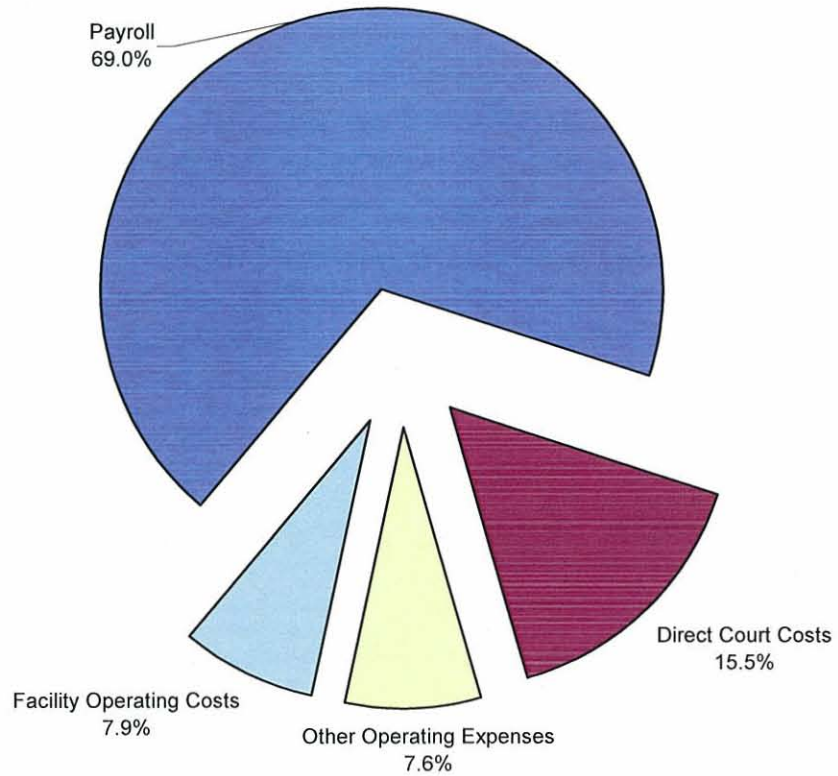


**January 29, 2009**

**The Judiciary**

**WAM/Finance Informational Briefing**

# How the Judiciary's Base Appropriation are Expended FY 2006 - Total Appropriations: \$124,773,464



**Total Fixed Mandated Costs  
92.4%**

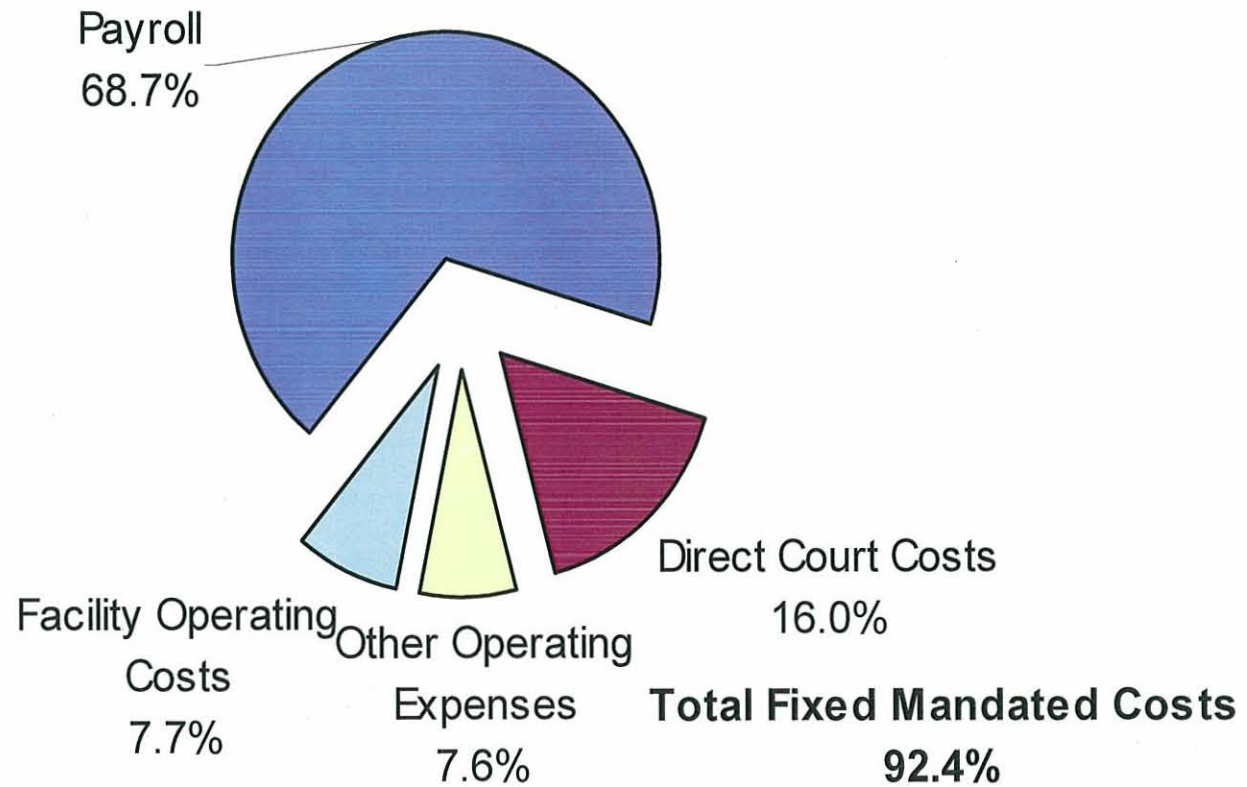
**THE JUDICIARY  
HOW THE JUDICIARY'S APPROPRIATIONS ARE EXPENDED  
FIXED / MANDATED COSTS**

	<b>FY 2006</b>	
	<b>\$</b>	<b>%</b>
Payroll (Includes CB)	86,096,901	69.0
<b>Direct Court Costs</b>		
Public Assistance (POS)	11,380,623	9.1
Other Grant-in-Aid	1,098,849	0.9
Guardian Ad Litem/Attorney	3,056,991	2.5
Jury Costs	1,956,000	1.6
Other Direct Court Costs      1]	1,885,096	1.5
Subtotal	19,377,559	15.5
<b>Facility Operating Costs</b>		
Utilities	3,388,585	2.7
Rental of Buildings	2,721,612	2.2
Rental of Equipment	1,130,748	0.9
Repair and Maintenance	2,589,304	2.1
Subtotal	9,830,249	7.9
<b>Total Fixed/Mandated Costs</b> 2]	115,304,709	92.4
Operating Supplies	1,571,200	1.3
Dues & Subscriptions (Less Law Library)	307,033	0.2
Freight, Delivery, & Postage	624,856	0.5
Travel	1,111,576	0.9
Printing & Binding	375,087	0.3
Other Service on a Fee (Less Court Ordered Evaluations)	4,611,552	3.7
Subtotal	8,601,304	6.9
Misc (All Other)	767,395	0.6
Equipment (Less Law Library Books)	100,056	0.1
 <b>JUDICIARY TOTAL</b>	 <b>124,773,464</b>	 <b>100.0</b>

1] Law Library Subscriptions (912,563); Foster Home Care (1JC, 33,000; 2JC, 0; 3JC, 0); Law Library Books (424,411); Training (40,494); Court Ordered Evaluations (1JC, 300,560; 2JC, 61,108; 3JC, 88,000; 5JC, 24,960)

2] Assuming current operating structure and no reduction in force action.

## How the Judiciary's Base Appropriation are Expended FY 2007 - Total Appropriations: \$132,065,736



**THE JUDICIARY**  
**HOW THE JUDICIARY'S APPROPRIATIONS ARE EXPENDED**  
**FIXED / MANDATED COSTS**

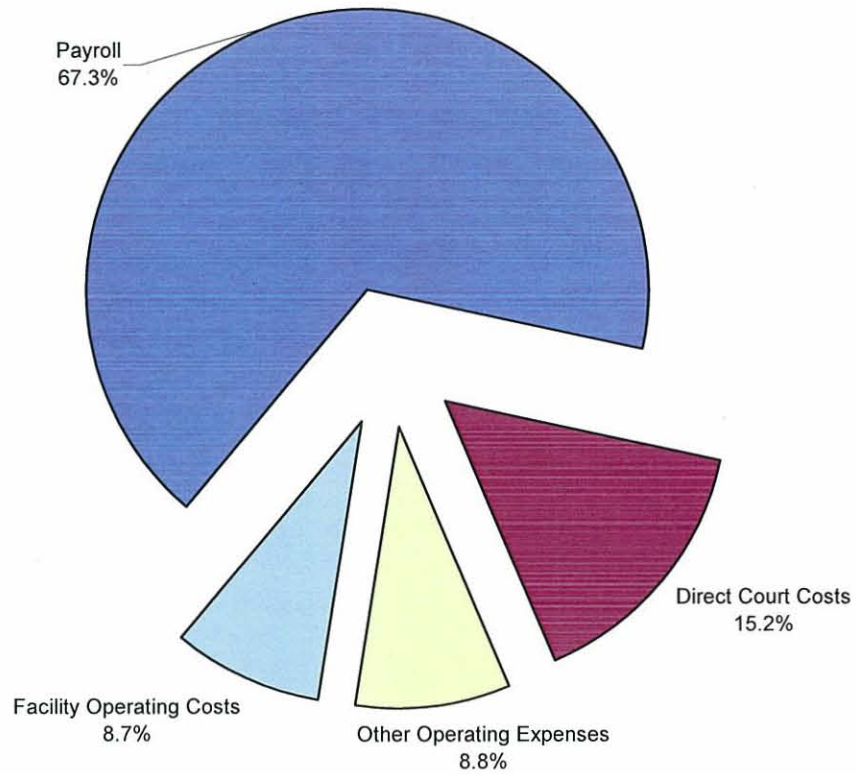
	<u>FY 2007</u>	
	<u>\$</u>	<u>%</u>
Payroll (Includes CB)	90,731,679	68.7
Direct Court Costs		
Public Assistance (POS)	12,661,297	9.6
Other Grant-in-Aid	1,274,000	1.0
Guardian Ad Litem/Attorney	3,371,657	2.6
Jury Costs	1,966,000	1.5
Other Direct Court Costs      1]	1,829,629	1.4
Subtotal	21,102,583	16.0
Facility Operating Costs		
Utilities	3,595,969	2.7
Rental of Buildings	2,598,142	2.0
Rental of Equipment	1,126,047	0.9
Repair and Maintenance	2,843,797	2.2
Subtotal	10,163,955	7.7
<b>Total Fixed/Mandated Costs      2]</b>	<b>121,998,217</b>	<b>92.4</b>
Operating Supplies	1,576,149	1.2
Dues & Subscriptions (Less Law Library)	369,991	0.3
Freight, Delivery, & Postage	624,856	0.5
Travel	1,102,882	0.8
Printing & Binding	375,087	0.3
Other Service on a Fee (Less Court Ordered Evaluations)	5,108,518	3.9
Subtotal	9,157,483	7.0
Misc (All Other)	773,915	0.6
Equipment (Less Law Library Books)	136,121	0.1
<b>JUDICIARY TOTAL</b>	<b><u>132,065,736</u></b> 3]	<b><u>100.0</u></b>

1] Law Library Subscriptions (849,605); Foster Home Care (1JC, 33,000; 2JC, 0; 3JC, 0; 5JC,0); Law Library Books (424,411); Training (39,107); Court Ordered Evaluations (1JC, 337,160; 2JC, 26,546; 3JC, 94,840; 5JC, 24,960)

2] Assuming current operating structure and no reduction in force action.

3] Does not include Act 100/06 Grant to Child & Family Services (\$2,000,000).

# How the Judiciary's Base Appropriation are Expended FY 2008 - Total Appropriations: \$142,948,753



**Total Fixed Mandated Costs  
91.2%**

**THE JUDICIARY**  
**HOW THE JUDICIARY'S APPROPRIATIONS ARE EXPENDED**  
**FIXED / MANDATED COSTS**

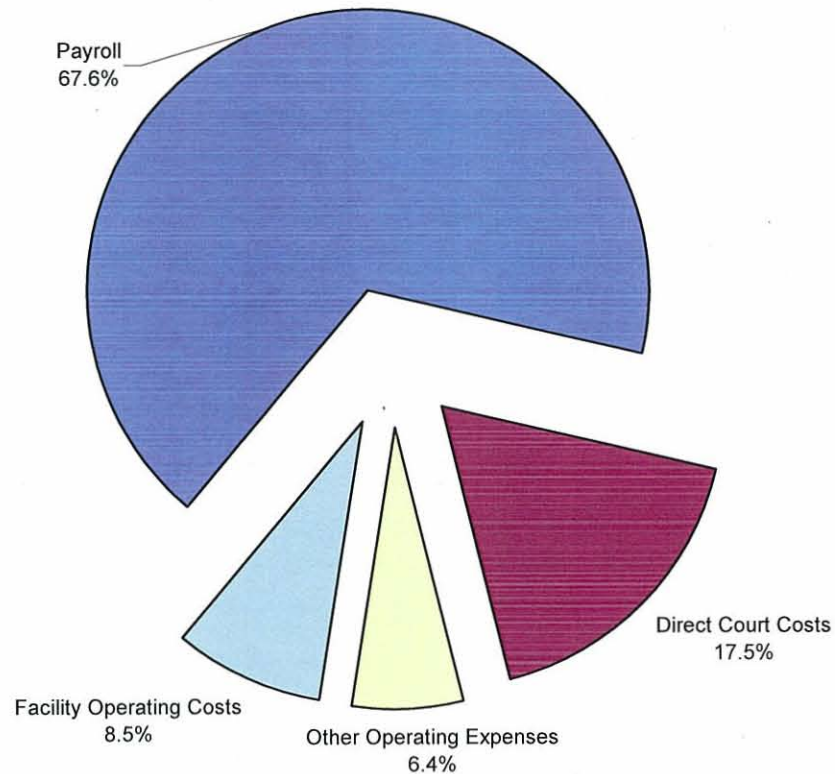
	<u>FY 2008</u>	
	<u>\$</u>	<u>%</u>
Payroll (Includes CB)	96,256,279	67.3
<b>Direct Court Costs</b>		
Public Assistance (POS)	12,044,895	8.4
Other Grant-in-Aid	2,107,496	1.5
Guardian Ad Litem/Attorney	4,105,253	2.9
Jury Costs	1,633,500	1.1
Other Direct Court Costs    1]	1,831,600	1.3
Subtotal	<u>21,722,744</u>	<u>15.2</u>
<b>Facility Operating Costs</b>		
Utilities	4,723,236	3.3
Rental of Buildings	2,909,272	2.0
Rental of Equipment	1,215,207	0.9
Repair and Maintenance	3,543,198	2.5
Subtotal	<u>12,390,913</u>	<u>8.7</u>
<b>Total Fixed/Mandated Costs    2]</b>	<b>130,369,936</b>	<b>91.2</b>
Operating Supplies	1,942,775	1.4
Dues & Subscriptions (Less Law Library)	374,320	0.3
Freight, Delivery, & Postage	572,014	0.4
Travel	1,276,506	0.9
Printing & Binding	391,522	0.3
Other Service on a Fee (Less Court Ordered Evaluations)	4,879,233	3.4
Subtotal	<u>9,436,370</u>	<u>6.7</u>
Misc (All Other)	1,223,637	0.9
Equipment (Less Law Library Books)	1,918,810	1.3
<b>JUDICIARY TOTAL</b>	<u><b>142,948,753</b></u> 3]	<u><b>100.0</b></u>

1] Law Library Subscriptions (849,605); Foster Home Care (1JC, 8,400, 2JC, 0; 3JC, 0; 5JC,0); Law Library Books (424,411); Training (47,042); Court Ordered Evaluations (1JC, 226,160; 2JC, 26,546; 3JC, 100,900; 5JC, 24,960) Escort Services (1JC, 58,200; 2JC, 0; 3JC, 53,376; 5JC, 12,000)

2] Assuming current operating structure and no reduction in force action.

3] Does not include Act 218/07 monies appopriated for GAL & counsel compensation increase (\$880,000).

# How the Judiciary's Base Appropriation are Expended FY 2009 - Total Appropriations: \$150,445,630



**Total Fixed Mandated Costs  
93.6%**



**THE JUDICIARY**  
**HOW THE JUDICIARY'S APPROPRIATIONS ARE EXPENDED**  
**FIXED / MANDATED COSTS**

	<u>FY 2009</u>	
	<u>\$</u>	<u>%</u>
Payroll (Includes CB)	101,753,705	67.6
Direct Court Costs		
Public Assistance (POS)	13,410,837	8.9
Other Grant-in-Aid	1,767,683	1.2
Guardian Ad Litem/Attorney	5,618,991	3.7
Jury Costs	1,633,500	1.1
Other Direct Court Costs    1]	3,849,949	2.6
Subtotal	26,280,960	17.5
Facility Operating Costs		
Utilities	4,981,236	3.3
Rental of Buildings	2,791,460	1.9
Rental of Equipment	1,222,362	0.8
Repair and Maintenance	3,787,872	2.5
Subtotal	12,782,930	8.5
<b>Total Fixed/Mandated Costs    2]</b>	<b>140,817,595</b>	<b>93.6</b>
Operating Supplies	1,781,036	1.2
Dues & Subscriptions (Less Law Library)	348,126	0.2
Freight, Delivery, & Postage	536,161	0.4
Travel	1,193,919	0.8
Printing & Binding	366,108	0.2
Other Service on a Fee (Less Ct Ordered Evals & Ct Intrprtnng Svcs)	4,463,377	3.0
Subtotal	8,688,727	5.8
Misc (All Other)	677,484	0.4
Equipment (Less Law Library Books)	261,824	0.2
<b>JUDICIARY TOTAL</b>	<b><u>150,445,630</u></b>	<b><u>100.0</u></b>

1] Law Library Subscriptions, Law Library Books, Training, Court Ordered Evaluations, Court Interpreting Services, Workers' Compensation Payments, Risk Management Insurance Security Escort Services

2] Assuming current operating structure and no reduction in force action.



**Office of the Administrative Director of the Courts – THE JUDICIARY • STATE OF HAWAII**  
417 SOUTH KING STREET • ALI'IOLANI HALE • HONOLULU, HAWAII 96813-2902  
TELEPHONE (808) 539-4900 • FAX (808) 539-4855

**Rick Keller**  
ADMINISTRATIVE DIRECTOR

**Walter M. Ozawa**  
DEPUTY ADMINISTRATIVE DIRECTOR

February 19, 2008

The Honorable Marcus R. Oshiro  
Chair, House Committee on Finance  
The Twenty-Fourth State Legislature  
415 South Beretania Street  
Hawaii State Capitol, Room 306  
Honolulu, Hawaii 96813

Re: General Fund Reduction Scenarios

Dear Representative Oshiro:

In response to your February 6, 2008 memorandum regarding general fund reduction scenarios, the Judiciary respectfully provides the attached information. Attachment 1 shows how the Judiciary expects to expend its funds in FY 2009, Attachment 2 provides information relative to a 3% reduction to the Judiciary's general fund discretionary costs, and Attachment 3 relative to a 6% reduction scenario.

In defining the difference between discretionary costs and non-discretionary costs, the Judiciary's primary consideration was and is to continue to provide necessary services to those citizens requiring the assistance of the courts. The resources required to pay for these fixed/mandated costs that enable us "to keep our doors open", then most accurately define the Judiciary's non-discretionary costs. As noted in our informational briefing before your committee on January 10, 2008, approximately 91.2% of the Judiciary's FY 2008 budget represents fixed/mandated costs. This 91.2% is comprised of payroll, which accounts for 67.3% of the Judiciary's appropriation; direct court costs, which account for 15.2% and include purchase of services for court clients, guardian ad litem and counsel payments, and juror costs; and facility operating costs, which account for another 8.7%. The remaining 8.8% is the Judiciary's discretionary costs.

As Attachment 1 shows, the Judiciary faces a similar situation in FY 2009, with approximately 90.5% being fixed/mandated costs and the remaining 9.5% being discretionary costs. Based on this information, Attachments 2 and 3 show a \$436,952 reduction under the 3% scenario and an \$873,890 reduction under the 6% scenario.

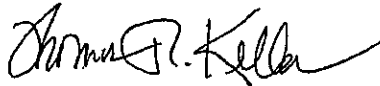
While talk of budget reductions seriously concern the Judiciary because of the potential, detrimental effect of any cuts on our ability to provide accessible justice to Hawaii's citizenry, we do recognize that recent financial events, both nationally and internationally, can

The Honorable Marcus R. Oshiro  
February 19, 2008  
Page 2

Accordingly, the Judiciary is willing to do its part to assist your efforts to achieve a balanced budget and, if required, would do its utmost to reduce discretionary costs by cutting back on travel, operating supplies, and other identified areas. However, in the event either of these scenarios do come to pass, the Judiciary needs the ability to respond to emerging problems and areas of concern as they occur, and respectfully requests the discretion to determine (within the reduced ceilings provided) where the cuts will be made.

If you have any questions or concerns or need additional information, please do not hesitate to call me at 539-4900.

Sincerely,



Thomas R. Keller  
Administrative Director of the Courts

Attachments

c: Chief Justice Ronald T. Y. Moon

**THE JUDICIARY**  
**HOW THE JUDICIARY'S APPROPRIATIONS ARE EXPENDED**  
**FIXED / MANDATED COSTS**

	<u>FY 2009</u>	
	<u>\$</u>	<u>%</u>
Payroll (Includes CB)	102,901,412	67.8
Direct Court Costs		
Public Assistance (POS)	12,122,742	8.0
Other Grant-in-Aid	0	0.0
Guardian Ad Litem/Attorney	5,872,520	3.9
Jury Costs	1,633,500	1.1
Other Direct Court Costs 1)	1,861,070	1.2
Subtotal	<u>21,489,832</u>	<u>14.2</u>
Facility Operating Costs		
Utilities	5,000,016	3.3
Rental of Buildings	2,831,420	1.9
Rental of Equipment	1,222,362	0.8
Repair and Maintenance	3,793,612	2.5
Subtotal	<u>12,847,410</u>	<u>8.5</u>
<b>Total Fixed/Mandated Costs 2)</b>	<u>137,238,654</u>	<u>90.4</u>
Operating Supplies	1,963,025	1.3
Dues & Subscriptions (Less Law Library)	374,320	0.2
Freight, Delivery, & Postage	576,444	0.4
Travel	1,290,692	0.9
Printing & Binding	391,522	0.3
Other Service on a Fee (Less Court Ordered Evaluations)	7,882,932	5.2
Subtotal	<u>12,478,935</u>	<u>8.3</u>
Misc (All Other)	1,746,828	1.2
Equipment (Less Law Library Books)	339,147	0.2
<b>JUDICIARY TOTAL</b>	<u><u>151,803,564</u></u> 3)	<u><u>100.0</u></u>

1) Law Library Subscriptions (849,605); Foster Home Care (1JC, 8,400; 2JC, 0; 3JC, 0; 5JC, 0); Law Library Books (424,411); Training (76,512); Court Ordered Evaluations (1JC, 226,160; 2JC, 26,546; 3JC, 100,900; 5JC, 24,960) Escort Services (1JC, 58,200; 2JC, 0; 3JC, 53,376; 5JC, 12,000)

2) Assuming current operating structure and no reduction in force action.

3) Does not include Act 218/07 monies appropriated for GAL & counsel compensation increase (\$880,000).

Judiciary - 3% Reduction Scenario Summary

Prog ID	\$\$\$ Amount of Reduction
JUD 101	\$ 8,550.00
JUD 310	\$ 149,073.00
JUD 320	\$ 51,062.00
JUD 330	\$ 74,448.00
JUD 350	\$ 18,441.00
JUD 601	\$ 135,378.00
TOTAL	\$ 436,952.00

Judiciary - 3% Reduction Scenario Details

Prog ID/Org	Position Title or Item Description	Position Number	Current Budgeted \$\$\$	Proposed Budgeted \$\$\$	Comments
JUD 101	Dues and Subscriptions		\$62,958	\$61,069	Represents 3% reduction, or 97% of current budgeted amount.
	Travel		\$51,407	\$49,865	Represents 3% reduction, or 97% of current budgeted amount. Includes air fare, rental cars, employee per diem.
	Operating Supplies		\$57,622	\$55,893	Represents 3% reduction, or 97% of current budgeted amount. Includes printed forms, duplicating supplies, stationary and office supplies.
	Other Services on a Fee Basis		\$48,629	\$47,170	Represents 3% reduction, or 97% of current budgeted amount.
	Printing and Binding, Advertising		\$25,872	\$25,096	Represents 3% reduction, or 97% of current budgeted amount.
	Freight, Delivery, and Postage		\$30,150	\$29,246	Represents 3% reduction, or 97% of current budgeted amount.
	Others		\$870	\$844	Represents 3% reduction, or 97% of current budgeted amount.
	Equipment		\$7,450	\$7,226	Represents 3% reduction, or 97% of current budgeted amount. Total non-recurring amount presently authorized for FY 2009.
	Total		\$284,958	\$276,408	

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\*Least significant impact at top

Judiciary - 3% Reduction Scenario Details

Prog ID/Org	Position Title or Item Description	Position Number	Current Budgeted \$\$\$	Proposed Budgeted \$\$\$	Comments
JUD 310	Dues and Subscriptions		\$115,300	\$111,841	Represents 3% reduction, or 97% of current budgeted amount.
	Travel		\$359,300	\$348,521	Represents 3% reduction, or 97% of current budgeted amount. Includes air fare, rental cars, employee per diem.
	Operating Supplies		\$1,049,215	\$1,017,739	Represents 3% reduction, or 97% of current budgeted amount. Includes medical and hospital supplies, duplicating supplies, stationary and office supplies, janitorial supplies.
	Other Services on a Fee Basis		\$2,481,937	\$2,407,479	Represents 3% reduction, or 97% of current budgeted amount. Includes court reporter fees, interpreter fees, bank service charges, janitorial services, refuse services, window cleaning services, groundskeeping services, security services.
	Printing and Binding, Advertising		\$241,640	\$234,391	Represents 3% reduction, or 97% of current budgeted amount.
	Freight, Delivery, and Postage		\$270,130	\$262,026	Represents 3% reduction, or 97% of current budgeted amount.
	Others		\$255,795	\$248,121	Represents 3% reduction, or 97% of current budgeted amount. Includes insurance, worker's compensation payments, service & merit awards, data processing services.
	Equipment		\$195,786	\$189,912	Represents 3% reduction, or 97% of current budgeted amount. Total non-recurring amount presently authorized for FY 2009.
	Total		\$4,969,103	\$4,820,030	

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\*Least significant impact at top

Judiciary - 3% Reduction Scenario Details

Prog ID/Org	Position Title or Item Description	Position Number	Current Budgeted \$\$\$	Proposed Budgeted \$\$\$	Comments
JUD 320	Dues and Subscriptions		20,935	20,307	Represents 3% reduction, or 97% of current budgeted amount.
	Travel		233,430	226,427	Represents 3% reduction, or 97% of current budgeted amount. Includes air fare, rental cars, employee per diem.
	Operating Supplies		258,519	250,763	Represents 3% reduction, or 97% of current budgeted amount.
	Other Services on a Fee Basis		780,151	756,746	Represents 3% reduction, or 97% of current budgeted amount. Includes medical services (including psychiatric/psychological), defendant escort, investigation fees, janitorial services, refuse services, groundskeeping, laundry.
	Printing and Binding, Advertising		19,620	19,031	Represents 3% reduction, or 97% of current budgeted amount.
	Freight, Delivery, and Postage		103,303	100,204	Represents 3% reduction, or 97% of current budgeted amount.
	Others		266,069	258,087	Represents 3% reduction, or 97% of current budgeted amount. Includes service & merit awards, training costs & registration fees, and renovations.
	Equipment		20,013	19,413	Represents 3% reduction, or 97% of current budgeted amount. Total non-recurring amount presently authorized for FY 2009.
			\$1,702,040	\$1,650,978	

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Judiciary - 3% Reduction Scenario Details

<u>Position Title or Item Description</u>	<u>Position Number</u>	<u>Current Budgeted \$\$\$</u>	<u>Proposed Budgeted \$\$\$</u>	<u>Comments</u>
Dues and Subscriptions		16,990	16,480	Represents 3% reduction, or 97% of current budgeted amount.
Travel		250,065	242,563	Represents 3% reduction, or 97% of current budgeted amount. Includes air fare, rental cars, employee per diem.
Operating Supplies		268,945	260,877	Represents 3% reduction, or 97% of current budgeted amount.
Other Services on a Fee Basis		1,770,435	1,717,322	Represents 3% reduction, or 97% of current budgeted amount. Includes medical services (including psychiatric/psychological), defendant escort, investigation fees, janitorial services, refuse services, groundskeeping, laundry.
Printing and Binding, Advertising		13,950	13,531	Represents 3% reduction, or 97% of current budgeted amount.
Freight, Delivery, and Postage		95,050	92,198	Represents 3% reduction, or 97% of current budgeted amount.
Others		15,731	15,259	Represents 3% reduction, or 97% of current budgeted amount. Includes service & merit awards, training costs & registration fees.
Equipment		50,402	48,890	Represents 3% reduction, or 97% of current budgeted amount. Total non-recurring amount presently authorized for FY 2009.
		\$2,481,568	\$2,407,120	

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\*Least significant impact at top

Judiciary - 3% Reduction Scenario Details

Prog ID/Org	Position Title or Item Description	Position Number	Current Budgeted \$\$\$	Proposed Budgeted \$\$\$	Comments
JUD 350	Dues and Subscriptions		\$13,400	\$12,998	Represents 3% reduction, or 97% of current budgeted amount.
	Travel		\$143,850	\$139,535	Represents 3% reduction, or 97% of current budgeted amount. Includes air fare, rental cars, employee per diem.
	Operating Supplies		\$181,923	\$176,465	Represents 3% reduction, or 97% of current budgeted amount. Includes printed forms, duplicating supplies, stationary and office supplies, janitorial supplies.
	Other Services on a Fee Basis		\$226,460	\$219,666	Represents 3% reduction, or 97% of current budgeted amount. Includes court reporter fees, defendant escort, interpreter fees, bank service charges, refuse services, security service.
	Printing and Binding, Advertising		\$3,700	\$3,589	Represents 3% reduction, or 97% of current budgeted amount.
	Freight, Delivery, and Postage		\$30,550	\$29,634	Represents 3% reduction, or 97% of current budgeted amount.
	Others		\$10,958	\$10,629	Represents 3% reduction, or 97% of current budgeted amount. Includes insurance, miscellaneous current expenses.
	Equipment		\$3,806	\$3,690	Represents 3% reduction, or 97% of current budgeted amount.
					Total non-recurring amount presently authorized for FY 2009.
	Total		\$614,647	\$596,206	

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Judiciary - 3% Reduction Scenario Details

Prog ID/Org	Position Title or Item Description	Position Number	Current Budgeted \$\$\$	Proposed Budgeted \$\$\$	Comments
JUD 601	Dues and Subscriptions		\$144,737	\$140,395	Represents 3% reduction, or 97% of current budgeted amount.
	Travel		\$252,640	\$245,061	Represents 3% reduction, or 97% of current budgeted amount. Includes air fare, rental cars, employee per diem.
	Operating Supplies		\$146,801	\$142,397	Represents 3% reduction, or 97% of current budgeted amount. Includes printed forms, duplicating supplies, stationary and office supplies, janitorial supplies.
	Other Services on a Fee Basis		\$2,575,320	\$2,498,060	Represents 3% reduction, or 97% of current budgeted amount. Includes court reporter fees, interpreter fees, bank service charges, janitorial services, and various contracts for technology and court-related services.
	Printing and Binding, Advertising		\$86,740	\$84,138	Represents 3% reduction, or 97% of current budgeted amount.
	Freight, Delivery, and Postage		\$47,261	\$45,843	Represents 3% reduction, or 97% of current budgeted amount.
	Others		\$1,197,405	\$1,161,483	Represents 3% reduction, or 97% of current budgeted amount. Includes insurance, workers' compensation payments, and miscellaneous current expenses.
	Equipment		\$61,690	\$59,839	Represents 3% reduction, or 97% of current budgeted amount. Total non-recurring amount presently authorized for FY 2009.
	Total		\$4,512,594	\$4,377,216	

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Judiciary - 6% Reduction Scenario Summary

Prog ID	\$\$\$ Amount of Reduction
JUD 101	\$ 17,096.00
JUD 310	\$ 298,146.00
JUD 320	\$ 102,122.00
JUD 330	\$ 148,894.00
JUD 350	\$ 36,878.00
JUD 601	\$ 270,754.00
TOTAL	\$ 873,890.00

Judiciary - 6% Reduction Scenario Details

	Position Title or Item Description	Position Number	Current Budgeted \$\$\$	Proposed Budgeted \$\$\$	Comments
JUD 101	Dues and Subscriptions		\$62,958	\$59,181	Represents 6% reduction, or 94% of current budgeted amount.
	Travel		\$51,407	\$48,323	Represents 6% reduction, or 94% of current budgeted amount. Includes air fare, rental cars, employee per diem.
	Operating Supplies		\$57,622	\$54,165	Represents 6% reduction, or 94% of current budgeted amount. Includes printed forms, duplicating supplies, stationary and office supplies.
	Other Services on a Fee Basis		\$48,629	\$45,711	Represents 6% reduction, or 94% of current budgeted amount.
	Printing and Binding, Advertising		\$25,872	\$24,320	Represents 6% reduction, or 94% of current budgeted amount.
	Freight, Delivery, and Postage		\$30,150	\$28,341	Represents 6% reduction, or 94% of current budgeted amount.
	Others		\$870	\$818	Represents 6% reduction, or 94% of current budgeted amount.
	Equipment		\$7,450	\$7,004	Represents 6% reduction, or 94% of current budgeted amount.
					Total non-recurring amount presently authorized for FY 2009.
	Total		\$284,958	\$267,862	

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Judiciary - 6% Reduction Scenario Details

Prog ID/Org	Position Title or Item Description	Position Number	Current Budgeted \$\$\$	Proposed Budgeted \$\$\$	Comments
JUD 310	Dues and Subscriptions		\$115,300	\$108,382	Represents 6% reduction, or 94% of current budgeted amount.
	Travel		\$359,300	\$337,742	Represents 6% reduction, or 94% of current budgeted amount. Includes air fare, rental cars, employee per diem.
	Operating Supplies		\$1,049,215	\$986,262	Represents 6% reduction, or 94% of current budgeted amount. Includes medical and hospital supplies, duplicating supplies, stationary and office supplies, janitorial supplies.
	Other Services on a Fee Basis		\$2,481,937	\$2,333,021	Represents 6% reduction, or 94% of current budgeted amount. Includes court reporter fees, interpreter fees, bank service charges, janitorial services, refuse services, window cleaning services, groundskeeping services, security services.
	Printing and Binding, Advertising		\$241,640	\$227,142	Represents 6% reduction, or 94% of current budgeted amount.
	Freight, Delivery, and Postage		\$270,130	\$253,922	Represents 6% reduction, or 94% of current budgeted amount.
	Others		\$255,795	\$240,447	Represents 6% reduction, or 94% of current budgeted amount. Includes insurance, worker's compensation payments, service & merit awards, data processing services.
	Equipment		\$195,786	\$184,039	Represents 6% reduction, or 94% of current budgeted amount.
					Total non-recurring amount presently authorized for FY 2009.
	Total		\$4,969,103	\$4,670,957	

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Judiciary - 6% Reduction Scenario Details

Prog ID/Org	Position Title or Item Description	Position Number	Current Budgeted \$\$\$	Proposed Budgeted \$\$\$	Comments
JUD 320	Dues and Subscriptions		\$20,935	\$19,679	Represents 6% reduction, or 94% of current budgeted amount.
	Travel		\$233,430	\$219,424	Represents 6% reduction, or 94% of current budgeted amount. Includes air fare, rental cars, employee per diem.
	Operating Supplies		\$258,519	\$243,008	Represents 6% reduction, or 94% of current budgeted amount.
	Other Services on a Fee Basis		\$780,151	\$733,342	Represents 6% reduction, or 94% of current budgeted amount. Includes medical services (including psychiatric/psychological), defendant escort, investigation fees, janitorial services, refuse services, groundskeeping, laundry.
	Printing and Binding, Advertising		\$19,620	\$18,443	Represents 6% reduction, or 94% of current budgeted amount.
	Freight, Delivery, and Postage		\$103,303	\$97,105	Represents 6% reduction, or 94% of current budgeted amount.
	Others		\$266,069	\$250,105	Represents 6% reduction, or 94% of current budgeted amount. Includes service & merit awards, training costs & registration fees, and renovations.
	Equipment		\$20,013	\$18,812	Represents 6% reduction, or 94% of current budgeted amount. Total non-recurring amount presently authorized for FY 2009.
			\$1,702,040	\$1,599,918	

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\*Least significant impact at top

Judiciary - 6% Reduction Scenario Details

Prog ID/Org	Position Title or Item Description	Position Number	Current Budgeted \$\$\$	Proposed Budgeted \$\$\$	Comments
JUD 330	Dues and Subscriptions		\$16,990	\$15,971	Represents 6% reduction, or 94% of current budgeted amount.
	Travel		\$250,065	\$235,061	Represents 6% reduction, or 94% of current budgeted amount. Includes air fare, rental cars, employee per diem.
	Operating Supplies		\$268,945	\$252,808	Represents 5% reduction, or 94% of current budgeted amount. Includes medical services (including psychiatric/psychological), defendant escort, investigation fees, janitorial services, refuse services, groundskeeping, laundry.
	Other Services on a Fee Basis		\$1,770,435	\$1,664,209	Represents 6% reduction, or 94% of current budgeted amount. Includes medical services (including psychiatric/psychological), defendant escort, investigation fees, janitorial services, refuse services, groundskeeping, laundry.
	Printing and Binding, Advertising		\$13,950	\$13,113	Represents 6% reduction, or 94% of current budgeted amount.
	Freight, Delivery, and Postage		\$95,050	\$89,347	Represents 6% reduction, or 94% of current budgeted amount.
	Others		\$15,731	\$14,787	Represents 6% reduction, or 94% of current budgeted amount. Includes service & merit awards, training costs & registration fees.
	Equipment		\$50,402	\$47,378	Represents 6% reduction, or 94% of current budgeted amount. Total non-recurring amount presently authorized for FY 2009.
			\$2,481,568	\$2,332,674	

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\*Least significant impact at top



Judiciary - 6% Reduction Scenario Details

	Position Title or Item Description	Position Number	Current Budgeted \$\$\$	Proposed Budgeted \$\$\$	Comments
JUD 350	Dues and Subscriptions		\$13,400	\$12,596	Represents 6% reduction, or 94% of current budgeted amount.
	Travel		\$143,850	\$135,219	Represents 6% reduction, or 94% of current budgeted amount. Includes air fare, rental cars, employee per diem.
	Operating Supplies		\$181,923	\$171,008	Represents 6% reduction, or 94% of current budgeted amount. Includes printed forms, duplicating supplies, stationary and office supplies, janitorial supplies.
	Other Services on a Fee Basis		\$226,460	\$212,872	Represents 6% reduction, or 94% of current budgeted amount. Includes court reporter fees, defendant escort, interpreter fees, bank service charges, refuse services, security service.
	Printing and Binding, Advertising		\$3,700	\$3,478	Represents 6% reduction, or 94% of current budgeted amount.
	Freight, Delivery, and Postage		\$30,550	\$28,717	Represents 6% reduction, or 94% of current budgeted amount.
	Others		\$10,958	\$10,301	Represents 6% reduction, or 94% of current budgeted amount. Includes insurance, miscellaneous current expenses.
	Equipment		\$3,806	\$3,579	Represents 6% reduction, or 94% of current budgeted amount. Total non-recurring amount presently authorized for FY 2009.
	Total		\$614,647	\$577,769	

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\*Least significant impact at top

Judiciary - 6% Reduction Scenario Details

Prog ID/Org	Position Title or Item Description	Position Number	Current Budgeted \$\$\$	Proposed Budgeted \$\$\$	Comments
JUD 601	Dues and Subscriptions		\$144,737	\$136,053	Represents 6% reduction, or 94% of current budgeted amount.
	Travel		\$252,640	\$237,482	Represents 6% reduction, or 94% of current budgeted amount. Includes air fare, rental cars, employee per diem.
	Operating Supplies		\$146,801	\$137,993	Represents 6% reduction, or 94% of current budgeted amount. Includes printed forms, duplicating supplies, stationary and office supplies, janitorial supplies.
	Other Services on a Fee Basis		\$2,575,320	\$2,420,801	Represents 6% reduction, or 94% of current budgeted amount. Includes court reporter fees, interpreter fees, bank service charges, janitorial services, and various contracts for technology and court-related services.
	Printing and Binding, Advertising		\$86,740	\$81,536	Represents 6% reduction, or 94% of current budgeted amount.
	Freight, Delivery, and Postage		\$47,261	\$44,425	Represents 6% reduction, or 94% of current budgeted amount.
	Others		\$1,197,405	\$1,125,561	Represents 6% reduction, or 94% of current budgeted amount. Includes insurance, workers' compensation payments, and miscellaneous current expenses.
	Equipment		\$61,690	\$57,989	Represents 6% reduction, or 94% of current budgeted amount. Total non-recurring amount presently authorized for FY 2009.
	Total		\$4,512,594	\$4,241,840	

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\*Least significant impact at top

**POTENTIAL BUDGET REDUCTIONS**

**FY 2010 - 2011**

(Initial goal: FY10 \$8.949 million FY11 \$12.031 million to equal biennium budget request plus 20% of discretionary costs)

	<u>Total</u>	<u>Reduction</u>	
		<u>FY 2010</u>	<u>FY 2011</u>
GAL - Budgeted Amt	5,618,991		
30% reduction		1,685,700	
35% reduction			1,966,500
POS - Budgeted Amt	13,410,837		
25% reduction		3,196,500	
33% reduction			4,219,500
Per Diem Judges - Budgeted Amt	1,407,369		
33% reduction		464,500	
40% reduction			563,000
Juror Fees - Budgeted Amt	1,633,500		
36% reduction		587,900	
40% reduction			642,600
Overtime - Budgeted Amt	1,197,539		
40% reduction		478,900	
50% reduction			598,600
Travel	1,183,419		
56% reduction		662,700	662,700
Temporary positions			
Filled Budgeted	1,218,887		
Filled Unbudgeted	2,153,095		
10% or designated reduction		259,516	
14% or designated reduction			343,716
Vacant Budgeted	275,232	275,232	275,232
Vacant Unbudgeted	1,377,765		

**POTENTIAL BUDGET REDUCTIONS**

**FY 2010 - 2011**

(Initial goal: FY10 \$8.949 million FY11 \$12.031 million to equal biennium budget request plus 20% of discretionary costs)

Permanent Position Vacancies	3,924,096		
10% reduction		389,400	
15% reduction			583,900
Other cur exp - identified by prog			
SC/ICA - various	241,000		
20% reduction		48,200	48,200
Law Library - Other, equipmt	1,292,143		
15% reduction		194,000	
20% reduction			258,000
OEAC - supplies, newsletter	125,675		
10% reduction		12,600	
15% reduction			18,900
History Center	28,392		
50% reduction		14,000	14,000
ITCD - service,maint. contracts	2,267,593		
05% reduction		113,400	
10% reduction			226,800
JERD	106,950		
Identified reduction		52,450	52,450
Additional reduction - First, Fifth			
7% reduction POS			588,900
10% reduction overtime			100,000
Operating Supplies	1,777,586		
15% reduction		238,300	
20% reduction			318,000
Repair and maintenance	3,787,872		
10% reduction		277,200	
20% reduction			553,700
<b>TOTAL POTENTIAL REDUCTIONS</b>		<b>8,950,498</b>	
<b>TOTAL POTENTIAL REDUCTIONS</b>			<b>12,034,698</b>

**INITIAL REDUCTION GOAL WAS \$8.949 MILLION FY 2010 AND \$12.031 MILLION FY 2011**

**HALE HO'OMALU JUVENILE DETENTION HOME (DH)  
& HOME MALUHIA (SHELTER)  
PROGRAM JUSTIFICATION**

DIVISION: Family Court

CONTACT PERSON: Glennard Fong

PHONE NUMBER: 539-4400

MOF: General Funds

**I. DETENTION HOME AND HOME MALUHIA**

The Hawaii Judiciary's Family Court is statutorily conferred with responsibility for handling a wide-range of juvenile matters, including disposition of juveniles who commit status offenses (e.g., runaways and truancy) as well as law violations. Hawaii's Juvenile Detention Home and Shelter, both presently located on Alder Street, are statutorily established (Hawaii Revised Statutes (HRS) Sections 571-32 and 571-33) to provide secure physical restriction (DH) and shelter (Home Maluhia) to children prior to formal adjudication.

The DH on Alder Street is the only secured detention facility in the State and serves all circuits and all islands. The Detention Home is needed for juveniles awaiting trial on status offense or law violations and for whom appearance at court proceedings is a demonstrable risk. The nonsecured shelter at Home Maluhia is available for juveniles who do not require secured detention but for whom appropriate out-of-home placement is difficult to secure. Home Maluhia offers placement that is a "stepping stone" to out-of-home placement. Interim services by Home Maluhia support a juvenile's transition to returning home or being placed in foster care or a residential treatment program.

Contingent upon funding, the creation of a juvenile detention alternatives services center is being considered to replace the current old and deteriorated DH, and to improve the coordination of services provided by juvenile probation, social services, mental health and law enforcement agencies, which are designed to divert juveniles from secured detention, appropriate to public safety. Such sites currently exist on the mainland and are being supported by the Annie Casey Foundation's (ACF) Juvenile Detention Alternative Initiative ("JDAI"). The First Circuit Family Court recently received a grant of \$75,000 from ACF to promote reform of Hawaii's juvenile detention system.

Attachment "A" provides statistics of juveniles admitted into DH and Home Maluhia.

**II. IMPACT OF SIGNIFICANT BUDGET CUTS TO EITHER DH OR HOME MALUHIA**

Among other issues, public safety, financial issues, and constitutional safeguards could be implicated if DH and/or Home Maluhia were not available. Without Home Maluhia, juveniles could be confined to a more incarceration-type of placement in DH or be released to a family and community who may be ill-equipped to effectively handle them. Without DH or

Home Maluhia, a juvenile might be held at police cell block, which could present constitutional objections and jeopardize the State's receipt of federal funds. Significant federal funds are based on the State preserving sight and sound separation between juveniles and adults.

Placing juveniles at the Hawaii Youth Correctional Facility (HYCF) is not a viable option as HYCF is a facility for *adjudicated* juveniles with serious law violations that warrant a jail like setting. The DH is for *pre-adjudicated* juveniles being held for court or alternative placement. Juveniles held at DH are often being held on less serious offenses or held on valid court orders for non-compliance with the terms of probation frequently involving curfew violations, running away behaviors, truancy, etc. It is clearly not in the best interest of these juveniles to be housed with the HYCF population. Such placement would also be contrary to state and federal laws as well as both the State and federal constitutions thereby placing the state in jeopardy of a federal lawsuit which may in turn lead to a much costlier federal consent decree (with control taken away from the state as the expenditure of such state funds).

As noted above, Hawaii was recently awarded a grant by the Annie E. Casey Foundation. This Foundation has graciously deemed Hawaii a state worthy of its interest in replicating sites involved in the Juvenile Detention Alternative Initiative – a juvenile justice reform that has swept the country with both its positive reforms and achievements. A decreased budget to Hawaii's DH or shelter may signal to the AECF that Hawaii lacks the initiative to truly produce the reforms that we are committed to making, and could jeopardize AECF's interest in our state in the future.

Most significantly, any significant budget reduction for either DH or Home Maluhia is likely to have implications for the conditions of confinement (through diminished physical space, staffing, supervision, programs and physical and mental health services.) As we can learn from any number of states in the Mainland, operating a secure detention facility that does not meet constitutional standards is likely to result in state or federal litigation, including the possibility of a resultant federal consent decree (such as New Jersey and Oregon) which would have consequences in terms of significant outlays of funding by the state and significant lack of control by the state. This would be disastrous in terms of financial outlay, state control of our own programs, public safety and most important, our responsibility to youth entrusted to our care.

### III. TOTAL PROGRAM COSTS

The operating budget for DH and Home Maluhia for Fiscal Year 2008 – 2009 is \$4,848,637. The breakdown is as follows:

A. Personal Services	\$4,350,763
B. Other Current Expenses	497,874
C. Equipment	0
TOTAL EXPENDITURES	\$4,848,637

Attachment "B" provides a detailed breakdown of expenditures for the above categories. Attachment "C" shows the number of permanent and non-permanent positions assigned to DH and Home Maluhia. Note: Administrative/Support Services Staff are involved with both facilities.

January 23, 2009

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**TO: Christine Miwa-Mendoza  
Program Specialist**

**FROM: Janis Kamimura  
Research Statistician**

**SUBJECT: Hale Ho'omalua and Home Maluhia Admissions for  
Calendar Years 2007 and 2008 (REVISED)**

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**HALE HO'OMALU ADMISSIONS 2007 TO 2008**

Total Hale Ho'omalua (Secured Detention Facility)  
Juvenile Admissions  
Calendar Year 2007

Juvenile Breakdown	Total Admissions	Percent of Total Admissions	Total Individual Juveniles Detained	Percent of Total Individuals Detained
Female	438	35%	217	34%
Male	802	65%	422	66%
Total	1240	100%	639	100%

Average length of stay 2007: 10.67 days.

Average age of juvenile 2007: 16 years old.

100, 104, 106 and 169 days were the longest length of stay for individuals in 2007.

HPD & 1<sup>st</sup> Circuit were the referring agencies for 1<sup>st</sup> Circuit

2<sup>nd</sup> Circuit was the referring agency for 2<sup>nd</sup> Circuit.

3<sup>rd</sup> Circuit was the referring agency for 3<sup>rd</sup> Circuit.

5<sup>th</sup> Circuit was the referring agency for 5<sup>th</sup> Circuit.

Attachment "A"



Total Hale Ho'omalū (Secured Detention Facility)  
Juvenile Admissions By Circuit  
Calendar Year 2007

Circuit	Total Admissions	Percent of Total Admissions
First Circuit	1065	86%
Second Circuit	35	3%
Third Circuit	111	9%
Fifth Circuit	29	2%
Total	1240	100%

Total Hale Ho'omalū (Secured Detention Facility)  
Juvenile Admissions  
Calendar Year 2008

Juvenile Breakdown	Total Admissions	Percent of Total Admissions	Total Individual Juveniles Detained	Percent of Total Individuals Detained
Female	402	37%	206	34%
Male	690	63%	402	66%
Total	1092	100%	608	100%

Average length of stay 2008: 10.07 days.

Average age of juvenile 2008: 16.03 years old.

117 and 126 days were the longest length of stay of juveniles in 2008.

HPD & 1<sup>st</sup> Circuit were the referring agencies for 1<sup>st</sup> Circuit

2<sup>nd</sup> Circuit was the referring agency for 2<sup>nd</sup> Circuit.

3<sup>rd</sup> Circuit was the referring agency for 3<sup>rd</sup> Circuit.

5<sup>th</sup> Circuit was the referring agency for 5<sup>th</sup> Circuit.

Total Hale Ho'omalua (Secured Detention Facility)  
Juvenile Admissions By Circuit  
Calendar Year 2008

Circuit	Total Admissions	Percent of Total Admissions
First Circuit	965	88%
Second Circuit	28	3%
Third Circuit	73	7%
Fifth Circuit	26	2%
Total	1092	100%

**HOME MALUHIA ADMISSIONS 2007 TO 2008**

Total Home Maluhia (Shelter Facility)  
Juvenile Admissions  
Calendar Year 2007

Juvenile Breakdown	Total Admissions	Percent of Total Admissions	Total Individual Juveniles Detained	Percent of Total Individuals Detained
Female	95	49%	65	47%
Male	100	51%	73	53%
Total	195	100%	138	100%

Average length of stay 2007: 12.29 days.

Average age of juvenile 2007: 15.72 years old.

76 and 106 days were the longest length of stay of juveniles in 2007.

HPD & 1<sup>st</sup> Circuit were the referring agencies for 1<sup>st</sup> Circuit

2<sup>nd</sup> Circuit was the referring agency for 2<sup>nd</sup> Circuit.

3<sup>rd</sup> Circuit was the referring agency for 3<sup>rd</sup> Circuit.

5<sup>th</sup> Circuit was the referring agency for 5<sup>th</sup> Circuit.

Total Home Maluhia (Shelter Facility)  
Juvenile Admissions By Circuit  
Calendar Year 2007

Circuit	Total Admissions	Percent of Total Admissions
First Circuit	194	99%
Second Circuit	0	0%
Third Circuit	1	1%
Fifth Circuit	0	0%
Total	195	100%

Total Home Maluhia (Shelter Facility)  
Juvenile Admissions  
Calendar Year 2008

Juvenile Breakdown	Total Admissions	Percent of Total Admissions	Total Individual Juveniles Detained	Percent of Total Individuals Detained
Female	110	57%	84	58%
Male	83	43%	61	42%
Total	193	100%	145	100%

Average length of stay 2008: 12.99 days.

Average age of juvenile 2008: 15.97 years old.

169 and 190 days were the longest length of stay of juveniles in 2008.

HPD & 1<sup>st</sup> Circuit were the referring agencies for 1<sup>st</sup> Circuit

2<sup>nd</sup> Circuit was the referring agency for 2<sup>nd</sup> Circuit.

3<sup>rd</sup> Circuit was the referring agency for 3<sup>rd</sup> Circuit.

5<sup>th</sup> Circuit was the referring agency for 5<sup>th</sup> Circuit

Total Home Maluhia (Shelter Facility)  
Juvenile Admissions By Circuit  
Calendar Year 2008

Circuit	Total Admissions	Percent of Total Admissions
First Circuit	193	100%
Second Circuit	0	0%
Third Circuit	0	0%
Fifth Circuit	0	0%
Total	193	100%

- c: Thomas Keller, Administrative Director;  
Glennard Fong, Chief Court Administrator;  
Wendell Kikuchi, Deputy Chief Court Administrator;  
Garrett Amimoto, Supervising Research Statistician

DETENTION SERVICES SECTION  
BUDGET FOR FISCAL YEAR 2008-2009

A --PERSONAL SERVICES

1 2001	REGULAR PAY - PERMANENT POSITION	3,025,575
2 2002	REGULAR PAY - NON PERMANENT POSITION	884,088
3 2003	ORDINARY OVERTIME PAY - PERM POSITION	275,000
4 2004	ORDINARY OVERTIME PAY - NONPERM POSITION	24,000
5 2005	HOLIDAY OVERTIME PAY - PERMANENT POSITION	72,000
6 2006	HOLIDAY OVERTIME PAY - NONPERM POSN	12,000
7 2011	NIGHT SHIFT DIFFERENTIAL - PERM POSITION	29,000
8 2012	NIGHT SHIFT DIFFERENTIAL - NONPERM POSN	3,600
9 2013	TEMPORARY ASSIGN PREMIUM - PERM POSITION	1,500
10 2016	STANDBY DUTY PREMIUM	24,000
	TOTAL PERSONAL SERVICES	4,350,763

B - OTHER CURRENT EXPENSES

2 3003	MEDICAL AND HOSPITAL SUPPLIES	6,000
3 3101	REPAIR AND MAINTENANCE SUPPLIES	1,800
5 3203	PRINTED FORMS	300
6 3204	DUPLICATING SUPPLIES	2,500
8 3206	DATA PROCESSING SUPPLIES	2,000
9 3209	OTHER STATIONERY AND OFFICE SUPPLIES	4,000
10 3301	FOOD SUPPLIES	150,000
11 3401	JANITORIAL SUPPLIES	9,000
12 3402	LAUNDRY SUPPLIES	1,200
13 3403	CLOTHING AND SEWING SUPPLIES	700
14 3406	RECREATIONAL SUPPLIES	200
15 3408	BEDDING, LINENS, AND MATTRESSES	500
16 3430	OTHER MATERIAL AND SUPPLIES	15,000
17 3502	SUBSCRIPTIONS	400
18 3609	OTHER FREIGHT AND DELIVERY CHARGES	300
19 3701	POSTAGE	100
21 3809	OTH TELEPH, TOLLS, CABLES, & RADIOGRAM CHG	600
23 4101	CAR MILEAGE - EMPLOYEES	2,000
33 4701	MOTOR POOL CARS	12,500
34 5001	ELECTRICITY	60,000
35 5101	GAS	10,000
36 5201	WATER	5,500
37 5301	SEWER	7,000
41 5801	OFFICE FURN AND EQUIP REPAIR & MAINT	5,000
42 5802	AIR-CONDITIONING REPAIR AND MAINTENANCE	3,000
43 5804	CENTRAL ALARM SYSTEM & SECURITY R & M	3,000
44 5805	BUILDINGS AND STRUCTURES R & M	12,974
45 5807	MOTOR VEHICLES REPAIR AND MAINTENANCE	200
46 5809	DATA PROCESSING EQUIPMENT R & M	100
47 5820	OTHER REPAIRS AND MAINTENANCE	24,000
58 6609	PURCHASE OF SERVICES CONTRACTS	51,000
68 6730	WORKER'S COMP PAYMENTS	90,000
86 7186	REFUSE SERVICES	10,000

Attachment "B"

**DETENTION SERVICES SECTION  
BUDGET FOR FISCAL YEAR 2008-2009**

	PERMANENT POSITIONS		NON-PERMANENT POSITIONS		TOTAL	
	NUMBER	AMOUNT	NUMBER	AMOUNT	NUMBER	AMOUNT
<b>ADMINSITRATIVE/SUPPORT SERVICES</b>	12	\$535,596	7	\$303,697	19	\$839,293
	1 Superintendent 1 Dep. Superintendent 1 Secretary 2 Clerk Typist		1 Dep. Superintendent 1 clerk typist 2 RN IVs			
<b>HALE HO'OMALU JUV. DETENTION HOME (DH)</b>	42	\$1,794,244	14	\$521,041	56	\$2,315,285
			13 Juv. Detention Wkrs.			
<b>HOME MALUHIA FACILITY</b>	15	\$695,735	4	\$59,350	19	\$755,085
<b>TOTAL POSITIONS</b>	69	\$3,025,575	25	\$884,088	94	\$3,909,663

Attachment "C"

## The Judiciary, FB 2009-11 Program Justification

**Program ID:** JUD 601

**Program Title:** Children's Justice Program/Center's Justice Centers (CJCs) of Hawaii

**Dept. Contact:** Jasmine Mau-Mukai, Statewide Director (534-6701)

### **Mission or Program Objective:**

HRS Chapter 588 establishes the CJCs to "provide for the special needs of children who are alleged victims of sexual or serious (felony) physical abuse and/or witnesses to crime. This Program coordinates the appropriate investigation, treatment and legal processes, thereby reducing and preventing unnecessary trauma to children and ensuring justice for children and their families." The CJC Program safeguards the integrity of investigations, particularly the forensic interviews of children, by ensuring they are conducted in a neutral and fact-based manner, thus resulting in a fair and expeditious judicial process.

### **Program Budget:**

**MOF:** General Fund      **FTE(P):** 15.0      **FY09 Allocation:** \$1,257,364

### **CJC Program Operations:**

The Children's Justice Program, statutorily established in 1986, has vastly improved a child sexual abuse system that was once disorganized, fragmented and clearly not optimally responsive to the needs of the children it served. Prior to the CJCs, problems plaguing the child sexual abuse system included: (1) a systemic lack of coordination and cooperation among agencies; (2) children subjected to multiple interviews by unskilled interviewers; (3) professionals lacking the necessary training and resources to deal appropriately with child victims; and (4) children further victimized by a system unable to adequately protect them.

Amendments to HRS Chapter 588 in 2001 expanded the Children's Justice Program to include coordination for appropriate investigation, treatment, and legal processes in serious physical abuse cases (felony) and for child witnesses to crime. The CJC Program also facilitates, in an impartial manner, the professional gathering of information by agencies for court proceedings

### **CJC Program Highlights/Justification:**

The CJC Program serves the entire State with five Centers on Oahu, Maui, Kauai, East Hawaii and West Hawaii. Children on Molokai and Lanai are served by the Maui CJC. Children on Niihau are served by the Kauai CJC.

- The CJC Program’s child appropriate/child friendly Centers provide for the physical and psychological safety of children. The CJC’s are available 24 hours a day/7 days a week. During the past 20 years, approximately 18,500 children between the ages of 18 months to 17 years were interviewed at a CJC. Prior to the establishment of the Hawaii CJC’s, children were routinely interviewed in their homes where the abuse may have occurred. Children were also generally interviewed in the presence of caretakers who may have been either the perpetrators of abuse or unable to protect the children entrusted to their care. Children were also likely to have been interviewed in police stations, in the same rooms used to interrogate adult suspects. This often led to children believing that they were being “investigated” or that they had actually done something “wrong” or “illegal.” This perception was antithetical to appropriate response and seriously undermined subsequent healing.
- The CJC Program provides forensic interviews that are recorded and conducted in a neutral, fact-finding, coordinated and research-based manner. The availability of recorded interviews minimizes the number of times children must recount their abuse and facts that are obviously traumatic. The digital recorded interviews may be used in civil and criminal court proceedings. At Family Courts, use of the recorded child interviews avoids the need for children having to testify in court, which is also a significant stressor. In criminal cases, recorded interviews are used in pre-court preparation. This evidence often leads to plea agreements, resulting in cases resolving without the need for trial. This saves money for the state and avoids children victims having to testify about their abuse in proceedings open to the public. It also speeds the process by which children can “move on” and receive therapy and services crucial to the healing process.
- Prior to the CJC Program in Hawaii, Interview Guidelines/training to interview children was not formally developed. Children having to recount their abuse multiple times to numerous professionals led to inconsistencies between investigators and failed to adequately safeguard the children victims or assess the culpability of alleged perpetrators. The on-going enhancement of the CJC’s forensic interviewing guidelines supports the civil and criminal justice systems in the pursuit of truth and justice.
- The CJC Program coordinates a Multidisciplinary Team (MDT) response to child abuse/child witness cases. This includes law enforcement (county police, state and federal law enforcement, including the Army, Navy, Marines, Coast Guard and Air Force), Department of Human Services/Child Welfare Services, Legal, Medical and Mental Health. The CJC’s track cases from police/CWS report through disposition in the civil/criminal systems.
- Over the past 20 years, approximately 28,000 cases, involving infants to adolescents, were tracked by the CJC’s. Primarily, these involved cases of sexual abuse. Other cases involved serious (felony) physical abuse (including burns, broken/fractured bones/skulls, other head trauma and attempted strangulation). The youngest victim was



five weeks old (broken bones). Witness cases have involved children who witnessed abuse or assaults, (e.g., a father killing his wife in front of their children.) The CJsCs have provided training for professionals in dealing with the complex dynamics involved in child abuse, especially intra familial sex abuse (i.e., abuse perpetrated by a family member). Thousands of professionals have attended training events sponsored/coordinated by the CJsCs. This has resulted in a far more efficient and effective system response.

- **Community/Other Support:** Abused children and their families may also receive services from one of the five CJC's non-profit partners, and federal grants support the CJsCs and the children they serve. In 2007, about 3,000 children and families received such services.
- The CJsCs save money for the state. One national study showed that a child abuse investigation using a CJC model cost an average of \$2,902 per case. An investigation not using a CJC model cost about \$3,949 per case. This constitutes a savings of more than \$1,000 per case.
- Child abuse/maltreatment has serious and long-term negative impacts on children's mental and physical health, and is associated with myriad social problems, including juvenile delinquency and adult criminal acts.

Aside from the financial component, the emotional impact upon children if the CJsCs were not available is incalculable.

## The Judiciary, FB 2009-11 Program Justification

Program ID: JUD 601  
Dept. Contact: Moira T. Chin

Program Title: Office of Public Guardian (OPG)  
Phone No.: 534-6101

Mission or Program Objective: Serve as court-appointed guardians of the person for incapacitated adults who do not have anyone willing and able to serve.

Program Budget:

MOF: General Fund      FTE(P): 14.0      FY09 Allocation: \$793,282

Statute: Chapter 551A, Hawaii Revised Statutes; Established by Act 223, Session Laws of Hawaii 1984, to meet a serious community need to provide guardians for incapacitated adults who are unable to take care of themselves and are unable to make rational and responsible decisions regarding their daily lives including end of life decisions.

### JUSTIFICATION:

- OPG serves as guardians of the person for approximately 750 statewide clients with a staff of 10 social workers, one social service assistant, one accountant and one director. OPG staff is available on a 24 hr/7 day-a-week basis.
- 55% of clients are developmentally disabled and former Waimano Training School and Hospital patients who reside in community-based programs.
- 35% of clients, with an average age of 85, were identified in the community as having been victims of financial exploitation, self neglect and or abuse through Adult Protective Services (APS) intervention. Acute care facilities and residential health-care facilities have also provided referrals to OPG. These incapacitated elderly patients were identified as having no families or friends willing or able to serve as decision makers for medical treatment, finances, and/or for discharge planning purposes.
- 10% of OPG clients have been identified as severely mentally ill by APS, acute care facilities, mental health treatment programs or family members.
- The demand for legal guardianship for the elderly will continue to increase as the general population ages and more of the elderly over 85 become incapacitated. Note: From the 2007 publication prepared by The Center on the Family, University of Hawaii, entitled "Hawaii's Older Adults: Demographic Profile," Hawaii's population is expected to grow by 21% between the years 2000 and 2030. The number of adults 60 years and older is expected to increase by 93.8% and those 85 years and older will increase by 174.7% during the same period. OPG also serves as successor guardians for aging parents who are no longer able to serve as guardians for their incapacitated adult children.
- On Oahu, average case loads range from 80 to 100 cases per guardian. National standards as determined by the National Guardianship Association (NGA)

recommend a caseload which will allow one visit per month for each client and regular contacts with service providers. Given OPG's high case load, this standard is impossible to attain. Annual visits are the norm. When crisis situations occur, onsite visits with care givers, providers, physicians, and other service agencies are provided so that an informed decision can be made.

- It is estimated that a case load between 50 – 60 clients will permit quarterly visits.
- OPG cases represent the most difficult and challenging situations where family members cannot be located or may exist but are alienated. In some instances, OPG is appointed at the recommendation of state agencies despite the protest of family members who may be suspected of neglect and or exploitation. In other situations, family members, including adult children and spouses, refuse to serve as guardians of the person for such reasons as being too busy, burdened or fearful of financial responsibilities.
- OPG appropriations cover office operations and personnel expenses. No funds from OPG appropriations are used to cover costs to support the client's care, education, health or welfare. Assigned guardians access the client's resources or apply for, manage and coordinate all benefits and services received or utilized by the client (e.g., Medicaid, Supplemental Security Income, and Food Stamps).
- New intakes reflect growing numbers of incoming cases involving clients with sizable assets or property matters which will require OPG to seek the services of a court-appointed conservator. The increasing complex nature of such property and financial matters continue to challenge the role of the guardian.
- Complex tasks from intake to ongoing duties and responsibilities, pursuant to Sections 560:5-314 and 560:5-315 of the Hawaii Revised Statutes, are made on a daily basis affecting every major event in the lives of each client. Every effort is made to become familiar with clients, their history, their likes, dislikes, preferences and values. If family and friends are involved, input is sought to the extent possible and or information is shared.
- Appointment of OPG is the last resort. Once appointed and in spite of high case loads, each client is treated with dignity and respect utilizing best practices as developed by the National Guardianship Association's Standards of Practice and Code of Ethics. The majority of OPG clients are unable to express their thoughts or communicate with their guardians, many of whom have long-term relationships. For the public guardians, their reward can be a shy smile or sometimes a robust acknowledgment of their presence during onsite visits. An unsolicited letter to the Director of OPG from a family member expresses their sentiment about the impact of the public guardian on their loved one's life with the following quotation:

I want to thank you and the State of Hawaii so very much for allowing [guardian] to be a part of our momma's final journey here on this earth especially for being her friend and ours. [Guardian] has made a difference in our momma's life for the good and we express our gratitude for [guardian].

## The Judiciary, FB 2009-11 Program Justification

**Program ID:** JUD 601

**Program Title:** Public Affairs  
Office (PAO)

**Department Contact:** Marsha Kitagawa

**Phone No.:** 539-4909

### **Mission or Program Objectives:**

- Assist and inform the Judiciary's varied publics, including litigants, lawyers, students, and the general public, about court processes and procedures and how the judicial system operates.
- Increase access to court services, information, and records, particularly for parties who do not have a lawyer, cannot afford legal assistance, cannot understand English or the legal process, or have an ADA-covered disability.
- Help courts improve services and operate more efficiently and effectively.

### **Program Budget:**

**MOF:** General Fund

**FTE(P):** 3.0

**FY09 Allocation:** \$184,451

**MOF:** Special Fund

**FTE(P):** 1.0 (Webmaster)

**FY09 Allocation:** \$54,966

**State Constitution:** Not applicable.

### **Performance Measures:**

#### **Hawai'i State Judiciary Website**

1,360,000 visits a year, or 4,061 visits a day, were made to the Judiciary's Internet website in 2008.

85% of the visitors were new or infrequent users who visited the website once or less a month. Visitors stayed on the site for an average of 5:44 minutes.

15,270 web pages were accessed on an average day, amounting to more than 5.5 million "hits" or web pages opened.

1,114 visits a day were made to the "Search Court Records" page and to the two online databases of case records, Ho'ohiki and CourtConnect. The three pages are the Judiciary's most-visited web pages by far. Other frequently-accessed online features include court forms, appellate opinions, contact information, employment and jury service sections of the website, as well as the traffic fine payment system.

#### **Information Dissemination**

40 news releases and other announcements were issued in 2008 to notify the public of free seminars on divorce, landlord-tenant issues, etc., and to solicit public comment on judicial nominees and rule changes.

20 brochures and pamphlets are available for distribution by the PAO in hardcopy or electronic form to help inform the public about probate, mediation, where to file a complaint about a lawyer, etc.

7 different videos on various topics were produced by the PAO, and air, for example, on public access cable television, at juror orientations, or at Family Court's divorce education program.

500 external email addressees receive the monthly eCourt Briefs newsletter and other Judiciary informational announcements.

#### **Public Feedback**

Dozens of phone calls are fielded each day by the PAO from persons needing help.

The PAO receives and responds to several email inquiries which are submitted each day through an online feedback form on the Judiciary's Internet website requesting assistance or information, or complaining about the court.

## **Media Relations**

PAO plays a vital role in helping the public learn more about the court system through the media. In 2008, PAO assisted the local and national media in covering several high profile court cases including: The Sierra Club v. Hawai'i Superferry, Inc., State of Hawaii v. Kirk Matthew Lankford, and State of Hawaii v. James H. Pflueger.

PAO also works with the media statewide to publicize developments at the Judiciary that affect the public. In 2008, this included Judiciary initiatives to provide access to justice for all Hawaii residents, to improve traffic fine collection, via a collection agency, and to automate and digitize the process of serving bench warrants.

## **Justification:**

### **Inform the public about court processes and procedures and how the judicial system operates**

The legal and judicial systems may be intimidating or confusing to the public. Many who go to court do not have an attorney representing them and lack the needed information. As a result, motions or pleadings may be rejected, court hearings may be delayed, and cases may be continued. Delays, rescheduling, and re-doing documents causes additional costs to be incurred by the parties, the public, and the State.

To inform the public and especially unrepresented litigants about court processes, PAO produces and distributes informational brochures, booklets, and videos; posts information on the Judiciary website on various legal topics and on court processes and procedures; staffs the statewide Judiciary information and complaint line and responds to callers requesting information or assistance; and puts on free informational programs such as the "Lunch 'n' Learn the Law" and "Divorce Law" programs.

### **Increase public access to the courts**

PAO also helps those who have difficulties availing themselves of court services because the location is either too far away, legal services and other costs are too high, the process is too complex, or they have special needs or cannot understand English, by making information forms available at court and state public libraries, and on the Internet. Online services eliminate the need to visit a courthouse to conduct business. For example, a Big Island resident unable to download the online forms may have to drive for hours to pick up court forms from the courthouse in Hilo or Kona. PAO helped draft policy guidelines to ensure public requests for court records and information are handled efficiently and consistently, and assists with making court forms and instructions more user-friendly, easier to understand, and easily accessible.

### **Help the courts improve its service to the public**

PAO solicits and receives input and feedback which it uses to help gauge the effectiveness of various court programs and to identify areas needing improvement. PAO utilizes several tools to obtain public comments, including an online feedback form on the Judiciary website, a statewide telephone information and complaint line, public satisfaction survey forms located in all Judiciary offices, and news releases soliciting public input on proposed rule amendments and judicial nominees.

### **Assist the courts in operating more efficiently and effectively**

As previously mentioned, a primary function of PAO is to educate and inform the public about court procedures and processes. Informed court users require less assistance from court staff who are then able to provide needed services elsewhere. PAO is responsible for the Judiciary's website, which is playing an increasingly important role in making court information, records, and services more accessible. Providing these services online also reduces staffing needs and promotes environmental sustainability. PAO also conveys ideas and suggestions for improvement from the public to court administrators and works with administrators to help make court services more accessible and user-friendly.

## The Judiciary, FB 2009-11 Program Justification

**Program ID:** JUD 601  
Resolution

**Program Title:** Ctr. for Alt. Dispute

**Dept. Contact:** Elizabeth Kent

**Phone No.:** 539-4238

**Mission or Program Objective:** Make alternative dispute resolution (ADR) broadly available in Hawaii. ADR offers opportunities for early, party-driven, efficient, and fair solutions. This is the only office in state or local government that promotes ADR through education, research, training, and informational materials.

### Program Budget

**MOF:** General Fund

**FTE(P):** 5.0

**FY09 Allocation:** \$780,285

**Governing Statute:** Hawaii Revised Statutes, Chapter 613

**Performance Measures:** Evaluations of training sessions, number of training sessions, number of forums, evaluations of appellate mediation sessions.

**JUSTIFICATION:** Often, the best option for people in conflict is staying **out** of court. The Center for Alternative Dispute Resolution (Center) helps build skills so that people can work together to find solutions to their problems and solve them early. Often, the solutions people find on their own are more satisfying and more likely to be complied with than court ordered adjudication. The Center also oversees a statewide infrastructure so that the public can access affordable mediation services, and helps design ADR programs, such as the mediation program in the appellate courts.

The Center is the **only** organization that provides training on ADR-related subjects for state and county employees and designs ADR programs for local government **at no cost**. With the looming economic crisis, government employees will need to “do more with less.” Government employees must have the necessary skills and techniques to allow them to work collaboratively and efficiently in serving the public. State and county departments have already cut back training funds, and further cuts are likely. If the Center is not funded, training opportunities in mediation, meeting facilitation, negotiation, and conflict assessment will probably be eliminated for state and county staff, which will have an adverse impact on the public.

Through the Center’s administration and oversight of the Judiciary’s POS contract with the mediation centers (the community mediation centers are located in Hilo, Honolulu, Kaunakakai, Lihue, Wailuku, and Waimea), last fiscal year

- 1,679 District Court cases (mostly from Small Claims Court) were mediated (53.5% settlement rate, plus 178 conciliated agreements),

- 603 domestic cases (divorces, paternity actions, and the like) were mediated (57% settlement rate at The Mediation Center of the Pacific, Inc.),
- There was a total of 2,237 referrals from the justice system (55.3% settlement rate, plus 202 conciliated agreements),
- At least 7,550 people received direct assistance in finding solutions out of court, with about 68% of the clientele reporting an income level of \$41,250 or less.

Mediation usually is less expensive than going to court. For example, mediation at Small Claims Court and for residential landlord-tenant cases is free. Because the Judiciary underwrites the cost of mediation and because the mediators are volunteers, the cost is affordable (and waived or reduced for people who cannot afford them). Private sector mediators may charge more than \$150 per hour, which would deny many from access to mediation services, and leave mediation as an option only for those who can afford it.

In tough financial times, people are more prone to argue about things that they might otherwise “let go.” Diminished access to mediation services means:

- Divorcing couples have fewer options to work out their problems and file for an uncontested divorce, resulting in more cases going to trial
- Neighbors may not have an informal venue to work out their differences, resulting in more TRO filings
- Merchants and consumers will not be able to turn to the mediation centers for assistance, resulting in more court cases

In short, there will be fewer avenues for people to find satisfying solutions. That, in turn, may produce increased stress, lost time at work, a decrease in work productivity, and dissatisfaction with the “system.”

The Judiciary, FB 2009-11 Program Justification

Program ID: Contract No.J08125

Program Title: YWCA Hawai'i Island Teen  
Court

Dept. Contact: Lester D. Oshiro, Chief Court Administrator

Phone No.: 808 961-7435

Mission or Program Objective: The mission of the YWCA Hawai'i Island Teen Court is to provide an effective (peer) jury system that applies balanced and restorative justice values of accountability, competency development and public safety to help participants increase law abiding behaviors and reduce the risk of recidivism.

Program Budget for YWCA Hawai'i Island Teen Court

MOF	FTE(P)	FTE(T)	FY09 Allocation
General	0	0	\$218,505.00

Statute/Constitution: N/A

The YWCA of Hawai'i Island Teen Court is a diversion program for first-time juvenile misdemeanor and status offenders and has been hearing cases in Hilo since April of 1992 and as of 2006, has expanded and the program now serves a majority of Hawai'i County youth. The principle of peer sentencing has been an effective tool in reducing the number of second-time offenders by holding each youth "respondent" accountable for their actions.

Performance Measures:

During fiscal year July 1, 2007 to June 30, 2008, a total of 330 misdemeanor and petty misdemeanor cases for first time offenders were referred to Teen Court. Teen Court successfully completed 162 referrals. This is 162 juveniles that do not have a formal juvenile record. The recidivism rate for youth within one year of completing the program averages 8 percent with the highest rate of 12 percent and the lowest rate of 0 percent in the last two years.

JUSTIFICATION:

This is also 162 cases less for four juvenile intake workers who already carry an average of 50 cases. Another way of looking at this is that it's providing the services of 3 additional juvenile intake workers or about \$122,400.



Program ID: Contract # J08054  
Kauai Teen Court  
Dept. Contact: David Lam, JCFSB Administrator  
482-2378

Program Title:  
Tele. No.: (808)

History, Mission or Program Objective:

Since the inception of Kauai Teen Court (KTC) in 1998, run and coordinated by Hale Opio, Inc., during a one year period, there are at least 24 Teen Court sessions, each session lasting well over an hour. Besides those minors who are referred (via the Kauai Police Department, Prosecutor's Office and Juvenile Client & Family Services Branch), they have not only secured volunteers (Per Diem Judges, Public Defendant, etc) but they also have graduates from KTC returning to be active participants (as jurors, bailiff, etc.). Hale Opio's KTC funding source up until to 2006 was Federal Block Grant funds and some funds/assistance from the County Prosecuting Attorney's Office.

KTC is a diversion program. It was primarily established for first time juvenile offenders who are diverted from entering the Family Court judicial system. Voluntarily going through the KTC program, when referred, "their side of the story" is heard, they are counseled and if they admit to the allegation(s), are "sentenced" mainly by their peers.

Through KTC's diversion program, over 300 juveniles each year have been diverted from Family Court. These juveniles therefore have no official" record with the court.

Program Budget: In 2007, the Family Court of the Fifth Circuit entered into a POS Contract with Hale Opio's KTC program. The awarded POS Contract was for \$60,000.00.

Performance Measures: From July 2007 to June 2008, Hale Opio's KTC program graduated/diverted 328 juveniles from the Family Court. From July 2008 to December 2008, the Teen Court has already graduated 137 juveniles. For our small island, this is a substantial number of cases that were diverted from the Court and therefore did not clog up the Court calendar. Thus, the Court Officers were able to work on more serious/demanding cases.

Justification To Retain Funding Hale Opio's KTC Program: If the POS Contract for Hale Opio's KTC was to be reduced/terminated, those 300 plus juveniles will need to be absorbed by the Juvenile Client & Family Services Branch Court Officers, and will place an additional load on the Family Court Calendar and our single Family Court Judge.

In 2007, information provided to the Family Court as justification to consider entering into a POS Contract with Hale Opio's KTC was that it would cost a similar program like theirs approximately \$480.00 per youth as compared to approximately \$1,635.00 for that same youth going through juvenile court, varying of course from jurisdiction to jurisdiction.

It should be noted that the Fifth Circuit Court has one dedicated Family Court Judge who presides over the juvenile and adult Family Court, TRO, Custody, Contested Divorce, Guardianship, HRS 587 CWS Abuse & Neglect, Drug Court, and other cases. The Juvenile Client & Family Services Branch has six (6) permanent Court Officers and two (2) working Supervisors (in that they also carry a minimal caseload of juvenile cases). An additional 300 plus cases would tax our abilities to properly supervise all cases assigned, as well as possibly contributing to burn out.

HAWAII GIRLS COURT  
PROGRAM JUSTIFICATION  
FB 2009-11

PROGRAM ID # : JUD 310

PROGRAM TITLE: HAWAII GIRLS COURT

DIVISION: FAMILY COURT

CONTACT PERSON: Adriane Abe, Coordinator

PHONE NUMBER: 534-6152

MOF:	FTE(P) <u>0</u>	FTE(T) <u>7</u>	FY 09 Allocation \$389,048
State General Fund		SW V 00500183	
		SW IV 00500191	
		SW IV 00500594	
		SW IV 00500395	
		SW IV 00500190	
		CT III 00500192	
		SSA 00500426	

STATUTE/CONSTITUTION: HRS 706-605.1 “The judiciary shall implement alternative programs that place, control, supervise and treat selected defendants in lieu of a sentence of incarceration.”

Hawaii passed legislation (“Parity for Female Offenders,” Act 258 of the 2006 Legislative Session) that emphasizes the need for parity for female offenders. The bill reads, in relevant part, “Female offenders need gender responsive services that address substance abuse, family relationships, vocational education, work, prior victimization and domestic violence.” *The Hawaii Girls Court directly and successfully addresses the Legislature’s concern, as expressed through Act 258.*

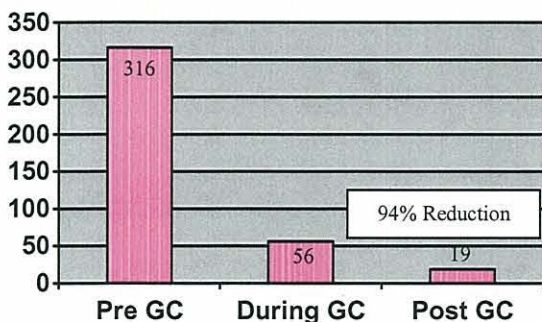
**PROGRAM OBJECTIVES:**

- 1) Develop a comprehensive continuum of gender-responsive, strength based intervention for adjudicated girls and their families
- 2) Prevent and reduce female delinquency
- 3) Export successful techniques developed and tested in the program to the wider population of girls in the juvenile justice system and the community

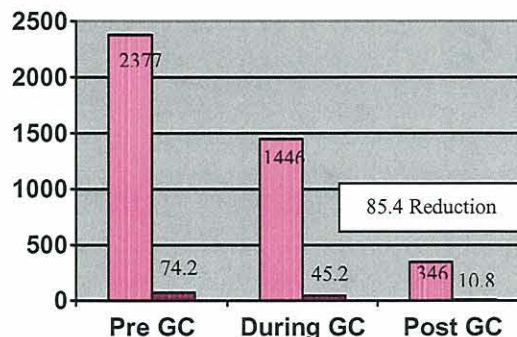
**Reaching the Unreachable....**Hawaii Girls Court (HGC), the first court of its kind in the country, continues to demonstrate success, providing gender responsive programming to meet the needs and develop strengths in female juvenile offenders and their families. Word has spread about this innovative and unique program and its promising outcome data. The HGC website [www.girlscourt.org](http://www.girlscourt.org) has been an effective way of sharing program information. Inquiry has been received from around the country and as far away as Canada, Taiwan, and Japan.

The following charts are the preliminary findings of program evaluator, Janet Davidson, PhD. They demonstrate outcomes for Girls who completed HGC as of December 31, 2008:

Number of Runaways – Cohort 1-3



Number and Average Runaway Days – Cohort 1-3



Additional data include:

- 89.3% reduction in law violations
- 69.6% reduction in shelter admits
- 39.3% reduction in days held in shelter
- 71% reduction in detention home admits
- 66.3% reduction in days held in Detention Home

Since inception, the HGC has not committed any girl to the Hawaii Youth Correctional Facility.

- Saving achieved through youth not being placed in HYCF – no daily cost number is available at this time.

Evaluator Lisa Pasko stated in her report: “Given that the Girls Court group had fewer arrests, court time, and DH and HYCF admissions, this not only translates into improvements in the girls’ lives, but in real cost savings for Family Court, in the way of reduced courtroom time, paperwork, and space needed for girl offenders.” **The HGC designs programming with the goal of preventing girls from further penetrating the justice system later in their lives as adult offenders, domestic violence victims, and CPS mothers, creating future cost savings.**

Research shows the vast majority of girls entering the justice system have been victimized and traumatized at some point in their lives. *Raped; beaten until bones broke; sexually exploited and prostituted; abused and neglected; witness to domestic violence; witness to murder; loss of parents through death, incarceration, abandonment, and substance abuse...* These are real trauma histories of girls being served in the HGC. Their experiences overwhelmed their ability to cope, and their coping responses (running away, family conflict, truancy, substance abuse, and involvement in minor law violations) landed them in court, not as threats to the community, but as children in need of mental health treatment. *These are girls whose needs the traditional probation system is not designed to meet.*

Girls often arrive in the system so wounded that they are full of fear and mistrust, making them difficult to work with. Gender responsive programming takes into account female development and a girl’s pathway into the system, and responds to the realities of her life, addressing all relevant issues. The HGC is committed to continued collaboration and partnership with other state agencies and private providers who have mobilized to deliver trauma informed care for our girls and families. Much of this effort has resulted in services provided to our girls and families at no added cost to the State. Private insurance, grant awards, and volunteerism and goodwill from the community have provided a host of mental health care and program activities.

Healed family relationships, cessation of substance use, graduation from high school, college enrollment, gainful employment, discovery and development of talents, and birthing of healthy babies are additional examples to the evaluation data above of the transformative events in the lives of girls served. **Currently 27 girls and 46 family members are being served. Another 11 girls and families are waitlisted and scheduled to begin the program in February 2009. A total of 123 girls and family members were served by the HGC in 2008. Since inception HGC has served 265 girls and family members.**

Girls entering HGC receive: monthly court hearings; intensive supervision; individual, family and family group therapy; healthy relationship classes; life skills training; random drug testing, and referrals for treatment, creative and literary arts programs, mentoring, recreational activity, service learning opportunity, cultural activities, and an array of other services. Parents are included as parties to the case, therefore legally requiring their active participation in the program.

During the past fiscal year HGC staff provided support groups applying the Girls Circle model at the Hale Hoomalu Detention Facility and in the Wahiawa community. Another group is slated to be provided at Kawananakoa Middle School as part of HGC’s prevention efforts. Exportation of successful techniques takes place through information sharing, facilitation of quality training to those working with girls within juvenile justice and other agencies, and the HGC website.

Evaluators interviewed HGC participants and these are the sentiments expressed in the girls' own words:

- Saved my life
- Girls Court gave me permission to be good
- I was a year behind in school. Now I'm three credits from getting caught up and graduating next year. I got a job. They [Girls Court] just do so much encouraging things.

The future of Hawaii's most at-risk girls is at stake. Without continued funding of the HGC, the result will be the loss of a proven and effective service for female juvenile offenders and their families, and significant setback to gender responsive programming for the entire state of Hawaii. The HGC has contributed greatly to the state's capacity to provide effective gender responsive youth programming. With continued state resources, the Judiciary will be able to allow the Girls Court Program to continue its proven success to impact girls involved with or at risk for involvement with the juvenile justice system, assist all of Family Court in providing essential resources and to assist other state agencies and community groups in gender-specific and strength based programming. **The Hawaii Girls Court Works!**

Program ID: JUD 310  
 Dept. Contact: Louise Crum

Program Title: Mental Health Court (MHC)  
 Phone No. 539-4573

Mission or Program Objective: To reduce incarceration and recidivism while working with community providers to provide supervision and effective treatment options instead of the usual criminal sanctions for offenders with mental illness. In doing so, the MHC improves public safety, reduces burdens on the island's criminal justice system, saves money by shortening incarceration time for clients and enables participants to be productive members of our community.

Program Budget			
MOF	FTE (P)	FTE (T)	FY09 Allocation
State General Funds	0	3	\$250,000
		500173 SW V	
		500060 SW IV	
		500455 SW IV	

Statute/Constitution: HRS 706-605.1 "The judiciary shall implement alternative programs that place, control, supervise and treat selected defendants in lieu of a sentence of incarceration." Act 120, Session Laws of Hawaii, 2006 -- provides line item funding for this program

**Mental Health Court reduces incarceration costs for the State of Hawaii while providing persons in the system with Serious Mental Illness (SMI) treatment, accountability and a future through strong partnerships with the Executive Branch and treatment providers that increase the likelihood of long term success. Research performed during the planning phase for this court indicated that diverting 30 nonviolent offenders with mental illnesses to treatment could save the jail system on Oahu \$90,882 in one year as well as provide better outcomes for persons with SMI and the community by significantly reducing recidivism.**

**Other highlights and savings include:**

- **75% of our participants petitioned into MHC from OCCC.**
- **75% of our participants petitioned in on a Track 4 (probation revocation).**
- **All participants have a severe and persistent mental illness and most have illegal substance use issues.**
- **February of 2008 was the first graduation - all graduates have had no incidents of recidivism and continue to be employed or are in stable housing and treatment for the first time in their adult life.**
- **10 participants are on the graduation track for 2009.**
- **\$6,945 in restitution have been collected from our current participants. Currently there is no outstanding restitution owed.**

Performance Measures: Length of jail time served, Recidivism, Cost Savings, Rewards & Sanctions, Clean & Sober Days, Housing, Employment, Quality of Life Indicator (QOLI) Time in each Phase, Number of Graduates, Admission to Completion Time, Mental Health & Substance Abuse Diagnosis, Services and Treatment, Percentage of Case Manager Participation

The Hawaii MHC works with felony clients who have severe and persistent mental illness to ensure that proper services are received so that once they graduate, they do not re-enter the criminal justice system. The outcome is clients that no longer pose a threat to public safety and are able to be productive members of the community. Untreated and lacking access to long-term care, people with mental illnesses often end up with symptoms and behaviors that result not only in jail time but

also in longer jail stays than those for non mentally ill persons that commit the same crime. About 5% of the general U.S. population suffers from a SMI, and roughly 16% of the U.S. prison and jail population does (U.S. Department of Justice). Jails and prisons, in fact, have been characterized by some as the replacement for the mental health hospitals of pre-deinstitutionalization days. Many of our clients, if unsuccessful, face open five-year terms at OCCC, which at a cost of more than \$100 per day (not including any special supervision or treatment for mental illness) would cost the state significantly more than the budget for the MHC. Researching a random sample of case files revealed that in the First Circuit, as is true in other states, recidivism among offenders with SMIs is high: recidivism results in more court time and more incarceration, and diminishes public safety. The best information available through case files for the court's target population suggests that even if clients do not serve the full open five year term most are sentenced to: Circuit Court offenders spent 221 days in jail, District Court offenders spent 6 days in jail, and Family Court offenders spent 72 days in jail.

Almost half of the persons with SMIs who are in prisons are there for nonviolent crimes, and they often were charged with more serious crimes than others who were arrested for similar behaviors (U.S. Department of Justice). They also are more likely to become victimized because of their heightened vulnerability, the lack of medication and treatment (both medical and psychological), and the absence of sound therapeutic facility design. Inmates with SMIs also tend to stay in prison longer than other inmates as they are more likely to get into fights, be charged with additional infractions, and be sanctioned under those charges. In fact, OCCC has been under federal investigation since 2005 for inadequate mental health care policies and practices. Only recently has OCCC agreed to changes in its mental health care policies and practices to address the U.S. Justice Department's concerns.

In short, persons with SMIs are not getting the treatment they need and thus are contributing to the overcrowding of prisons. As a response to these issues, communities around the U.S. are establishing MHCs to direct persons with SMIs from the criminal justice system—the “system of last resort”—to the community-based treatment they need for long-term health. The first MHC began in Broward County, Florida, in 1997; more than 100 such courts now exist all over the nation. Though most of these courts are not old enough to have completed long-term evaluations, preliminary results are promising.

- Broward County MHC has saved the county jail system at least \$1 million each year
- King County MHC in Washington—the nation's second oldest—reports that its graduates experienced a 76% decline in recidivism and a 91% decrease in jail time.
- Santa Clara MHC saved its county jail system an estimated \$1.3 million during its first two years of operation.
- And the most recent study from the RAND Corporation (2007) found that MHCs in Pennsylvania saved taxpayers \$3.5 million over a 2-year period.

MHC participants have a close relationship with the MHC court personnel and the MHC probation officer who ensure adherence to drug regimens, treatment protocols, terms and conditions of probation and achievement of recovery. The MHC uses its strong partnerships with the Adult Mental Health Division (AMHD) of the Department of Health to develop and provide treatment, housing and oversight for its clients and has developed excellent working relationships with the community to provide creative treatment regimens, sanctions and rewards to achieve success. As well as the highlights noted above, other points of interest include:

- Due to the challenges of this population, the ratio of probation officer to participant is 1:30.
- Currently, MHC has 31 participants, with four scheduled to petition in this month and six referrals scheduled for screening. All have been charged with a felony.
- The MHC has developed a well defined system of rewards and sanctions to encourage compliance.
- The MHC has four phases for the participant's progression with lessening degrees of oversight and a test between phases to assure completion of short term goals and court requirements.

Without the support and guidance of the MHC, these clients would probably continue to be in and out of the system for most of their life. The MHC has saved the state system hundreds of thousands of dollars in incarceration, hospitalizations, and other costs as well. The MHC has changed participants' lives by helping them reach recovery and become contributing and responsible citizens to the state of Hawaii. In the words of one of our graduates, "I used to get up in the morning and think of a hundred reasons to use drugs and now I get up and think of a 100 reasons not to."

The Judiciary, FB 2009-11 Program Justification

Program ID: 310

Program Title: Family Drug Court

Dept. Contact: James Lutte

Phone No. 534-6600

Mission or Program Objective: To ensure child safety by providing the opportunity to assist family members to become healthy, sober and positive parents through the provision of a seamless continuum of holistic, effective, culturally appropriate care for all life issues.

<u>MOF</u>	<u>FTE (P)</u>	<u>FTE (T)</u>	<u>FY 2009 Allocation</u>
State General Funds	5	1	\$626,320

Statute/Constitution: HRS 706-605.1 "The judiciary shall implement alternative programs that place, control, supervise and treat selected defendants in lieu of a sentence of incarceration." Act 120, Session Laws of Hawaii, 2006 – provides line item funding for this program

Performance Measures: Court Dates, Time to Permanency, Time to Family Supervision, Incentives, Sanctions, Chemical Dependency Treatment and Levels of Care, Drug testing, Clean days, Ancillary Services, Employment, Education, Recidivism, Cost Savings

**Oahu Family Drug Court uses creative evidence based approaches to combat the drug abuse, child endangerment, and domestic violence epidemic in Hawaii resulting in a better life for families and children and a significant savings in State tax dollars spent on foster care and other long term consequences of this epidemic.**

Key benefits of the Family Drug Court (FDC) are listed below followed by a short narrative that explains them more fully.

**Key Benefits to the State of Family Drug Court**

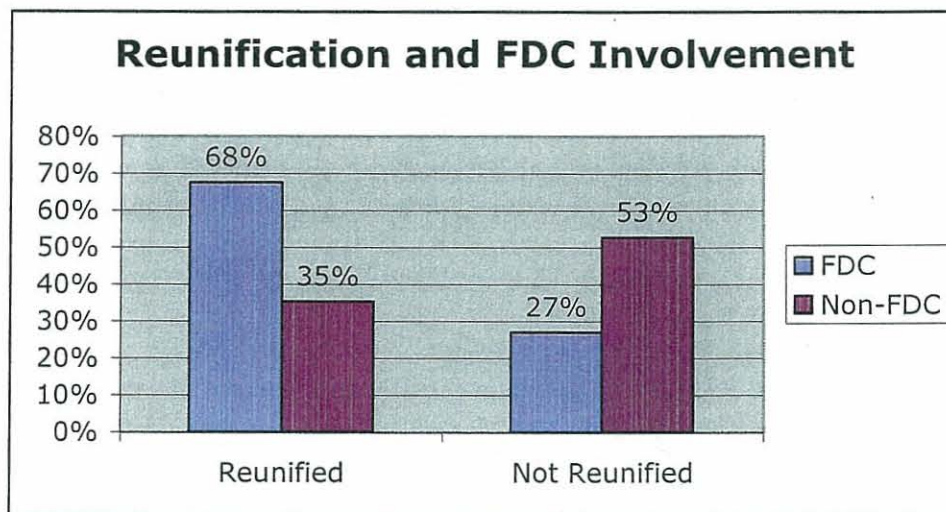
- **Children reunified with parents faster resulting in less social and emotional trauma that contributes to learning problems (68% families in FDC reunified as opposed to 53% not in FDC)**
- **Faster reunification results in significant savings in Foster Care costs (Savings FY 07/08 were estimated at \$698,475)**
- **Parents learn skills and demonstrate their ability to remain drug free**
- **Parents demonstrate**
  - **appropriate and improved parenting skills leading to greater family success and less educational and other problems**
  - **a decreased reliance on welfare**
  - **improved educational attainment or job skills related to gainful employment**
  - **secure adequate housing for their families**



The ultimate goal of the Oahu FDC is to enable an individual to achieve lasting abstinence and reduce recidivism with Child Welfare Services (CWS), while the immediate goals are to reduce drug abuse, minimize the medical and social complications of drug abuse and addiction, and improve the client's ability to function as a responsible, productive parent and member of society. The Court focuses on changing behaviors to promote healthy life styles which include appropriate parenting, education and employment.

The FDC provides, along with its partner agencies and groups (CWS, Department of Health, Guardians ad litem (GAL's) and private treatment providers), a blend of both a therapeutic approach and a judicial approach to the topic of child welfare (which necessarily includes aspects of child endangerment and child safety). A national crisis in foster care coupled with increases in drug abuse, domestic violence, homelessness, and poverty necessitated in the minds of many, both in Hawaii and elsewhere, a more creative approach to child-protection cases. The Oahu FDC is designed to help abused and neglected children by addressing parental substance abuse within the context of family court child-protection cases. These cases deal with custody and visitation disputes, abuse, neglect, domestic violence, dependency matters; and with petitions to terminate parental rights.

Adults and cases involved with FDC were more likely to be reunified with their children than those not involved with FDC.



As stated previously, reunification is one of the key objectives of the FDC program. More importantly, to have achieved reunification indicates improvement in multiple other areas, prerequisite to families regaining claim to their children. These include demonstration of: (a period of) abstinence from drugs and alcohol, appropriate or improved parenting skills, decreased reliance on welfare, improved educational attainment or job skills related to gainful employment, and the ability to secure adequate housing- also objectives of FDC.

This comprehensive approach is designed to not only help parents break the cycle of addiction, domestic violence, and child abuse and neglect, but also shortens out of home placement through ongoing intensive case monitoring by the case managers, CWS Social Workers, and GAL's. The preliminary data for FY 2007-2008 shows the following:

- Number of graduates: 18
- Number of children served: 139
- Average length of stay in FDC: 12 months
- Average number of day's children are in foster care with FDC: 225.5 days
- Average number of day's children are in foster care Non- FDC 326 days
- 225.5 days in foster care X \$50.00 per day X 139 children = \$1,567,225.00
- 326 days in foster care X \$50.00 per day X 139 children = \$2,265,700.00

**Total cost savings to the state in foster care placement: \$698,475.00**

The FDC provides the state with an extremely cost effective program to dramatically increase the success of families which results in a savings to the state as a result of a decreased need for foster care and further/more expensive services in the future.

The Judiciary, FY 2009 – 11 Program Justification

Program I.D.: 320 Program Title: Maui/Molokai Family Court Drug Court  
Dept. Contact: Michelle Schroeder Phone No.: (808) 244-2884

***Mission or Program Objective:***

The mission of the Maui/Molokai Family Court Drug Court (FCDC) is to act quickly to protect children, reunite families, and promote safe and sober parenting by providing more comprehensive services, in a more expeditious manner, than the regular Child Welfare Services (CWS) calendar. This results in an increased chance for successful reunification within the mandated timelines of the Federal statute (Adoption and Safe Families Act), reduces recidivism, and reduces the costs associated with foster care placement.

***Program Budget:***

MOF: General Funds FTE(P) 2 FTE(T) 0 FY09 Allocation: \$328,976.00  
1-SW V #500136  
1-SW IV #59126

Statute/Constitution: HRS 706-605.1 “The judiciary shall implement alternative programs that place, control, supervise and treat selected defendants in lieu of a sentence of incarceration.”

***Performance Measures:***

Prevent new drug/alcohol conviction or subsequent removal of children

- 0% recidivism within 6 months of graduation
- 0% recidivism within 1 year of graduation
- 5.8% recidivism within 2 years of graduation
- 100% of graduates have not been convicted of a new drug/alcohol offense or had their children removed within 1 year
- 94% of graduates have not been convicted of a new drug/alcohol offense or had a subsequent removal of their children within 2 years
- 80% of graduates that were admitted in Foster Custody status would have most likely gone to permanency without FCDC
- 66% of graduates that were admitted in Family Supervision status would have most likely resulted in foster custody without FCDC

***Justification:***

The FCDC serves the most challenging families, 80% of which would likely have ended in permanent custody with the state; thus increasing state expenditures for foster care placements. Goals include assisting participants in providing a safe family home, learning appropriate parenting skills, becoming productive members of the community, re-establishing positive sober relationships, and facilitating long lasting behavior change. In this way, the program helps reduce recidivism, and by extension pro-actively saves the state additional funds. CWS focus is child safety; FCDC focus is child safety and recidivism. This enhanced focus results in less CWS services, criminal justice services, and state sponsored medical care.

***Rehabilitation:***

The best course of treatment for those suffering from chemical dependency is to participate and successfully complete substance abuse treatment. FCDC provides a collaborative team approach, by integrating substance abuse treatment, intensive family therapy, parenting education, domestic violence services, and other community resources. This approach reduces/avoids duplication of services, and incorporates therapeutic incentives and sanctions to quickly reverse negative behaviors. Participants are closely monitored by the Court and appear before the Judge frequently to help ensure success.

***Cost Effectiveness:***

- The program has been able to avoid permanency and prolonged foster custody, thereby resulting in substantial savings in foster care placement expenditures and related costs. Foster care costs per child are over \$500 per month and over \$1000 per month for special needs children. Related costs include miscellaneous child needs, (clothing, school supplies, etc.) and supervised visitation services.
- The attorney costs associated with FCDC are only \$500 total for the length of a client's participation. The attorney costs for a regular CWS case ranges from \$2,500-\$5,500 from onset to termination.

***Why this drug court:***

- Participants are provided with an opportunity to enter into a successful recovery and create a sober support system for themselves and their children.
- FCDC accelerates the reunification process, so that children are not languishing in foster custody, bringing families together and saving the state money.
- FCDC averages 2 weeks or less between issuance of order for treatment/services and commencement of same. Regular CWS cases average 4.5 months between issuance of order for treatment/services and commencement. (This delay may also result in some parents not engaging in services at all or requiring additional treatment).
- FCDC assessment is more comprehensive and involves collateral interviews. This results in identification of issues that may not have been identified or identified much later, thus delaying reunification and case closure. This early identification allows for targeted early intervention/planning, thus enhancing the clients' chances for success. CWS assessments are brief and based on self report.
- Intensive family therapy, in the home or community, including nights, weekends and holidays, allows clients to engage and better utilize services. These specially trained therapists work with the client and their extended families to heal relationships, promote sober living, and interrupt the cycle of generational substance abuse.
- Participants are able to access substance abuse services quickly, when motivation is high.
- The program is holistic, not only focusing on substance use, parenting, and recidivism, but overall lifestyle changes. Employment and higher education are stressed throughout the program. Currently, 40% of program participants are attending college or working on their GED. These individuals not only have increased employment opportunities but also attain higher salaries and are able to be removed from the welfare system.
- We're out to build a recovery environment within our society. FCDC focuses not only on program participants as individuals, but as being part of a family system and the community.

Program ID/Title: Hawaii Drug Court Program  
Dept Contact: Janice Bennett Phone No: 441-8901

Mission or Program Objective:

To channel nonviolent, pretrial and post-conviction defendants, who would otherwise be incarcerated, into a comprehensive and integrated system of judicial and treatment services. The Program supports the goals of the Judiciary by enhancing public safety and ensuring the equitable and expeditious resolution of cases. The Hawaii Drug Court Program is based on the belief that addiction is chronic and individuals are prone to relapse. However, individuals must be held accountable for their behaviors. Interventions must correspond to the offender's risk to the community without compromising public safety.

MOF: State General Funds FTE(P)12 FTE(T) 3 FY09 Allocation \$991,036.00

Position #	Position Title	FTE
59440	Section Administrator - SR26	1.0
59484	Program Supervisor - SR24	1.0
59475	Treatment Counselor - SR22	1.0
59476	Treatment Counselor - SR22	1.0
59478	Treatment Counselor - SR22	1.0
59479	Treatment Counselor - SR22	1.0
59529	Treatment Counselor - SR22	1.0
59561	Treatment Counselor - SR22	1.0
59480	SW/Supervising Officer - SR22	1.0
59481	SW/Case Manager - SR22	1.0
59486	Social Service Assistant - SR11	1.0
59568	Social Service Assistant - SR11	1.0

Temporary Positions - Dual Diagnosis Treatment Track

500175	Social Service Aide - SR9	1.0
500176	Social Worker - SR22	1.0
500177	Social Worker - SR22	1.0

Statute/Constitution: Act 25 of 1995 Special Legislative Session

Performance Measures: Take from annual report or refer to changes in LSI-R scores noted in text.

Justification: See below.

**Why?** The Hawaii Drug Court Program is a collaborative effort between the Executive, Legislative and Judicial Branches, and the Honolulu Police Department to address the immediate and extensive needs of substance abusing felony offenders. According to The National Association of Drug Court Professionals Facts on Drug Courts (2008), Drug Courts bring the full weight of all interveners (judges, prosecutors, defense counsel, substance abuse treatment specialists, probation officers, law enforcement and correctional personnel, educational and vocational experts, community leaders and others) to bear, forcing the offender to deal with his or her substance abuse problems. The premise for establishing the Program is that the existence of an effective drug court program allows the criminal courts to process drug-related cases more effectively, thus allowing non-drug cases involving custody defendants to be disposed of in a more timely manner, thereby further reducing the length of pre-trial confinement for violent offenders.

As a unique service within the Judiciary, the program provides both immediate access to the courts through the dedicated drug court judge and immediate access to substance abuse and mental health treatment, in-community supervision, and intensive case management through in-house counselors and case managers. It is the only non-residential substance abuse treatment program for offenders that provides treatment for 18 to 24 months with no wait list. The program also provides legal benefits such as dismissal of charges, expungement of arrest, and early release from probation to successful graduates.

The alternative to participation in the Program would be probation supervision with a referral to a community-based substance abuse treatment program. The most significant differences between the drug court program and community-based treatment are: 1) the drug court program does not have a wait list, the admission process is initiated by defense counsel or probation officers, and treatment begins the day after the petition hearing; 2) successful completion means the dismissal of charges and expungement of arrest, or early release from probation; and 3) drug court participants remain in treatment even if they relapse which allows them to continue to address their substance use and criminal behavior.

#### **The problem?**

According to information provided by American University (2008), incarceration of drug using offenders costs between \$20,000 and \$50,000 per person, per year. The capital costs of building a prison cell can be as much as \$80,000. In contrast, the Hawaii Drug Court Program costs about \$4,000 per offender, per year, when fully staffed.

1. In 2008, Adult Client Services reported 6,779 felony probationers. About 1,700 were considered high risk for criminal recidivism and about 50% of these (850) are estimated to have substance abuse problems.
2. About 40% (340) of those with substance abuse problems also have a co-occurring mental health disorder ranging from schizophrenia and bi-polar disorder, to clinical depression and post-traumatic stress related to domestic violence and other trauma.
3. Unlike community-based programs, the drug court program is designed to provide not only substance abuse treatment, but also address the offender's criminal thinking and mental health needs.

#### **What's in it for me? Benefits of continuing the program?**

Since inception, the program has admitted 857, graduated 577 (65% completion rate), and terminated 195. In FY 2008, there were 85 active cases and the program collected more than \$33,000 in fines, fees, and restitution. As of December 2008, there are 92 active cases and 68 cases pending possible admission. At the time of graduation, 100% of the client are in stable, clean, and sober housing, and are employed or in school. These and other positive changes are captured in the reassessment scores. At admission, the average risk score for criminal recidivism is 27 (high risk) and the average protective score is 13 (low). At the end of 18 months, the average risk score has been reduced by 48% (13), and the protective score has increased by 43% (30). In contrast, were these cases in the general probation population, a risk score of 13 and a protective score of 30 would qualify the case for banking, the lowest form of supervision.

How do I do this?

1. Drug Courts Work! The Hawaii Drug Court Program takes high risk offenders and provides 18 to 24 months of intensive substance abuse treatment and supervision using a cognitive-behavioral approach that result in changes so dramatic that many cases would qualify for banking, the lowest form of probation supervision.

2. The drug court program is designed to be a one stop shop. No other substance abuse treatment program provides such a diverse and intensive array of services:

- Intensive outpatient substance abuse treatment which also addresses the offenders' criminal thinking and criminal behavior,
- Intensive case management which includes employment and vocational assistance, referrals to and monitoring of clean sober housing, and the monitoring of payments regarding court-ordered fines, fees, and restitution,
- In-community supervision through voice identification curfew monitoring, electronic monitoring devices, and frequent and random testing for drug and alcohol use, and
- Close judicial supervision with immediate access to court-ordered sanctions for relapse or criminal behavior.

3. The Hawaii Drug Court Program was established by Act 25 of the 1995 Special Legislative Session. It has been in continuous operation since then.

4. Eliminating the Hawaii Drug Court Program would result in:

- 160 felony offenders (treatment capacity of the program when fully staffed) being sentenced to probation or prison. If sentenced to probation, they would still need treatment, thus flooding the community-based providers. If not sentenced to probation, these individuals may be sent to prison, thus adding to the problems of overcrowding and overtaxing of the limited substance abuse treatment resources in custody facilities.
- 12 lost positions. The Program is currently staffed by one administrator, one supervisor (vacant/frozen), six counselors, one social worker/case manager, one social worker/supervising officer, and two social service assistants. 50% of the clinical staff are State Certified Substance Abuse Counselors and as such, provide the Judiciary with substance abuse treatment expertise.

## The Judiciary, FB 2009 - 11 Program Justification

Program I.D.: 320

Program Title: Maui/Moloka'i Drug Court

Dept. Contact: Barbara-Ann Keller, Administrator Phone No.: (808)442-3851

### ***Mission or Program Objective:***

The mission of the Maui/Moloka'i Drug Court Program (MDC) is to channel non-violent pre-trial and post-conviction substance-abusing defendants, who would otherwise be incarcerated in Hawaii's correctional system, into a comprehensive and integrated system of judicial and treatment services effective with substance-abusing offenders.

### ***Program Budget***

MOF: General Funds FTE(P) : 14 FTE(T) 0 FY09 Allocation: \$1,556,524

1 - SW VI, #500015

2 - SW V #s500179, 1 New, # not yet assigned

2 - Drg Crt SAC IV, New, # not yet assigned

5 -Drg Crt SAC III, Pos.#s 59746, #500099,  
#500138,#500185,#500269

2 - Drg Crt SAC II, Pos. #s 59747, #500098

2 - Jud Clk II, #s500104, 1 new, # not yet assigned

**Statute/Constitution :** HRS 706-605.1 "The judiciary shall implement alternative programs that place, control, supervise and treat selected defendants in lieu of a sentence of incarceration."

### ***Performance Measures***

- Reduce recidivism and drug use
- 84% of graduates (including those who have graduated since 2001) have not been convicted of another offense. This statistic is based upon continuing review of Judiciary criminal justice data to maintain accuracy and validity.
- MDC statistics show that the average amount of time that graduates had negative testing results has been 584 days.
- Assist clients to become productive members of the community, re-establish supportive relationships with their families, and complete their court ordered obligations to the community and victims. Prior to graduation, all clients are required to:
  - Complete a minimum of 30 hours of service within the community/communities where the graduate committed the crime or in the victims' community.
  - Maintain full-time (35 hours or more) payroll employment or be attending college full-time (12 credits or more) for a minimum of 12 weeks prior to graduation.
  - Attain a minimum of a high school diploma or high school equivalency if not already having one.



- Complete all outstanding probation obligations in full including restitution unless a free-standing order is approved by the Court. The MDC statistics show that graduates in FY 2008 paid over \$27,000 in fines and fees which went into the State of Hawai'i General Fund.

**Justification:** "The Judiciary's usual way of doing business has not been as effective as drug courts with substance using criminal offenders"

√Crime:

- The MDC has a 16% recidivism rate. This includes close to 300 graduates since the first graduation in 2001. Recidivism is defined as conviction of any other criminal offense.
- The State Attorney General's Office recently disclosed that the recidivism rate for those on probation or parole has been more than 50%.
- Based upon the above comparison, the Judiciary's usual way of doing business is not as effective as drug courts.

√Rehabilitation:

- MDC has a completion rate of 60%, individuals receive on average treatment for 546 days.
- Nationally, the rate of completion of outpatient substance abuse treatment is 36% with individuals receiving an average rate of 46 days of treatment (SAMSHA, *Treatment Episode Data Set [TEDS 2005] Discharges from Substance Abuse Treatment Services*).
- Based upon the above comparison, the usual way of sending individuals to treatment is not as effective as drug courts.

√Cost effectiveness:

- Drug courts cost about one-fifth of the amount of keeping an individual in-custody. Incarceration costs almost \$30,000/year per individual.
- The average length of drug court is less than 2 years vs. an average 5 years of probation.
- Based on the information above, the Judiciary's usual way of doing business is not as cost effective as drug courts.

√What's special about the Maui/Moloka'i Drug Court vs. other drug court programs:

- MDC is the largest drug court within the entire state of Hawai'i. The program has maintained a wait list of individuals of 80 - 110 individuals consistently, even though being the largest in the State.
- The program continues to admit individuals that are severely mentally ill, those that have failed at all other programs, and those with the greatest needs.
- Employment and higher education are stressed throughout the program. Currently, 24% of program participants are attending college. These individuals not only have increased employment opportunities but also attain higher salaries. Only payroll employment is accepted. Often, individuals find themselves working their first non-cash paying job. With these payroll positions come payment of State and Federal taxes providing funds back into our communities.
- MDC focuses not only on program participants as individuals, but as being part of a system. Currently, 100 children are parented by program participants. The program continues to have a total of 80 or more adults (not current program

participants) attending bi-monthly "Friends and Family" group sessions to attain education and support, and to decrease the occurrence of generational substance use.

- Healthy lifestyles are concentrated on including smoking cessation, attaining health insurance, and regular physical and dental check-ups so long-term health costs decrease.

The Judiciary, FB 2009-11 Program Information

Program ID:330 (JUD 1009) Program Title: Big Island Drug Court, Third Circuit (Hilo and Kona)

Department Contact: Warren Kitaoka  
Drug Court Coordinator

Phone Number: 808 938-6466

MOF  
State Funding

FTE(P): 10  
Adult  
00059743 SW VI  
00011995 SW V  
00500111 SW IV  
00500110 SW IV  
00500112 SW IV  
00500025 SW II  
00500010 Clerk III  
00059742 Clerk III  
Juvenile  
00500113 SW IV  
00500012 SW IV

FY 2009 ALLOCATION:  
\$712,515

**PROGRAM OBJECTIVE:** The mission of the Big Island Drug Court (BIDC) is to help address societal problems related to substance abuse in order to minimize their societal and economic costs, and to protect the Big Island community by providing timely and effective treatment for drug offenders with appropriate sanctions and incentives.

**LEGISLATION**

In December of 1999, Senate Concurrent Resolution No. 26, S.D. 1, requesting the Judiciary to Study the Feasibility of Establishing Drug Court on the Island of Hawaii (Big Island), was adopted. The Concurrent Resolution noted the significant increase in the number of drug courts nationwide, recognized the success of Hawaii's current drug court program, and identified an immediate need to expand Hawaii's Drug Court Program beyond the City and County of Honolulu to address drug use in other areas of the State. The Concurrent Resolution further acknowledged that establishing Drug Court on the Big Island would help to address the growing number of substance abuse cases in the county.

On January 28, 2000, the Chief Justice of the State of Hawaii, Ronald T. Moon, signed a Supreme Court Order of Appointment creating a Drug Court Coordinating Committee to assist in planning and enhancing drug courts throughout the State.

The Court was established in part to comply with Hawaii Revised Statutes 706-605.1 "The judiciary shall implement alternative programs that place, control, supervise, and treat selected defendants in lieu of a sentence of incarceration."

## OVERVIEW OF DRUG COURTS ACROSS THE NATION

Two-thirds of all adults arrested test positive for illicit drugs at arrest and the national recidivism rate for drug offenses is nearly 67%. According to SAMHSA 2007, 22.6 million Americans abuse or are dependant on alcohol and/or illicit drugs.

- 2,000 drug courts in existence or being planned across the nation. In 2005, more than 20,000 clean, sober, and law-abiding clients graduated form drug courts across the country.
- Treatment Research Institute at the University of Pennsylvania concluded that, to put it bluntly, we know that drug courts outperform virtually all other strategies that have been used with drug-involved offenders.
- Columbia University s historic analysis of drug courts concludes that drug use and criminal behavior are substantially reduced while offenders are participating in drug court.
- The U.S. Government Accountability Office (GAO) concludes after an extensive review that drug court programs substantially reduce crime by lowering re-arrest and conviction rates among drug court graduates well after program completion.

## OVERVIEW OF THE BIG ISLAND DRUG COURT

The BIDC program is unique as it provides a so-called One Stop Drug Court Concept that services adults, juveniles, and their families. BIDC implemented operations island-wide (Hilo and Kona) in October 2002 (adults) and March 2005 (juveniles). The BIDC program is a one-year minimum for both adults and juveniles which provides a continuum of comprehensive services, substance abuse treatment, and intensive judicial supervision. The BIDC adult program services a hundred (100) clients and the juvenile program services sixteen (16) clients island wide.

Both BIDC adult and juvenile programs maintain the Core Goal of the Judiciary regarding quick disposition of criminal cases and immediate sanctions or warrants are issued for public safety concerns. Presently, both BIDC adult and juvenile programs handle the most serious cases from both Circuit Court and Family Court judges. The majority of the adult referrals from Circuit Court judges are cases where a defendant's probation is being revoked and the defendant is given a so called last chance to turn their life around or be sent to prison. The Family Court judges also refer juveniles who are in need of more intensive judicial supervision, in secured detention facilities, or are facing commitments to these facilities (DH or HYCF).

## PERFORMANCE MEASURES

All adult and juvenile graduates have to obtained a CB, GED or high school diploma; establish stable living for 10-12 months; employed 3-5 months; paid off all fines, fees, and restitution; and are clean and sober.

### Program Outcomes:

- Adult clients graduated: 85
- Recidivism rate for adult graduates: 7.06%
- Juvenile clients graduated: 10
- Recidivism rate for juvenile graduates: 0%
- Drug free babies: 9

## COST SAVINGS AND REVENUES

- Unlike the national average of 50-60% recidivism rate for other criminal justice supervision programs, the BIDC program's recidivism rate of the 85 graduates is 7.06%. This is even more astonishing when you consider that the program is dealing with the most difficult offenders who are either facing a prison term or given a so-called last chance. This saves the State of Hawaii the high cost of imprisonment.
- Restitution and fines paid by clients: Over \$150,000

## JUSTIFICATION

Substance abuse continues to be a problem nationally and statewide. Research indicates that drug courts outperform virtually all other strategies that have been used with drug-involved offenders by the criminal justice system. Furthermore, the benefits of drug court programs are astounding in terms of saving money, reducing crime, and producing recovering tax-paying citizens. With over 2,000 drug courts nationwide, states are looking to ensure that drug courts exist as a hallmark of the criminal justice system rather than looking to eliminate them.

## ATTACHMENT 1 THIRD CIRCUIT DRUG COURT COMMUNITY SUPPORT

The B IDC program has a very active Friends of Big Island Drug Court (501c3 non-profit organization) which assists both adult and juvenile clients with financial loans and grants to assist with housing/rent payments, tools for employment, tuition, essential clothing, airfare for travel for emergencies, and incentives for the clients. Due to the B IDC success, the Friends has received funds from various community organizations and private individuals, and the County Council approved a grant from the County of Hawaii.

Due to the support of the community, the clients and alumnus of the B IDC program has been willing to give back to the community. B IDC program clients have performed community service projects such as cleaning and repainting of rural courthouses in the Puna and Kohala District, Kawaihae Homeless Shelter Project, Hawaii Island Food Bank collection, and assisting the PTSA of Konawaena High School with painting of the library.

### ACCOMPLISHMENT

1. Employment: B IDC clients have been awarded Employee of the Week, Month and Quarter, and also been promoted to supervisors and managers with local as well as nationally recognized business establishments.
2. Education: A B IDC client is a member of the Phi Theta Kappa, the National Honor Society of 2 year colleges for her outstanding academic recognition. Other B IDC clients have earned Honor Roll status at the community college and college level.
3. National Representation: A B IDC juvenile client was selected to represent that State of Hawaii at Washington D.C. for a National Network For Youth Symposium. The client did so well at the symposium that the congressional delegation that attended the symposium awarded her a Proclamation for her achievement and representation
4. State Award: A B IDC juvenile client was a Honorable Mention selection for the 2008 Hawaii Spirit of Youth Award who has made great strides despite involvement with the juvenile justice system. This award acknowledges an individual who exemplifies the importance of the rehabilitative focus of the juvenile system, as well as the power of personal achievement.

### STATEMENT OF GRADUATES:

- From the moment I step into drug court, I knew it would change my life forever. Staff was sincere and wanted me to succeed but they wouldn't do it for me. I got sanctioned along the way, but that didn't make me want to go back to drugs.
- Drug Court saved me. I would have been in prison. I was like rock bottom. Now I'm on top.
- I'm just happy that there's drug court cause it's a positive thing. They're not there to catch you using drugs. They're here to help you.
- Drug Court not only kept me off drugs and alcohol, it rebuilt my life. If not, I'd be locked up, no job, no kids, no family.
- Drug Court is a good thing and changed my life. If I wasn't in Drug Court, I'd be still using and not have my life together and my family.

The Judiciary, FB 2009-11 Program Justification

Program ID 350

Program Title: Kaua'i Drug Court

Department Contact: Alton Amimoto

Phone: 808-651-4502, 808-482-2365

Mission Objective: The mission of the Kaua'i Drug Court is to divert non-violent substance abusing offenders to treatment and rehabilitation as an alternative to incarceration by providing a cost effective system that keeps substance abusing offenders productive and reduces recidivism while involving the community in the process.

Program Budget:

MOF	FTE (P)	FTE (T)	FY 09 Allocation
State Funds	Six	None	\$611,952
	5978 SW VI		
	500198 SW IV		
	500199 SW IV		
	59749 SW IV		
	500033 CSAC		
	59750 Clerk II		

Statute/Constitution: The Kaua'i Drug Court was established in 2004 to comply with Hawaii Revised Statutes 706-605.1 "The judiciary shall implement alternative programs that place, control, supervise and treat selected defendants in lieu of a sentence of incarceration."

Performance Measures: All Drug Courts have participated in data collection and analysis, this material is available upon request.

Facts of the Kaua'i Drug Court:

- We have had 61 adult graduates. Of these 61, one has been re-convicted of a felony drug offense. We have had five juvenile clients graduate. None of the juveniles have been arrested for any felony level drug offense.
- Currently, we have 51 adult clients, with about four undergoing evaluation for program consideration. We have four juvenile clients.
- We have had at least four children born of parents while in the program, and have clients that are pregnant and/or have children.
- Each client that is not incarcerated (50+) saves about \$100 per day in prison expenses. So roughly, Drug Court saves \$5,000 per day in imprisonment costs. Every successful graduate saves the state untold thousands of dollars.
- If Drug Court were to be cut, our client population would be transferred to regular probation or incarcerated at a state facility. Both probation and jail are overcrowded.
- Additional information, clarification and references can be supplied if needed. Please contact program coordinator Alton G. Amimoto at (808) 651-4502 or at [Alton.G.Amimoto@courts.state.hi.us](mailto:Alton.G.Amimoto@courts.state.hi.us).

## The Judiciary, FB 2009-11 Program Justification

Program ID: 310  
Dept. Contact: Joel A. Tamayo

Program Title: Juvenile Drug Court  
Phone No: 534-6588

Mission or Program Objective: To channel non-violent, adjudicated minors in the juvenile justice system who would otherwise be incarcerated in Hawaii's correctional system, into a comprehensive and integrated range of judicial and treatment service.

### Program Budget

MOF	FTE(P)	FTE(T)	FY09 Allocation
State Funds	00500044 SW VI	05305 JC I	\$899,212
	00059656 SW V	05306 JC1	
	00500046 SW IV		
	00500047 SW IV		
	00500048 SW IV		
	00500049 SW IV		
	00500050 SW IV		
	00500051 SW IV		

Statute/Constitution: HRS 706-605.1 "The judiciary shall implement alternative programs that place, control, supervise and treat selected defendants in lieu of a sentence of incarceration."

### Performance Measures:

- In a three year study (from July 2005 to June 2008), a recidivism rate of 16.7% has been documented for minors who graduated from the JDC program. A success rate of 83.3% is recorded.
- In a three year study (from July 2005 to June 2008), a recidivism rate of 33.33% has been documented for minors who were terminated from the JDC program. This is still a success rate of 66.67% who has not posted new convictions even after termination from the program!
- Since the inception of the JDC program on August 2001, a recidivism rate of 16% has been documented. That's a success rate of 84%!
- At the time of screening, almost all of the minors are neither in school or employed. All those screened need their High School Diploma or GED.
- At the time of graduation, 100% of them are either in school, in college or employed or has earned their high school diploma, GED, or CBase, or employed.

JUSTIFICATION: Success rates for JDC graduates are high, recidivism is low. Success rates for minors who were terminated from JDC appears high and recidivism rate is low (66.67% post no new convictions). It is apparent that they kept the positive skills they learned in the JDC program and used these skills even after termination from the program. The cost to put one minor in the JDC program is \$41 per day. The cost of



sending one minor to HYCF would be significantly higher although no daily cost for HYCF is available at this time. Therefore, a significant cost savings per client accrues to the state as a result of this program.

Since 2001, the Juvenile Drug Court Program provides early and consistent intervention for non-violent juvenile status offender and law violators who are drug abusers and diverts the juvenile from further involvement with the criminal justice system through a unique collaboration of judicial involvement and comprehensive treatment interventions.

Juvenile Drug Court is different and unique from other programs in a way that it combines both treatment and judicial services. The Juvenile Drug Court enables minors to pursue intensive judicial supervision and rehabilitation obtained during adjudication of status offenses and/or law violations. The drug court provides an invaluable alternative to lengthy court trials and incarceration of drug offenders, offers treatment that will prevent continued abuse and also serves as an example of the benefits of cooperation between government entities and the community in addressing a complex and vexing problem. JDC fosters and supports the integrity and collaboration of treatment and judicial services.

The aim of the Drug Court is to enhance the effectiveness of Hawaii's juvenile justice system and its substance abuse service delivery system and treatment through: 1) early intervention and increased diversion from incarceration to Hawaii Youth Correctional Facility and/or the adult prison system; 2) individualized assessment of drug problem; 3) increased access to continuum of drug treatment options – from routing urine testing to residential treatment and aftercare; and 4) judicial tracking and increased judicial involvement in monitoring treatment participation with the use of incentives for compliance and graduated sanctions for noncompliance.

- In a three year study (from July 2005 to June 2008); a recidivism rate of 16.7% has been documented for those who graduated. This is an 83.3% success rate.
- In a three year study (from July 2005 to June 2008); a recidivism rate of 33.33% has been documented for who were terminated from the JDC program. This is a success rate of 66.67% who has not posted new convictions even after termination from the program!
- Since the inception of the JDC program on August 2001, a recidivism rate of 16% has been documented. That's a success rate of 84%!
- Services provided by the Juvenile Drug Court program cost the state \$41 per day per minor, much less than if they were at HYCF.
- Currently, the JDC program has 20 minors who have been sentenced to HYCF via a stayed mittimus or who were incarcerated prior to entering the JDC program.

The JDC provides opportunities to juvenile offenders who abuse alcohol and other drugs to be treated in the community with minimal cost, decreasing the need for

incarceration. Successful intervention by the JDC is expected to have long term effects on prison overcrowding, probation and parole workloads, and case flow through the judicial system. The juvenile justice system also benefits. For the courts, there is the potential of earlier disposition of cases and fewer cases reaching trial status. For the correctional facility, fewer individuals will require detention or incarceration. Costs for these institutions are reduced and space can be used for those who truly require long term incarceration.

Cutting the JDC program may possibly transfer the cost to the core programs of Family Court – Intake and Probation Unit and Person In Need of Supervision Unit. With the possibility of a program cut, the minors will be transferred back to these core units. With this transfer back to the core units the integrity of the judicial services will be compromised. This will include an increase in the court calendar, an increase in the probation officer's caseload, and possible burden to the detention and prison facilities due to the high number of minors waiting for treatment placement in the community. This will also put a strain on the detention facility which would increase the cost to supervise the minors by increasing manpower and/or overtime pay. The detention facility would also lack the space to house these minors thus breaching a federal mandate to house minors in a suitable setting. Appropriate placement to the community resources may take a minimum of 2 weeks to be placed and possibly up to 2 months.

Immediate sanctions would also be compromised. It may take two to three weeks to have a minor calendared to appear before the Judge after committing an offense. It may take longer if the minor contests such offenses, thus postponing the sanction which demises the authority of the Judge and probation officer. Significant time and resources will have been spent before action will take place for the minor. With the JDC program, instant judicial and treatment services are addressed immediately and accordingly. This saves time and money and ultimately prison and detention space.

Immediate incentives and rewards are given, too to recognize good behavior at the JDC program. The JDC program follows evidence-based and best practices to ensure the minor responds accordingly. This provides a greater chance of success and achievement. Incentives range from verbal accolades to tangible incentives like gift cards. A minor in a "regular" court calendar only appears before the judge if an offense has been committed and is never calendared to appear before the judge if good behavior arises. Recognition for good behavior is desirable to increase the minor's achievement. When this is done, the cost is immeasurable. When a child is recognized for their achievements it benefits their parent(s), the school, the courts, and ultimately the community. The JDC program benefits from using this practice.

The Judiciary, FB 2009-11 Program Justification

Program ID

Program Title: Kaua'i Drug Court Juvenile Program

Department Contact: Alton Amimoto

Phone: 808-651-4502, 808-482-2365

Mission Objective: The purpose of the Kaua'i Drug Court Juvenile Program (KDCJP) is to reduce substance abuse and crime among juveniles, and to strengthen their 'Ohana by providing intensive judicial supervision with developmentally and culturally appropriate therapeutic interventions.

Program Budget:

MOF	FTE (P)	FTE (T)	FY 09 Allocation	
State Funds	Six	None	Payroll	\$431,952
			Other Funds	180,000

*Please note that funding for the juvenile program is incorporated in the adult budget; these are the same personnel doing both the adult and juvenile programs.*

Position Descriptions: Attached

Position Numbers:

Social Worker VI Position Number 59748

Social Worker 4 (3) Position Numbers 500198, 500199, 59749

Drug Court Certified Substance Abuse Counselor Position Number 500033

Judicial Clerk II Position Number 59750

Statute/Constitution : The Kaua'i Drug Court was established in 2004 to comply with Hawaii Revised Statutes 706-605.1(4)(a).

Performance Measures: All Drug Courts have participated in data collection and analysis, this material is available upon request.

Facts of the Kaua'i Drug Court Juvenile Program:

- We have had 5 juvenile clients graduate. None of the juveniles have been arrested for any felony level drug offense. We have 4 juvenile clients currently active.
- Frequent drug testing and intensive supervision are standard tenets of the Juvenile Program. School visits are regular, and are combined with GPS monitoring when deemed necessary.
- Working in conjunction with Family Court and the Mokihana Project (DOE, DOH), the Drug Court adds more enforcement into the treatment regimen specified by the team. Violations of rules mandated by the team can result in eventual detention. Positive behavior results in incentives such as gift certificates and movie passes being given to the clients. The incentives are provided by a non profit group, the Friends of the Kaua'i Drug Court.
- If we were to be cut, our client population would be transferred to regular probation, or incarcerated at a state facility, or set free.
- Additional information, clarification and references can be supplied if needed. Please contact program coordinator Alton G. Amimoto at (808) 651-4502 or at [Alton.G.Amimoto@courts.state.hi.us](mailto:Alton.G.Amimoto@courts.state.hi.us).

The Judiciary, FB 2009-11 Program Justification

Program ID: 310

Program Title: Juvenile Sex  
Offenders Unit  
Phone No.: 539-4473

Dept. Contact: Russell Ho

Mission or Program Objective:

To ensure that sexually abusive youth are supervised and receive sex offender treatment to prevent future recidivism

MOF	FTE(P) 6	FTE(T)	FY09 Allocation
State General Funds	500201 SW V		\$385,888
	500202 SW IV		
	500203 SW IV		
	500204 SW IV		
	500205 SW IV		
	500206 SW IV		

Statute/Constitution: None

Performance Measures: None

JUSTIFICATION:

Scenes of explicit sexuality in theaters, television shows, and on the internet result in youth that sexually act out because they believe that these are behaviors and attitudes that are accepted in society. Youthful offenders that have gone untreated have become adult offenders that continue to prey on other victims in the community.

In the year 2000, juvenile sex related crimes appeared to be on the rise. This new area of dealing with sex offenders was a relatively new focus of concern and there was limited national literature on the dealing with these offenders in the juvenile arena. Two probation officers were assigned to begin work on these specific types of cases and to establish specific procedures to deal with sex offender cases in our court system. Their function would be to process these cases thru the Family Court judicial system, and to assess and evaluate the risks and needs for treatment of this population of juvenile sex offenders on Oahu. Research has indicated that juvenile offenders may be more responsive to treatment due to their emerging development, and they would benefit from the involvement of parents, care givers, and family members.

All the youth that have been referred for sex offenses participate in a clinical assessment. If deemed necessary, they are further involved in a psychosexual assessment to determine their risk of re-offending and/or whether they can be safely integrated into the community for treatment or if they require residential treatment. As a result, 80% have been determined to be in need of out-patient counseling and are supervised and treated in the community at a lower cost to the state.

Minors that are at risk and not amenable to services are sometimes committed to the Hawaii Youth Correctional Facility. To maintain these youths at the facility, the cost factor is approximately \$227 a day/\$18,000 annually. For youths that need residential treatment, Hawaii

utilizes two treatment facilities in this state: 1) Benchmark (locked residential treatment program) which has 10 beds at the cost of \$18,000 per juvenile (Note: This program is used by all juvenile circuits in the state and is always at capacity for the 10 month/24 month treatment.), and 2) Catholic Charities E Hou Hou Program (unlocked residential treatment program) which maintains 5 beds at a cost of \$15,000 per juvenile.

In 2004, a permanent unit was established to handle juvenile sex offenders. Two dedicated Family Court Judges and the specialized probation officers ensure compliance with therapeutic requirements and the evaluations have assisted the court to identify appropriate types and levels of care for this population. Juvenile Sex Offender cases are complex. Many times, the victims could be siblings, cousins, relatives, neighbors, or friends. Our statistics indicate that 50% of all our victims were 12 years-old and younger. Damage to these family dynamics are sometimes irreparable due to the family member victimization. Probation Officers not only try to assess and provide treatment to the offender, but are also involved with the family, neighbors, prosecutors, public defenders, outreach counselors in protecting the interests of the victim.

Probation Officer's work specifically with these cases and their families for a possible return after treatment to their home with an approved safety plan that ensures the protection of the victim, as well as the community. Presently, the four probation officers average 27 cases to supervise. Of the total, 14 cases are in residential placement.

**Geographic Composition (Since 2000):**

Gender:        Male - 267     Female - 6                    Total: 273 Juvenile Sex Offenders

**Residence of offender**

Central	Honolulu	Leeward	Windward	Total
49 (18 %)	66 (24 %)	123 (45 %)	35 (13 %)	273 (100 %)

**Age of offender**

10	11	12	13	14	15	16	17	Total
3 (1 %)	16 (6 %)	14 (5 %)	45 (16 %)	58 (21 %)	59 (23 %)	51 (18 %)	27 (10 %)	273 (100 %)

Based on the above, we would recommend the continuation of servicing cases with juvenile sex offenders. The specialized unit focuses on this special population but is not limited to only the offender. Safety of the community and the victim is always a standard that is considered when handling all cases.

Intensive supervision has proven successful in the development of the unit. 260 cases have been handled since 2000 with a 5% recidivism rate. This success rate rated favorably compared to the national norm which exceeded this number.

The Judiciary, FB 2009-2011 Program Justification

Program ID: Jud 310

Program Title: Probation Modification Project or  
Hawaii's Opportunity Probation with Enforcement  
(HOPE)

Department Contact: Janice Yamada

Phone #: 539-4527

Mission or Program Objective: HOPE offers an alternative to incarceration through swift and certain sanctions for probation noncompliance and effectively reduces the filings of Motions to Revoke Probation with underlying prison terms of up to 20 years. Support staff composed of probation officers, social service aides and part-time research aides have enabled the application of evidence based practices; random urinalysis testing; and the ongoing capacity to evaluate effectiveness. HOPE is applied to the highest risk of offender categories: sex offenders, domestic violence offenders, and high risk offenders who are failing on probation.

Program Budget:

MOF: Legislative appropriated funds

FTE (T): Position #: 500286 (Social Worker IV)  
Position #: 500287 (Social Worker IV)  
Position #: 500288 (Social Worker IV)  
Position #: 500289 (Social Worker IV)  
Position #: 500283 (Social Service Assistant IV)  
Position #: 500284 (Social Service Assistant IV)  
Position #: 500285 (Social Service Assistant IV)

PTE (T): Position #: 500297 (Research Aid)  
Position #: 500298 (Research Aid)  
Position #: 500297 (Research Aid)  
Position #: 500297 (Research Aid)

FY09 Allocation: \$1,245,118.00

Statute/Constitution: HRS 706-605.1 "The judiciary shall implement alternative programs that place, control, supervise and treat selected defendants in lieu of a sentence of incarceration."  
Act 120, Session Laws of Hawaii, 2006 – provides line item funding for this program

Performance Measures: Number of Clients in Program  
Number of Appointments Per Client  
Number of Appointments Missed  
Percent of Appointments Missed  
Missed Appointment Change Rate  
Number of Urinalysis Scheduled per Client  
Number of Positive Urinalysis  
Percent of Positive Urinalysis  
Positive Urinalysis Rate Change

Justification:

Hawaii's Opportunity Probation with Enforcement (HOPE) has received national attention because it is an innovative way to keep the highest risk probationers (sex offenders, domestic violence offenders and high risk drug offenders) compliant with the terms and conditions of their probation. More importantly, HOPE has provided an effective alternative to costly incarceration through swift and certain sanctions for probation noncompliance and has effectively reduced the filings of Motions to Revoke Probation which could result in prison terms of up to 20 years. The cost savings to have a convicted individual supervised on HOPE probation as opposed to placement in prison is significant. In Hawaii, the average cost to supervise an individual on probation is \$1.82 per day while Public Safety expends \$126.00 per day to maintain someone in prison and provide institutional programming.

Preliminary data from a HOPE study being done by researchers at Pepperdine University and the University of California, Los Angeles (UCLA) show new arrests for probationers in the control group to be 110% higher than the HOPE group. It appears that probationers monitored on the HOPE program have many fewer new arrests resulting in extremely high cost savings for the State of Hawaii.

Public safety is a major issue in Hawaii and we are always striving to have our probationers become productive and responsible citizens. Since HOPE began in 2004, as a pilot project initiated by Judge Steven Alm, 1,648 probationers have gone through the program and 1,369 are currently active (see Attachment A). All probationers are given a warning hearing where they are told what is expected of them and the consequences of non-compliance. If a probationer misses an appointment, has a positive drug test, or fails to attend treatment, he/she faces a bench warrant, immediate arrest, and a court hearing within 48 hours. At the court hearing, he/she is usually given a short jail term as a swift and certain consequence. Those individuals who are employed are initially given weekend jail terms so they do not miss work. All HOPE clients have random drug testing and must call in to a hotline on a daily basis to learn if they need to provide a urine sample. This is a plus for employers to know that their employees are going to work drug free which in the long term will save them time and money.

Previous probation practices of addressing numerous violations in a revocation hearing were ineffective and did not significantly impact behavior changes. In a 42 month HOPE study done by the State of Hawaii Attorney General's Office of the High Intensity cases, the process of pairing the violation with an immediate consequence through a Motion to Modify showed a 92.1% reduction in missed appointments and a 96.1% reduction in positive drug tests. By contrast, the control group, composed of non-HOPE offenders, had only a 14.3% reduction in missed appointments and no change in positive urinalysis (see Attachment B). Attachment C shows that the HOPE High Intensity cases combined with the Domestic Violence cases showed a missed appointment reduction of 92.1% and a 96.1% reduction in positive drug tests.

These positive results suggest an increased effectiveness and accountability of the probation system. HOPE probation staff work more closely with their offenders using motivational interviewing and cognitive behavioral therapy to effect offender change.

By staying sober, working with their probation officer, and attending treatment, HOPE Probationers have a better chance to change their thinking and attitudes and thus promote long term change.

## HOPE Probation Study Groups "Hawaii's Opportunity Probation with Enforcement"

Source: Crime Prevention & Justice Assistance Division, Department of the Attorney General, State of Hawaii

Judge	High Intensity (HI)		Domestic Violence (DV)		Regular Probation		Pending WH Verification	TOTAL	
	Active	Closed	Active	Closed	Active	Closed	ALL	Active	Closed
Judge Ahn	58	24	7	0	40	5	0	105	29
Judge Alm	384	110	57	8	123	11	2	564	129
Judge Border*	1	0	111	14	0	0	1	112	14
Judge Chan	69	17	2	1	17	1	0	88	19
Judge Lee	91	20	8	1	43	6	0	142	27
Judge Nishimura*	5	0	50	23	0	0	1	55	23
Judge Pollack	180	19	21	0	16	4	0	217	23
Judge Town	2	1	1	0	2	0	0	5	1
Judge Wilson	39	7	3	1	39	6	0	81	14
<b>TOTAL</b>	<b>829</b>	<b>198</b>	<b>260</b>	<b>48</b>	<b>280</b>	<b>33</b>	<b>4</b>	<b>1,369</b>	<b>279</b>
							<b>District Court Cases</b>	<b>167</b>	<b>37</b>

\*Circuit Court Judge w/ District Court Cases

Control Groups	Active	Closed	TOTAL
High Intensity (HI)	6	72	78
Regular Probation	137	25	162

Maui Probation	Active	Closed	TOTAL
HOPE Cases	102	0	102

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# HOPE Probation

## PO Appointments & Urinalyses, High Intensity Cases: Study Group vs. Control Group

Source: Crime Prevention & Justice Assistance Division, Department of the Attorney General, State of Hawaii

PO Appointments	Study Group							Control Group						
	# Clients	# Appts Sched	# Appts per Client	# Appts Missed	% Appts Missed	% Missed (Pre-Study Baseline)	Missed Appt Rate Change	Missed Appt Rate Change	% Missed (Pre-Study Baseline)	% Appts Missed	# Appts Missed	# Appts per Client	# Appts Sched	# Clients
6 Months	506	11,863	23.4	218	1.8	12.2	-85.0%	22.5%	7.1	8.7	80	13.3	915	69
12 Months	318	11,048	34.7	150	1.4	11.0	-87.6%	2.4%	5.8	5.9	79	24.6	1,330	54
18 Months	78	3,631	46.6	46	1.3	12.0	-89.5%	12.0%	5.3	6.0	93	35.5	1,561	44
24 Months	26	1,322	50.8	17	1.3	5.0	-74.5%	38.6%	4.5	6.3	81	44.6	1,293	29
30 Months	12	700	58.3	3	0.4	4.3	-90.0%	-0.7%	10.5	10.5	23	36.7	220	6
36 Months	8	457	57.1	1	0.2	3.6	-94.0%	-52.0%	22.2	10.7	13	40.7	122	3
42 Months	5	340	68.0	1	0.3	3.7	-92.1%	-14.3%	7.7	6.6	6	45.5	91	2
Urinalyses	# Clients	# UAs Sched	# UAs per Client	# Pos UAs	% Pos UAs	% Positive (Pre-Study Baseline)	Positive UA Rate Change	Positive UA Rate Change	% Positive (Pre-Study Baseline)	% Pos UAs	# Pos UAs	# UAs per Client	# UAs Sched	# Clients
6 Months	506	6,755	13.3	311	4.6	46.5	-90.1%	-3.9%	27.5	26.4	56	3.1	212	69
12 Months	318	6,315	19.9	229	3.6	41.1	-91.2%	-29.1%	27.9	19.8	64	6.0	324	54
18 Months	78	2,371	30.4	62	2.6	31.1	-91.6%	-31.8%	29.1	19.8	79	9.0	398	44
24 Months	26	764	29.4	17	2.2	25.7	-91.3%	-40.6%	25.0	14.9	41	9.5	276	29
30 Months	12	412	34.3	5	1.2	31.3	-96.1%	100.0%	0.0	5.1	4	13.0	78	6
36 Months	8	247	30.9	4	1.6	62.5	-97.4%	0.0%	0.0	0.0	0	12.3	37	3
42 Months	5	205	41.0	4	2.0	50.0	-96.1%	0.0%	0.0	0.0	0	13.5	27	2

Abbreviations: Appts = Appointments PO = Probation Officer Pos = Positive Sched = Scheduled UAs = Urinalyses

The blue-shaded cells indicate that, as compared to their counterparts in the Control Group, Study Group clients with 42 months of project exposure were on average scheduled for 49.5% more appointments, and 203.7% more UAs. It is also important to consider that UAs are scheduled randomly for the Study Group (clients receive only a few hours' notice) but in advance for the Control Group (clients receive approximately one month's notice). This arguably lends additional weight to the dramatic reduction in the rates of positive urinalyses for the Study Group (see the red-shaded cells).

Reductions in group size as project exposure durations increase reflect the loss of clients in the Control Group (due primarily to sentence expirations and transfers to the HOPE Project) and similar losses and, in particular, additions to the Study Group. The additions account for the comparatively larger proportions of Study Group clients with shorter project exposure periods (clients have not been added to the Control Group since the start of the project).

# HOPE Probation

## PO Appointments & Urinalyses, HI & DV Study Groups Combined

Source: Crime Prevention & Justice Assistance Division, Department of the Attorney General, State of Hawaii

<b>HI &amp; DV Study Groups Combined</b>							
<b>PO Appointments</b>	<b># Clients</b>	<b># Appts Schd</b>	<b># Appts Schd per Client</b>	<b># Appts Missed</b>	<b>% Appts Missed</b>	<b>% Missed (Pre-Study Baseline)</b>	<b>Missed Appt Rate Change</b>
3 Months	745	9,860	13.2	270	2.7	13.6	-79.9%
6 Months	586	13,268	22.6	248	1.9	12.8	-85.4%
9 Months	451	13,637	30.2	225	1.6	12.0	-86.2%
12 Months	352	12,215	34.7	174	1.4	11.5	-87.6%
15 Months	260	9,980	38.4	124	1.2	10.3	-88.0%
18 Months	96	4,459	46.4	54	1.2	13.1	-90.8%
21 Months	53	2,691	50.8	30	1.1	11.4	-90.2%
24 Months	34	1,728	50.8	22	1.3	8.3	-84.6%
27 Months	22	1,279	58.1	17	1.3	8.7	-84.6%
30 Months	14	796	56.9	4	0.5	6.7	-92.5%
33 Months	9	482	53.6	1	0.2	3.6	-94.3%
36 Months	8	457	57.1	1	0.2	3.6	-94.0%
39 Months	7	438	62.6	1	0.2	3.9	-94.2%
42 Months	5	340	68.0	1	0.3	3.7	-92.1%
<b>Urinalyses</b>	<b># Clients</b>	<b># UAs Schd</b>	<b># UAs Schd per Client</b>	<b># Pos UAs</b>	<b>% Pos UAs</b>	<b>% Pos (Pre-Study Baseline)</b>	<b>Positive UA Rate Change</b>
3 Months	745	5,496	7.4	375	6.8	51.3	-86.7%
6 Months	586	7,603	13.0	339	4.5	48.4	-90.8%
9 Months	451	7,886	17.5	311	3.9	47.2	-91.6%
12 Months	352	7,049	20.0	249	3.5	42.8	-91.7%
15 Months	260	5,848	22.5	182	3.1	37.8	-91.8%
18 Months	96	2,923	30.4	77	2.6	35.2	-92.5%
21 Months	53	1,696	32.0	43	2.5	38.4	-93.4%
24 Months	34	1,046	30.8	25	2.4	40.0	-94.0%
27 Months	22	772	35.1	21	2.7	37.0	-92.7%
30 Months	14	489	34.9	8	1.6	31.3	-94.8%
33 Months	9	246	27.3	4	1.6	62.5	-97.4%
36 Months	8	247	30.9	4	1.6	62.5	-97.4%
39 Months	7	238	34.0	4	1.7	50.0	-96.6%
42 Months	5	205	41.0	4	2.0	50.0	-96.1%

**Abbreviations: Appts = Appointments PO = Probation Officer Pos = Positive  
Schd = Scheduled UAs = Urinalyses**

*Reductions in group size as project exposure durations increases reflect ongoing individual additions to the study group.  
The additions account for the comparatively larger portions of clients with shorter project exposure periods.*

## The Judiciary, FB 2009-11 Program Justification

**Program ID:**

**Program Title:** Human Resources  
Department/Judicial  
Education Office

**Dept. Contact:** Sharen Tokura/  
Dawn Nagatani

**Phone No.:** (808) 539-4340

**Mission or Program Objective:**

Coordinate continuing legal education programs for judges and administer a statewide training and development program for Judiciary personnel.

**Program Budget**

MOF	FTE(P)	FTE(T)	FY09 Allocation
General Funds (A)	3.0 (#59495, EM 03) (#59496, SR 24) (#59296, SR 14)	0.0	\$176,089
General Funds (B)*			\$106,950
General Funds (B)**			\$ 35,000
<b>TOTAL</b>			<b>\$318,039</b>

\*Hawaii State Benchbook expenses

\*\*Conference/Symposium expenses

**Statute/Constitution:** Not applicable.

**Performance Measures:** (July 2007 – November 2008)

- Coordinated semi-annual judicial conferences, symposia, and specialized training sessions for 130 full-time and per diem judges (12 separate sessions).
- Designed four new staff education programs and presented 31 sessions attended by over 600 employees.
- Administered two federal highway safety grants for judges to attend out-of-state continuing education seminars, totaling approximately \$28,000.
- Released annual updates for each chapter of the Hawaii State Benchbook.

**JUSTIFICATION:**

- Administers a statewide continuing legal education program for eighty (80) full-time judges and fifty (50) per diem judges; administers a statewide training and development program for approximately two thousand (2,000) Judiciary employees.

- The community expects judges to quickly absorb and analyze information, to impartially apply the law, and to efficiently administer justice.
  - Judicial education programs help judges maintain these high standards by providing information about newly revised laws and trends in criminal, civil, and family law. They also afford judges opportunities to share experiences, techniques and courtroom practices.
  - Failure to provide continuing legal education services may affect the ability of judges to keep abreast of revised laws, sentencing/treatment options, and innovative courtroom practices that may reduce recidivism and better serve the public than traditional case management and adjudication methods.
- In-house judicial education programs provide cost savings by allowing a greater number of judges to attend multiple programs annually.
  - Failure to provide in-state training would necessitate judges traveling outside Hawaii to receive continuing legal education. Not including grant/scholarship subsidized travel, the Judiciary expended approximately \$41,000 for 22 judges to each attend one out-of-state education program in 2007.
  - In contrast, **all state judges** (including per diem judges) were offered **multiple in-state judicial education programs** at an approximate annual cost of \$35,000 for the conferences/symposia and an additional cost of \$83,000 for related expenditures (travel costs for neighbor island judges, per diem judge substitution, etc.).
- The JEO is the sole source of editorial and technical support for the Hawaii State Benchbook (HSB). The HSB allows judges to obtain immediate and practical guidance on how to proceed in certain courtroom situations. Failure to update the HSB may lead to decreased uniformity on the bench statewide in criminal and civil procedural matters, as well as reduced efficiency in the courtroom. Court users may experience delays in case adjudication as judges recess to research pertinent legal issues.
- Curricula are designed to assist Judiciary personnel in developing the skills and knowledge needed to effectively perform their job duties, and ensure that the courts employ competent, technologically literate, professional personnel.
  - Staff education programs provide court personnel with substantive and procedural knowledge specific to their job duties, including instruction in relevant legal terminology, concepts, and court procedures. They also provide opportunities to enhance supervisory, relational, and leadership skills in professional contexts to foster positive working environments, and develop in-house competencies for succession and career enhancement purposes.
  - Failure to provide adequate in-house training and development opportunities for court and administrative staff may result in court document processing delays, decreased efficiency, and reduced customer service.

## The Judiciary, FB 2009-11 Program Justification

**Program ID:** JUD 601

**Program Title:** Judiciary History Center

**Dept. Contact:** Matt Mattice

**Phone No.:** 539-4998

**Mission:** The King Kamehameha V Judiciary History Center is an educational institution created to inform and provide learning opportunities about the judicial process and Hawaii's legal history. As the largest provider of civic education to public and private schools in the state, the Center promotes public awareness and understanding of the courts by operating a legal history museum, preserving important court-related documents, and providing civic education to students, teachers, the general public, and tourists. No other organization in the state provides the civic education services, including three national curriculum programs, provided by the center.

**Program Budget:**

**MOF:** General Fund

**FTE(P):** 4

**FY09 Allocation:** \$243,773

**Statute:** Chief Justice William S. Richardson, concerned about the public's lack of civic knowledge, spearheaded the effort to create The Judiciary History Center to help citizens understand today's system of law.

The Center was established, pursuant to HRS chapter 6F, in 1990 to provide a "permanent institution with a professional staff, essentially educational in purpose ..." The Center was established in keeping with the legislature's recognition of "the importance of our judicial heritage as part of the historic and cultural heritage of the state." The legislature further recognized the need to "promote the educational, historical, and cultural interests of [our people] through an educational facility presenting the unique historical background of the Judiciary through exhibits and other activities."

Per HRS §6F-5, the Center's responsibilities include providing educational services to Hawaii's schools, conducting research in judicial history, and providing assistance to other public and private agencies involved in developing programs relating to the Judiciary.

**Performance Measures:** In FY 2008, over 34,000 visitors toured the Center, including 10,396 students. The Center was awarded approximately \$76,000 in federal funds to provide civic education programs and training to Hawaii's schools. Thirteen days of teacher training were provided to public and private school teachers free of charge. Hawaii's schools received 2,400 textbooks valued at \$41,696, also free of charge. A record 150 students participated in the *We the People* state tournament, a civic education program examining the U.S. Constitution and the Bill of Rights, and sixteen high schools competed in the Hawai'i State Mock Trial Tournament. Legal research resulted in the production of a short film documenting Martial law during WWII and its impact on Hawaii's youth. The first of two volumes of probate records from Kaua'i, dating 1853-1861, was translated from Hawaiian to English (constituting the 16<sup>th</sup> Hawaiian Kingdom court minute books so translated.)

**Justification:** According to the 2006 National Center for Education Statistics, only 22% of eighth graders and 27% of twelfth graders scored at the proficient level in Civics Assessment. A recent report by the Intercollegiate Studies Institute shows 71% adults tested on civic literacy failed. Compared to earlier generations of Americans, today's youth are less interested in public issues and feel alienated from formal politics. Young people are less likely to vote than older generations were at the same point in their lives.

The Judiciary History Center provides a crucial and unique role in providing civic education through a variety of programs. These programs demystify Hawaii's unique legal history and link the past to contemporary issues. The majority of the Center's civic education programs are federally funded, enabling the Judiciary to provide standards-based teacher training and textbooks to Hawaii's public and private schools at no cost to the State. The Center provides the following services:

- Free museum exhibitions and temporary exhibits.
- Free teacher workshops for public and private school teachers statewide.
- Free Professional Development Credits for public school social studies teachers.
- Free "High-Objective, Uniform State Standard Evaluation" credits for public school social studies teachers. (Used to obtain "highly qualified" certification.)
- Free textbooks for Hawaii's public and private schools.
- Films, curriculum, and publications documenting Hawaii's legal history and its relevance to contemporary Hawai'i.
- Preservation of historical court-related documents including translations of the Kingdom of Hawaii's court minute books from Hawaiian into English.
- Evening educational programs for Hawaii's visitors and the general public.
- Reference services for the researchers and the general public.
- Judiciary Speakers Bureau.

#### **Testimonials from Recent Beneficiaries of the Judiciary History Center:**

"It was very thoughtful of you guys to turn the courtroom into an education courtroom. I think that instead of learning history, we should play history. That way we have fun and have the story stuck in our heads." **Student at Kalakaua Middle School Student**

"More state courts should use the [Center] as a prototype for their own exhibits on the development of the court system." **Visitor from Seattle**

"I heard students using the language of democracy in their interactions outside of class. Students seemed more willing and able to discuss issues or problems and they seemed more confident. I enjoyed using the curriculum and I think that my students really learned about concepts and ideas they will use the rest of their lives." **Cindy Navarro-Bowman, Teacher at Honoka'a High and Intermediate School.**

## **Judiciary Program: VOLUNTEERS IN PUBLIC SERVICE (VIPS)**

The Judiciary, FB 2009-11 Program Justification

Program ID: JUD 601

Dept. Contact: Faith Matsuwaka, Program Manager (Phone: 539-4881)

### **VIPS Mission and Program Objective**

The legislature has recognized that “[t]he spirit of citizens volunteering their time and energy has been a fundamental ingredient to the birth of the democratic government.”

Through VIPS, volunteers assist and augment the services of the Judiciary to our citizenry. The VIPS Program facilitates and promotes opportunities for citizen involvement and participation within the Judiciary based on (1) Judiciary needs, and (2) the skills, talents, and interests of volunteers.

### **Program Budget:**

MOF: General Fund                      FTE(P): 4.0                      FY09 Allocation: \$185,959

### **Statutory Basis & Premises**

Hawaii Revised Statutes, Chapter 90:

Thirty years ago, the Legislature enacted Act 10, State Policy Concerning the Utilization of Volunteer Services. This law authorizes government agencies to recruit, train, and accept the services of volunteers and reimburse volunteers for expenses. In enacting Act 10, the Legislature recognized that “[v]olunteers can contribute . . . to ameliorating our social, environmental, economic, and human problems [and that the state] should “support effective and full use of volunteers.”

In enacting Act 10, the Legislature intended to “foster the continuing development of volunteer programs” based on premises that are clearly applicable to the VIPS Program at the Judiciary, particularly:

- (1) Volunteers provide an extra source of caring that cannot be evaluated in monetary or material terms;
- (2) Volunteering provides citizens with an opportunity to be responsive to and supportive of the state government.

### **VIPS Operations**

\* VIPS recruits, screens, orients, and places volunteers at the District, Circuit, Family, and Appellate Courts throughout the year in various positions.

\* Since 1971, high school and college students, unemployed/employed adults, retirees, and seniors serve in capacities such as docents, computer operators, clerical aides, probation case aides, advocates for victims of child abuse and neglect, facilitators for Kids First Program, proctors for law examinations, and other varied positions.

\* VIPS identifies needs of the Judiciary through requests from individual departments or supervisors.

\* VIPS presently provides assistance to more than 80 offices with volunteers.

\* Myriad Benefits to VIPS: 1) citizens have an opportunity to gain knowledge and involvement with the legal system; 2) the level of services to the community and Judiciary clients are enhanced; and (3) court orientations help educate students/teachers/adults about the legal system and provide an opportunity for the public to learn about court operations.

#### **Savings/Monetary Performance Measures:**

During FY 2007-2008, 610 volunteers contributed 30,000 hours, totaling \$215,000 in-kind contributions.

During the current Fiscal Year, 586 volunteers have thus far contributed 14,000 hours, totaling \$101,000 in-kind contributions.

VIPS is projected to save more than \$200,000 in salaries for in-kind contributions from volunteer services in FY 2008-2009.

#### **Non-monetary Performance Measures Germane to the Present Economic Crisis:**

As the present economic crisis worsens, and the hiring freeze continues, reliance upon VIPS may become more acute. As specified above, the Legislature clearly recognized the importance of volunteers in terms of both the benefit to those volunteering their services, and those offices who have had the benefit of volunteers.

Testimonials from Judiciary offices using VIPS support the legislature's perspective:

"[Our volunteers] perform their duties professionally so we can trust that it is done properly and accurately. . . Without them, our unit could not maintain the level of work that we put out each week - we would not be able to keep up with the pace here. They are more valuable now as we are short-handed due to the hiring freeze."

District Court, Adult/Juvenile Community Service and Restitution Unit.

"I don't know what I would do without my volunteers. They are responsible individuals who play a vital role in the office functions. Their duties are substantial and aid in our



caseload. . . . The relationship is mutual as they feel a part of this office and know their work is valuable."

--- Office of Public Guardian

"[One of our volunteers] was a college student who was valuable and extremely beneficial to the office. . . . At the same time, the volunteer himself, gained skills which would benefit him in his future social work career

--- Adult Client Services Division

"The volunteers are invaluable during the law examinations. They assist in providing the needed security during the testing and the integrity of conducting the exams."

--- Bar Examination Branch