>\$19,396,700</b>

### NARRATIVE

The Circuit Courts request \$19,396,700 GPR annually and statutory change to consolidate the current statutory county financial assistance programs administered by the Director of State Courts -- the Circuit Court Support Payment (CCSP) and Guardian ad Litem (GAL) payment programs -- in which the monies are passed through the Circuit Courts' appropriation and distributed to counties for the support of circuit court operations. It is also requested that funding for the new payment program be linked to court support services surcharge (CSSS) revenues so to provide ongoing increases to county payments as CSSS revenues increase. Under the proposal, 82 percent of the CSSS revenues collected by counties in the previous calendar year would be appropriated for payments under the new program in the next full fiscal year. This request would provide a more equitable formula for allocation of funds, would provide increased funding to counties for their circuit court operations that could serve to reduce the property tax burden, and would provide a mechanism to ensure a continuing link between levels of circuit court activity and funding.

#### Background of the Current State Circuit Court Payment Programs

In the 1993-1995 budget, 1993 Wisconsin Act 16, the State created the GPR-funded CCSP and GAL payment programs. As part of these programs, counties were required to report annually to the Director of State Courts their actual costs for these court services. 1993 Wisconsin Act 16 also created a court support services surcharge<sup>[1]</sup> on

forfeiture judgments and most civil court filing fees including garnishments, wage earner actions, small claim actions, and third-party complaints. The surcharge became effective October 1, 1993. This surcharge is collected by clerks of circuit court and paid to the State Treasurer for deposit into the State's General Fund. It was originally estimated that the surcharge would raise \$15.2 million annually to offset the costs of the newly-created programs.

Other legislative actions followed that continued to revise the CCSP and the CSSS:

- 1995 Wisconsin Act 27 (the 1995-1997 biennial budget act) increased the CSSS from \$20 to \$40 effective October 1, 1995. The CSSS also was expanded to include a \$100 surcharge on large civil claims and \$30 surcharge on small civil claims. Additional CCSP funds were provided to the counties, for an appropriation totaling \$11.7 million in 1995-96 and \$16.5 million in 1996-97, and the formula was revised to include the number of judgeships and population figures. The Act also widened the court costs allowable under the CCSP to include all court costs except for those costs related to "court room security, including security personnel, and costs related to rent, utilities, maintenance, rehabilitation and/or construction of court facilities."
- 1999 Wisconsin Act 9 (the 1999-2001 biennial budget act) increased the CCSP by \$2,250,000 annually (to \$18.7 million) and increased the base payment per branch (judge). In 1999-2000, the State collected \$26.9 million from the CSSS.
- 2001 Wisconsin Act 109 (the 2001-03 budget reform act) increased the CSSS by 30 percent effective July 1, 2002. It was estimated that this increase would generate an additional \$8 million annually in revenue (the State collected \$33.2 million in 2002-03 from the CSSS).
- 2003 Wisconsin Act 33 (the 2003-2005 biennial budget act) again increased the CSSS by 30 percent effective July 26, 2003. An increase of \$13.5 million annually in revenue was projected.
- 2009 Wisconsin Act 28 (2009-2011 biennial budget act) included a 1% across-the-board permanent reduction to both the CCSP and the GAL payment programs appropriations effectively reducing the amount of financial assistance provided to counties under both of these programs (the CCSP payment program was reduced by \$374,800 and the GAL payment program by \$94,800 over the biennium).

In addition, the creation of eight new judgeships under 2007 Wisconsin Act 20 and 2007 Wisconsin Act 28 (five became effective August 1, 2008, two became effective August 1, 2009 and one became effective August 1, 2010) further diminished counties' payments under both the CCSP and GAL payment programs.

The CSSS is the only court-imposed surcharge that is wholly deposited to the General Fund as GPR-Earned (the only other surcharge that is partially deposited to the General Fund is the other court-related surcharge, the justice information system surcharge, of which 4.7% is deposited to the General Fund; 27.9% is deposited to the courts automation program, and 67.4% is deposited to DOA for their justice programs). Every



other court-imposed surcharge is deposited to a program revenue account or segregated fund.

### Need for Circuit Court Funding

The Supreme Court's Planning and Policy Advisory Committee (PPAC) in 2008 and again in 2010 identified improvement of the court system funding structure as the highest priority issue facing the Wisconsin court system. Improvement of the court system funding structure was ranked as the highest priority by clerks of circuit court and circuit court commissioners (both groups are county funded), and by other court stakeholders, including chief judges, district court administrators and PPAC members.

Over the last decade, county budgets have been suffering and in many instances the circuit courts have faced drastic cost-cutting measures. For example, many counties have used salary freezes and furloughs to address the budget crisis at the local court level. More and more the circuit courts are not provided sufficient resources from the county to adequately perform their jobs.

When the CCSP and the GAL programs were introduced in 1993-94, counties had hoped these state financial assistance programs would shift an equitable portion of the funding of the circuit courts from property taxes to the State. While this was the original intent of these programs, over the years funding was not increased to offset increasing costs at the county level even as CSSS revenues increased. In fact, in 2009-10, funding for both these programs was reduced by the one percent across-the-board cut applied to all the State's appropriations in the 2009-2011 biennial budget. The amount appropriated for the GAL Payment program in FY 1994 was \$4.7 million, the same amount appropriated 15 years later in 2008-09 and reduced down to \$4.69 million in 2009-10. While the funding for the CCSP program increased only intermittently throughout the years (with the last increase in 1999), funding for this program amounted to \$18.5 million in 2009-10. Moreover, funding for the CCSP program has not been proportionally increased with the addition of 26 judgeships or to reflect increasing CSSS revenues.

### Proposed Circuit Court Financial Support (CCFS) Program

Since the 2007-2009 biennial budget, the court system has submitted proposals requesting to consolidate both the CCSP and the GAL payment programs. Under a consolidation, there would be one payment program referred to as the Circuit Court Financial Support (CCFS) Program. By combining these two payment programs to create the CCFS program and formally linking this new program's funding to the collection of CSSS revenues, the CCFS program would ensure that the financial assistance provided to counties reflects activity of the circuit courts and would change as the circuit courts' activities, as reflected by changed CSSS revenues, change.

Using the current GAL payment program's formula as a model, under the proposal a county's annual CCFS payment would be the sum of the following:

1. The amount determined by dividing the number of circuit court branches in the county by the total number of circuit court branches in the state and multiplying that

result by one-third of the total amount to be paid.

2. The amount determined by dividing the judicial need for the county as measured by the Court's weighted caseload methodology for the previous calendar year by the total judicial need for all counties and multiplying the result by one-third of the total amount to be paid.

3. The amount determined by dividing the amount of court fines, forfeitures and surcharges collected in the county in the previous calendar year by the total amount of court fines, forfeitures and surcharges collected in the state in the previous calendar year and multiplying that result by one-third of the total amount to be paid.

The Director of State Courts Office believes this proposed formula would provide a better measure of circuit court activity than the current formulas. The current CCSP formula provides an annual fixed amount, \$52,275, for counties with one branch (judge), which does not take into account varying circuit court caseload activities in one-branch counties. For multiple branch counties, each county receives a fixed amount, \$42,275, with the remaining funds allocated based on county population. While population was intended to serve as a proxy for circuit court activity, it is a poor measure.

The current GAL payment formula uses each county's number of branches, judicial need as measured by the weighted caseload formula and the amount of court support services surcharge collections. This formula does a better job than the CCSP formula of equitably distributing money among counties. However, distributing funding through two separate payment programs results in the two programs being construed too narrowly and, ultimately, not sufficiently meeting the courts' needs. For example, from year-to-year court activity such as GAL expenditures can vary greatly. A single program can be designed to be more flexible so it better encompasses the annual variations in court operations.

#### Proposed Funding Mechanism

Because of the proposed changes in formula distribution, at current funding levels some counties would receive more and some counties would receive less than they would under current law. To hold counties harmless in transitioning to this new program and provide most counties with an increase in their total revenues received, additional funds are requested. A new funding mechanism is proposed to provide ongoing increases to county funding as CSSS revenues increase. Statutory language would be created so the CCFS program appropriation becomes a sum sufficient appropriation directly linked to the CSSS revenues collected by counties in the previous calendar year, with a statutory provision that 82 percent of the annual CSSS revenues be appropriated for the CCFS program in the next full fiscal year. It is estimated that \$52.0 million in CSSS revenues will be collected in calendar years 2010 and 2011. Therefore, under the proposal \$42.6 million GPR would be appropriated to the sum sufficient CCFS appropriation annually, an annual increase of \$19.4 million GPR over the combined funding for the CCSP and GAL payment programs.

With the newly-created financial assistance appropriation dependent upon the amount

of CSSS collected by the courts in the previous calendar year, a direct correlation will exist between circuit court activity and financial assistance passed on to counties. This approach would also serve as an incentive to county clerks of circuit court to vigorously pursue collections of fines, forfeitures and surcharges.

The additional funding to be appropriated to a sum sufficient appropriation would represent a portion of the excess in CSSS revenues not currently supporting the circuit court services that the CSSS was created to fund. Every year since 1993-94, more CSSS revenues have been collected and deposited to the General Fund than the amounts appropriated to fund the circuit court support programs (CCSP and GAL). In 2000-01, the difference was \$2.3 million dollars. However, in 2001-02 and again in 2002-03 the CSSS was increased by a total of 69 percent without any increase to the court support programs. In 2009-10, CSSS revenues totaled \$51.7 million, while only \$23.2 million GPR was appropriated for the court support programs. The remaining \$28.5 million went to other GPR-funded programs.

The additional funding passed through to counties would continue to be used to offset circuit court costs as specified under s. 758.19(5), Wis. Stats. (All county court expenditures except court costs related to courtroom security, including security personnel and costs related to rent, utilities, maintenance, rehabilitation and construction of court facilities are eligible to be offset by the for state payment received under the current CCSP program.) Because the gap between county court funding and state support through the court payment programs is so large, no county's funding would come close to reaching the statutory cap. For example, in calendar year 2009, counties reported spending in total \$161.5 million on eligible court expenditures, compared to the \$18.5 million in CCSP payments and \$4.69 million in GAL payments.

### Summary

This request would provide additional State support to counties as part of the state/county partnership in funding circuit courts at a time counties are struggling to keep under their levy limits and hold down property taxes. Counties would continue to need to document their circuit court expenditures to receive payment and would never receive more CCFS funds than they expend on circuit courts. Under this proposal circuit courts would not necessarily receive dollar for dollar increases in their county budgets. However, it is expected circuit courts would benefit indirectly as a means to fend off county budget cuts or to justify increased court expenditures. The court support services surcharge would no longer be a misnomer; it would once again be directly used to provide financial support to counties for their circuit courts. Finally, linking CSSS revenues to the CCFS program would provide a mechanism for ongoing increases in county circuit court services support payments linked with increasing CSSS revenues, the same mechanism used for virtually every other court surcharge.

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[1] In 2003 Act 139 the court support services fee was renamed the court support services surcharge (CSSS). This paper will use CSSS, or surcharge, throughout.

## DIN 4803 STATUTORY LANGUAGE DRAFT / STATEMENT OF INTENT

### Statutory Language Change: Consolidation and Formula Revision of the Circuit Courts' Financial Assistance Programs

#### NARRATIVE

Revise the following statutory language under ss. 20.680 (1) and 758.19 to eliminate the two county financial assistance programs administered by the Director of State Courts Office and create in their place a new financial assistance program as follows:

Repeal ss. 20.625 (1) (d) and (e).

Create s. 20.625 (1) (f) to read:

20.625 (1) (f) Circuit court financial support program. A sum sufficient appropriation equal to 82 percent of all moneys collected in the previous calendar year from the court support services surcharge under s. 814.85 to pay the counties for circuit court costs under s. 758.19 (5m) (b).

Repeal sections 758.19 (5) (a) and (b).

Re-number s. 758.19 (5) (c) to 758.19 (5m) (c) and amend to read:

758.19 (5m) (c) For those counties that share the services of one or more circuit court branches, the director of state courts shall annually determine the proportional share of that circuit court branch for each county ~~based on circuit court branch case load~~ using the weighted case load formula in each county.

Repeal s. 758.19 (5) (d).

Re-number s. 758.19 (5) (g) to 758.19 (5m) (g) and amend to read:

~~Beginning with the submittal of information under par. (e) on July 1, 1995, if the director of state courts determines, based on the information submitted under par. (e), that the payment made to a county under par. (b) for any calendar year exceeds the circuit court costs incurred by a county for that calendar year, the director of state courts shall deduct the difference from the next payment made under par. (b) made to that county after the director's determination. The difference shall be apportioned as provided in par. (c) among other counties for payment under par. (b) to the other counties on that payment date. For purposes of this paragraph, the director of state courts shall treat the period beginning on August 13, 1993, and ending on December 31, 1994, as a calendar year and determine from the information submitted under par. (e) on July 1, 1994, and July 1, 1995, whether the payment to a county under par. (b) on January 1, 1994, exceeds the circuit court costs incurred by the county for the period beginning on August 13, 1993, and ending on December 31, 1994. [Note: the amendment is to delete obsolete language.]~~

Renumber ss. 758.19 (5) (e), (f), (h) and (i) to 758.19 (5m) (e), (f), (h) and (i).

Create s. 758.19 (5m) (a) to read:

758.19 (5m) (a) In this subsection:

1. "Circuit court costs" are all county costs necessary to operate the circuit court branches in the county except costs related to courtroom security, including security personnel, and costs related to rent, utilities, maintenance, rehabilitation, and construction of court facilities.
2. "Judicial officers" means circuit court commissioners and circuit court judges.
3. "Judicial officer need" means the total need for judicial officers as calculated by the director of state courts using the weighted case load formula based on case filings in the previous calendar year.
4. "Weighted case load formula" means the formula utilized by the director of state courts to determine the number of cases filed in a calendar year and the judicial officer time needed to process those cases.

Create s. 758.19 (5m) (b) to read:

758.19 (5m) (b) From the appropriation under s. 20.625 (1) (f), the director of state courts shall make the following payments to each county for circuit court costs on the first day of the 2<sup>nd</sup> month beginning after the effective date of this paragraph . . [revisor inserts date], and on every January 1 and July 1 thereafter:

1. A payment determined by dividing the number of circuit court branches in the county by the total number of circuit court branches in the state and multiplying that result by an amount equal to 12.5 percent of the amount collected under s. 814.85 in the previous calendar year.
2. A payment determined by dividing the judicial officer need for the county by the total judicial need for all counties and multiplying the result by an amount equal to 12.5 percent collected under s. 814.85 in the previous calendar year.
3. A payment determined by dividing the total amount of circuit court fees, fines, forfeitures, and surcharges collected by the county in the previous calendar year by the total amount of circuit court fees, fines, forfeitures, and surcharges collected by all counties in the previous calendar year and multiplying the result by an amount equal to 12.5 percent collected under s. 814.85 in the previous calendar year.

Repeal s. 758.19 (6).

	Source of Funds	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE	
<b>Decision Item</b>	<b>4803</b>	<b>Financial Assistance Programs</b>				
	GPR	L	\$19,396,700	\$19,396,700	0.00	0.00
	<b>Total</b>		<b>\$19,396,700</b>	<b>\$19,396,700</b>	<b>0.00</b>	<b>0.00</b>
<b>Agency Total</b>			<b>\$19,396,700</b>	<b>\$19,396,700</b>	<b>0.00</b>	<b>0.00</b>

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	<b>4803</b>	<b>Financial Assistance Programs</b>			
<b>01</b>	<b>Court operations</b>				
	07 Circuit court support payments	(\$18,552,200)	(\$18,552,200)	0.00	0.00
	08 Guardian ad litem fees	(\$4,691,100)	(\$4,691,100)	0.00	0.00
	09 Circuit court financial support	\$42,640,000	\$42,640,000	0.00	0.00
	<b>Court operations SubTotal</b>	<b>\$19,396,700</b>	<b>\$19,396,700</b>	<b>0.00</b>	<b>0.00</b>
	<b>Financial Assistance Programs SubTotal</b>	<b>\$19,396,700</b>	<b>\$19,396,700</b>	<b>0.00</b>	<b>0.00</b>
	<b>Agency Total</b>	<b>\$19,396,700</b>	<b>\$19,396,700</b>	<b>0.00</b>	<b>0.00</b>

# Decision Item by Line

	<b>CODES</b>	<b>TITLES</b>
<b>DEPARTMENT</b>	625	Circuit Courts
	<b>CODES</b>	<b>TITLES</b>
<b>DECISION ITEM</b>	4804	Create Program Revenue Receipts Appropriation

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$0	\$0
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	\$0	\$0
06	Supplies and Services	\$0	\$0
07	Permanent Property	\$0	\$0
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
<b>17</b>	<b>Total Cost</b>	<b>\$0</b>	<b>\$0</b>
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

## DIN 4804 NARRATIVE

The Circuit Courts request the creation of a Program Materials and Services-Receipts program revenue (PR) continuing appropriation to allow for the receipting of various revenues the Circuit Courts may receive from counties, other state justice partners and others. The proposal has no fiscal effect.

As fiscal resources dwindle, government entities at all levels are looking for ways to provide services more efficiently and at less cost. One innovation has been to provide avenues for intergovernmental cooperation to maximize purchasing power, and allow for sharing and exchange of resources. Most state agencies have some sort of an appropriation for the deposit of revenues received from other state agencies, from other departments within the state agency, from local governments and/or from outside sources. The Circuit Courts, however, do not have such an appropriation.

Some possible uses for a Program Materials and Services-Receipts appropriation include: Circuit Court training and committee work with other governmental units, county-purchased judicial legal resources, file sharing, and intergovernmental purchase agreements. It is requested that the appropriation language be written broadly to accommodate a variety of uses and revenue sources, and read as follows:

*s.20.625(1)(g) Program materials and services-receipts. All moneys received for materials and services provided by the circuit courts shall be credited to this appropriation.*



# Decision Item by Numeric

Supreme Court

## DIN 4804 ISSUE PAPER

**Name: Statutory Language Change: Program Revenue Appropriation Creation**

**APPN:** 625-101 **DIN:** 4804

### NARRATIVE

The Circuit Courts request the creation of a Program Materials and Services-Receipts pro revenue (PR) continuing appropriation to allow for the receipting of various revenues the C Courts may receive from counties, other state justice partners, and others. The proposa no fiscal effect.

#### Background

As fiscal resources dwindle, government entities at all levels are looking for ways to pr services more efficiently and at less cost. One innovation has been to provide avenue intergovernmental cooperation to maximize purchasing power, and allow for sharing exchange of resources. Most state agencies have some sort of an appropriation for the de of revenues received from other state agencies, from other departments within the agency, from local governments and/or from outside sources. The Circuit Courts, howeve not have such an appropriation.

#### Possible Uses of a Program Services Receipts Appropriation

This request is to position the court system for future collaborative efforts. Some of the possible uses for a Program Materials and Services Receipts appropriation are:

*Circuit Court Training/Committee Work With Other Governmental Units.* Executive branch agencies and counties regularly request circuit court judges to participate in training/sem they are sponsoring or to be a committee member. While these organizations are willii reimburse judges for their travel to attend organized events, these events are considered \ related for judges and employment tax law makes it difficult for state agencies and c governments to reimburse the judges directly for their travel. To ensure that judges reimbursed for their travel consistent with tax law, other governmental units would prefe court system pay the judge for his/her travel expenses on their paycheck then turnarounc bill the governmental unit for the payment made to the judge.

*County-Purchased Judicial Legal Resources.* Counties are statutorily required to provide circuit court judges law books and other legal subscriptions. The Wisconsin State Law Library (WSLL) has expertise in purchasing judicial legal resources. Counties may realize some cost savings if WSLL were to purchase the judicial legal resources through state purchasing contracts and have counties reimburse the courts for their purchases.

*File Sharing.* Maintenance of electronic court records are a shared responsibility between

## Decision Item by Numeric

### Supreme Court

State and counties. Electronic records of court commissioner proceedings are maintained by the county, while records of judicial proceedings are maintained by the state, through CCAP. As recordkeeping becomes more sophisticated, at some point in the future, it may be advantageous for CCAP to take on the maintenance of certain county records at the county's request, with the county paying for these services.

*Intergovernmental Purchase Service Agreements.* State and local governmental entities may receive funding to conduct special projects relating to the operation of the circuit courts. For example, the State of Wisconsin's Department of Health's Division of Mental Health and Substance Abuse Services is conducting a special project in Milwaukee County on forensic pretrial case tracking and case management. The success of the project requires the county to make arrangements with a contractor to perform the required case tracking tasks. While the county enters into a formal contract with the consultant, the executive branch state agency reimburses the county's circuit court for the project's contractual services. This appropriation would allow the Director's Office to enter into these types of intergovernmental service agreements on behalf of the county's circuit courts.

### Statutory Language Request

It is requested that the appropriation language be written broadly in order to accommodate a variety of uses and revenue sources, as shown above. To that end, it is requested that the statutory appropriation language be created as follows:

*s. 20.625 (1)(g) Program materials and services-receipts. All moneys received for materials and services provided by the circuit courts shall be credited to this appropriation.*

# Decision Item by Numeric

Supreme Court

## DIN 4804 STATUTORY LANGUAGE DRAFT / STATEMENT OF INTENT

**Statutory Language Change: Creation of a Program Revenue-Receipts Appropriation for the Circuit Courts**

### NARRATIVE

The Circuit Courts request new statutory language to create a new Program Revenue-Rec appropriation to allow for the receipting of various revenues the Circuit Courts may receive counties, other state justice partners, and others. It is requested that the stat appropriation language be created as follows:

*s. 20.625 (1)(g) Program materials and services-receipts. All moneys received for materials and services provided by the circuit courts shall be credited to this appropriation.*

	Source of Funds	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
<b>Decision Item</b>	<b>4804</b>	<b>Create Program Revenue Receipts Appropriation</b>			
	PR	S	\$0	\$0	0.00
	<b>Total</b>		<b>\$0</b>	<b>\$0</b>	<b>0.00</b>
<b>Agency Total</b>			<b>\$0</b>	<b>\$0</b>	<b>0.00</b>

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	<b>4804</b>	<b>Create Program Revenue Receipts Appropriation</b>			
<b>01</b>	<b>Court operations</b>				
	20 Program Materials and Services	\$0	\$0	0.00	0.00
	<b>Court operations SubTotal</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00</b>	<b>0.00</b>
	<b>Create Program Revenue Receipts Appropriation SubTotal</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00</b>	<b>0.00</b>
	<b>Agency Total</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00</b>	<b>0.00</b>