



**January 2010
The Judiciary
FY 2010-11 Supplemental Budget**

MISSION

THE UNIFIED COURT SYSTEM OF HAWAII

- Appellate Courts
 - Supreme Court
 - Intermediate Court of Appeals
- General Jurisdiction Courts
 - Circuit Courts
 - Family Courts *
- Limited Jurisdiction Courts
 - District Courts, including Traffic Courts
 - Specialty Courts

The Judiciary is the third branch of Hawaii's State Government. It is invested by Article VI of the State Constitution with powers coequal to those of the legislative and executive branches. All of Hawaii's courts are contained within an integrated system funded by one source – the State Legislature. A central administrative office, headed by a director appointed by the Chief Justice with the approval of the Supreme Court, assists in supervising operations.

* A division of the Circuit Courts

OTHER LIMITED JURISDICTION SPECIALTY COURTS/PROGRAMS

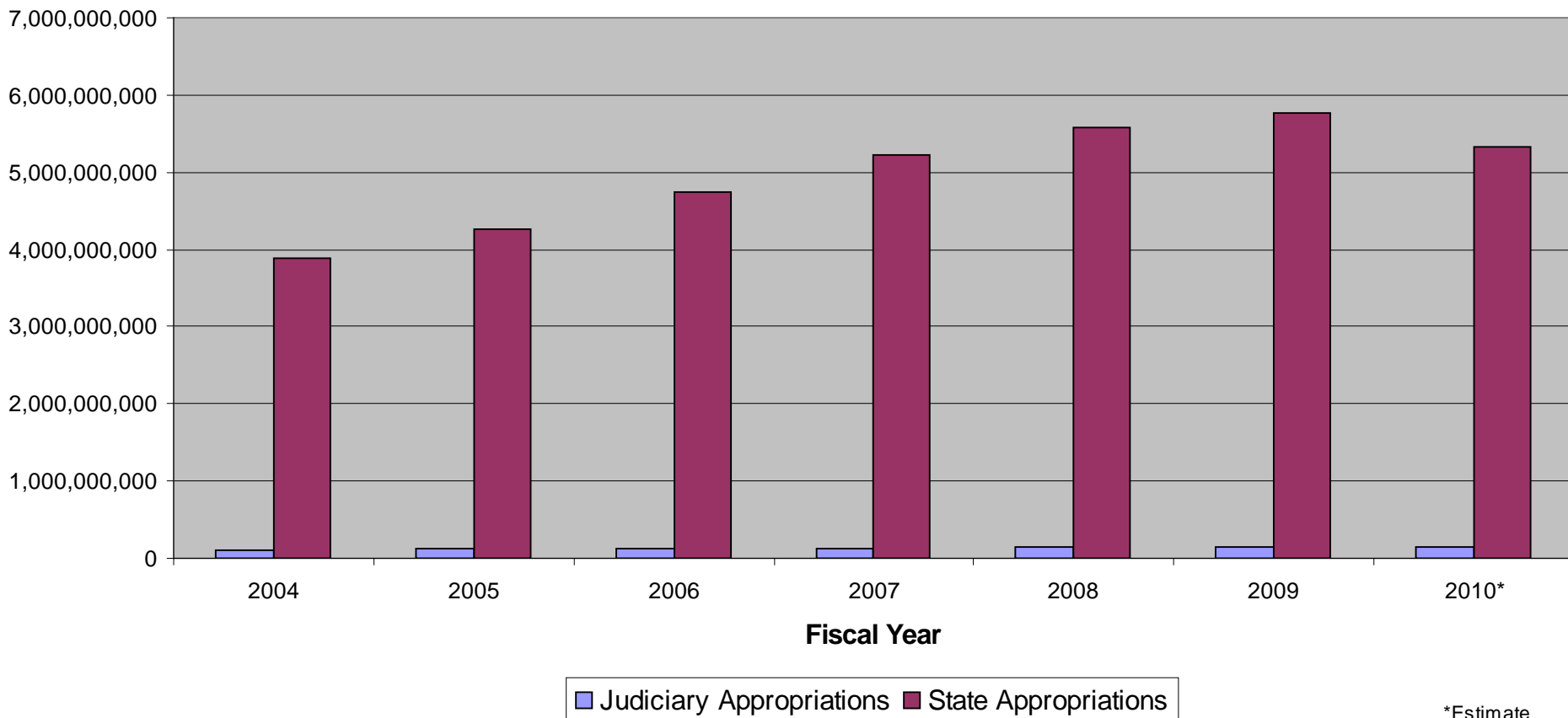
- Adult Drug Courts (4)
- Family Drug Courts (2)
- Juvenile Drug Court (1)
- Adult Mental Health Court (1)
- Girls Court (1)
- Teen Courts (2)
- Juvenile Sex Offender Unit (1)
- Project Hope (1)
- CAAP (3)

REVENUES AND CURRENT APPROPRIATION

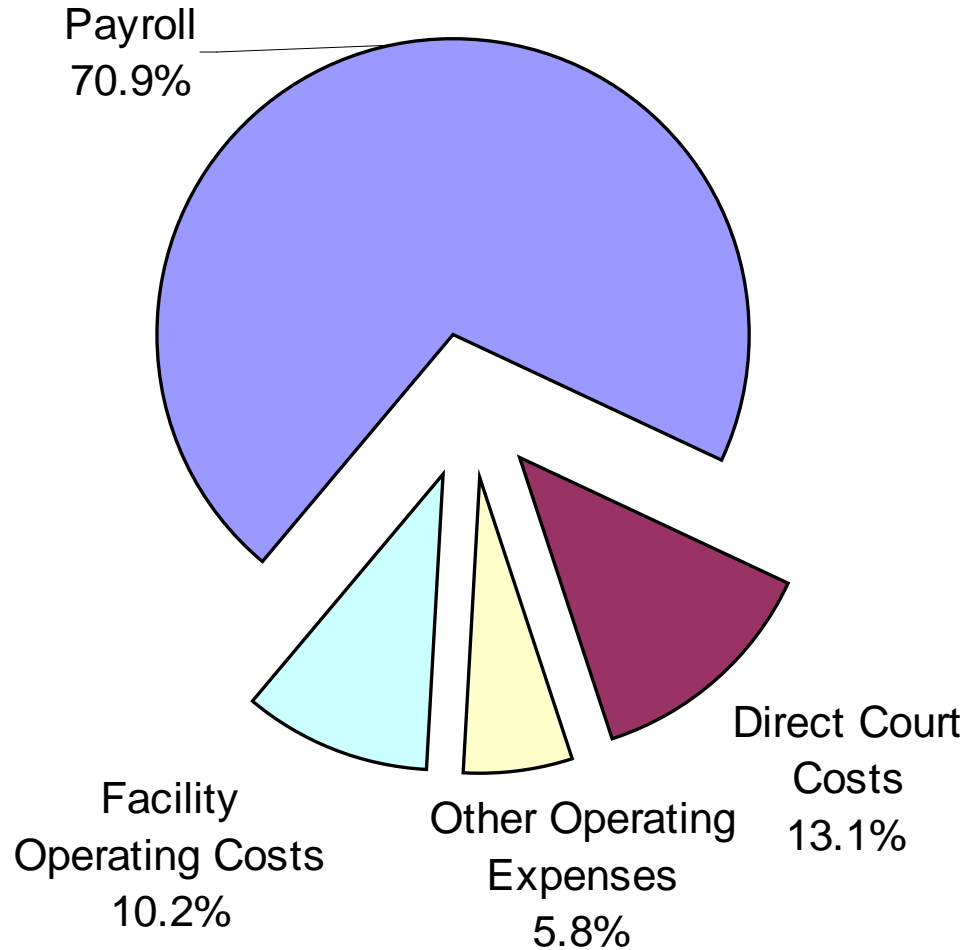
REVENUES

	<u>FY 2008</u>	<u>FY 2009</u>
General Fund		
Courts of Appeal	53,342	29,196
First Circuit	23,329,746	24,297,430
Second Circuit	4,287,181	3,930,331
Third Circuit	4,839,521	4,748,420
Fifth Circuit	1,676,275	1,675,829
Administration	<u>22,930</u>	<u>1,048,261</u>
Sub-total	34,208,995	35,729,467
Special Fund	<u>10,570,093</u>	<u>10,805,742</u>
TOTAL	<u>44,779,088</u>	<u>46,535,209</u>

Judiciary General Fund Appropriations Compared to State General Fund Appropriations



How the Judiciary's Base Appropriations are Expended FY 2010 - Total Appropriations: \$139,000,000



**FY 2011
SUPPLEMENTAL BUDGET REQUESTS**

FY 2011 SUPPLEMENTAL BUDGET REQUESTS

- General Fund – No Requests
- Probation Services Special Fund – Ceiling Increase from \$300,000 to \$425,371
- Capital Improvement Program Funds – Total \$34,467,000
 - Administrative Services Building Kapolei (\$3,050,000)
 - Ka’ahumanu Hale – Roof, Lanai, Terrace Deck Improvements (\$4,215,000)
 - Ka’ahumanu Hale – Upgrade Elevator Systems (\$312,000)
 - Kauikeaouli Hale – Cooling Tower Piping Replacement (\$340,000)
 - Lahaina and North Kahala Roof/Wall Improvements (\$300,000 each)
 - Lump Sum – Judiciary Facilities Statewide (\$25,950,000)

**CURRENT/POTENTIAL IMPACTS
OF
BUDGET REDUCTIONS/RESTRICTIONS**

CURRENT/POTENTIAL IMPACTS OF BUDGET REDUCTIONS/RESTRICTIONS

- Increased crime
- Higher recidivism
- Increased costs to the State
- Prison/juvenile facility overcrowding
- Increased risk to children/families
- Increased public safety concerns
- Scheduling problems
- Justice delayed
- Reduction in cases being assigned GAL/legal counsel
- Loss/reduction in certain types of treatment/counseling programs

IMPACTS (continued)

- Less time for supervision/monitoring, no training
- Unreasonable caseloads
- Public dissatisfaction/waiting
- Employee stress, tension, frustration, errors

DRUG COURT GRADUATES

	Adult	Juvenile	Family
Oahu	611	94	106
Maui	309	2	20
Hawaii	104	15	n/a
Kauai	74	5	n/a
Total	1,098	116	126

1,340 graduates since the first Drug Court was established in 1996.

DRUG COURT FY 2009 ACTIVE PARTICIPANTS

	Adult	Juvenile	Family
Oahu	120	50	64
Maui	106	n/a	6
Hawaii	107	11	n/a
Kauai	54	4	n/a
Total	387	65	70

522 active participants in Drug Court programs.

COST COMPARISION ADULT DRUG COURTS VS. INCARCERATION

	Active	PSD/day	PSD/Yr	Total
Oahu	120	139	50,735	\$6,088,200
Maui	106	139	50,735	\$5,377,910
Hawaii	107	139	50,735	\$5,428,645
Kauai	54	139	50,735	\$2,739,690
Total	387			\$19,634,445

Adult Drug Court Operating Costs: \$3.1 million

COST COMPARISION

JUVENILE DRUG COURTS VS. INCARCERATION

	Active	HYCF/day	HYCF/Yr	Total
Oahu	50	278	101,470	\$5,073,500
Hawaii	11	278	101,470	\$1,116,170
Kauai	4	278	101,470	\$405,880
Total	65			\$6,595,550

Juvenile Drug Court Operating Costs: About \$1 million

DRUG COURTS RECIDIVISM RATES SINCE INCEPTION*

	Adult	Juvenile	Family
Oahu	12.20%	15.00%	6.08%
Maui	16.00%	n/a	4.50%
Hawaii	6.73%	0.00%	n/a
Kauai	3.49%	0.00%	n/a

* Oahu Adult is since FY 07.

POTENTIAL EFFECT OF PROGRAM SHUTDOWNS

Juvenile Sex Offenders Unit (program allocation - \$400,000):

If the program were shut down, the cost to place the 21 active participants in HYCF would be about \$2.1 million.

Mental Health Court (program allocation - \$175,000):

If the program were shut down, the cost to place the 37 active participants into incarceration would be about \$1.9 million.

Hawaii's Opportunity Probation with Enforcement (HOPE program allocation - \$1 million):

The average cost to supervise an individual on probation is \$1.82 per day while incarceration costs \$139 per day. The cost to transfer all 1,483 active probationers to incarceration would be about \$75.2 million.

Court Annexed Arbitration Program (CAAP program allocation - \$183,000):

The 10,125 First Circuit cases terminated by award since inception of the program in 1986 would have cost about \$32 million if they had gone to 3 day civil trial with jurors (\$3,200 per case).

JUDICIARY OVERVIEW

MISSION: The mission of the Judiciary, as an independent branch of government, is to administer justice in an impartial, efficient, and accessible manner in accordance with the law. As the third branch of Hawaii's State Government, it is invested by Article VI of the State Constitution with powers coequal to those of the Legislative and Executive Branches.

Within the Judiciary, the major program categories are court operations and support services. The programs in the court operations category serve to safeguard the rights and interests of persons by assuring an equitable and expeditious judicial process. These include the Courts of Appeal (JUD 101); and the First, Second, Third, and Fifth Circuits (JUD 310, 320, 330, and 350, respectively). Programs in the support services category enhance the effectiveness and efficiency of the judicial system by providing the various courts with administrative services such as fiscal control and direction of operations and personnel, and fall under the title of Administration (JUD 601). Within Administration are the Offices of the Administrative and Deputy Administrative Director of the Courts, and four departments – Intergovernmental and Community Relations, Policy and Planning, Support Services, and Human Resources. Further details on the functions and activities of the programs in each of the categories can be found in Table 2.

ECONOMIC IMPACT: The Judiciary is keenly aware of the current economic and fiscal conditions affecting the nation and the State, and the State's projected budget deficit for the fiscal biennium. These conditions, and the actions taken as a result of these conditions, have already had severe effects on the Judiciary – that is, on its funding situation, on its employees, and on its ability to provide complete, timely services to its clientele and to the public. Specifically, as you know, the Judiciary's budget base for FY 2010 was reduced by 7.6%, or \$11.5 million, relative to FY 2009, and 79 positions, or 4 percent of its authorized permanent staffing, were eliminated. As a result, the Judiciary had to take various cost cutting measures, including significantly reducing expenditures in such areas as purchase of service (POS) contracts (a \$3.5 million reduction or 26% of prior year expenditures in this area), guardian ad-litem/legal counsel services (a \$1.5 million reduction), temporary hire positions (a \$1.1 million reduction), overtime, repair and maintenance, and the use of per-diem judges. In addition, the Judiciary imposed two-day-per-month furloughs for all its HGEA employees, beginning November 6, 2009 for the rest of FY 2010 and likely for FY 2011 as well. These actions will lapse \$4.8 million to the general fund in FY 2010 and another \$7.6 million in FY 2011.

The impact of these budget and personnel reductions, together with the two-day-per-month furloughs, is being felt throughout the Judiciary and Hawai'i, especially considering that the Judiciary has no control over its workload and must now accommodate that workload with less financial resources, people, and work days. Significant trial and hearing scheduling problems have arisen as fewer days are available for scheduling, and because prosecutors, public defenders, and sheriffs do not all have the same furlough days as each other or the Judiciary. With fewer days, court calendars are becoming overcrowded and in some cases, jumbled with all different types of cases. The loss of staff positions has resulted in the remaining staff having to supervise/monitor much larger caseloads. For example, the Adult Client Services Branch, First Circuit lost 24 positions, many of which were in the Sex Offender and Domestic Violence Units. The loss of these positions has meant some of the remaining staff have caseloads as high as 180 to 1 for high and medium risk offenders, well in excess of

the American Probation and Parole Association caseload standards of no more than 50 to 1 for these type of offenders.

As mentioned above, POS contract funding was cut in the Judiciary by an overall 26 percent. Some programs were eliminated; some others were significantly reduced. These cuts severely impacted treatment courts and resulted in fewer services being available and fewer clients served, and longer waits to access services resulting in less adherence to program goals and a slow-down in admittance. They also contributed to the loss of ten or more staff in direct service to victims and perpetrators of domestic violence, resulting in a decrease in parenting groups, crisis intervention services, victim support, and batterers treatment; a 14 to 18% reduction in cases closed, cases opened, temporary restraining order (TRO) clients served at various sites, and victim services delivered; a 20 to 40% reduction in safety planning services and services to children exposed to domestic violence; an increase in wait time for batterers trying to enter services from 1 to 2 weeks in the best case, and 2 to 5 months in the worst case, which means more untreated batterers residing in communities, decreasing the safety of their victims and the community in general; a decrease in the number of sites available to obtain services for batterers, victims, or children – on the Neighbor Islands this often means that services are unavailable unless the person seeking services has access to a car and is able to drive many miles; increases in requirements and fees for fee-for-services, making programs unavailable to those who cannot pay; a decrease in supervised visitations to 1.5 hours a week per family; a reduction in staff work hours; and waitlists for almost all services, including waitlists for TRO support and filings. Some of the people who will now not be served by these programs may remain incarcerated or may harm themselves or others, while those with a dual diagnosis of substance abuse and mental illness will likely not be served at all. The Oahu Adult Drug Court, which purchases residential and mental health community based treatment services for its clients, has only \$100,000 left for FY 2010 for these services as of December 8, 2009, which will result in the suspension of referrals to these levels of care and the loss of 24-hour structured treatment for these individuals.

The work has not decreased in the Judiciary, yet the funding and personnel resources and days available to do that work have. With less time and people to do that work as well as the additional work required to adjust schedules, trials, and hearings, stress, fatigue, and frustration have increased significantly among court staff, which has led to errors, the inability to meet certain timeframes, and an overall decrease in morale. The public has also been deeply affected as waiting times to be serviced have doubled in some cases and less days are available for the public to do business with the Judiciary.

While certainly there is an immediate economic impact from these reductions, much of the impact might not be felt until later years and will be borne by other agencies as well. For example, the treatment capacity of the Oahu Adult Drug Court dropped from 160 to 130 clients because of the budget reductions, with 30 people now on a wait list. Assuming these 30 people are not admitted to the drug court program and are incarcerated at \$139 per day each (\$50,735 per defendant per year), this would cost the State \$1.5 million for one year, or over \$600,000 more than the cost of the entire Oahu Drug Court operation for one year. If we were to experience future budget cuts that necessitated the closure of all the adult drug courts, and if we used the same formula and applied it to the 387 defendants currently enrolled in the adult drug courts statewide, it would cost about \$19.6 million to incarcerate everyone for one year, as compared to the entire adult drug court appropriation for FY 2010 of just over \$3 million. These potential costs to the State would multiply even more if further cuts meant closing our juvenile and family drug courts. Or, to cite another example, if the

Judiciary had to discontinue the Project HOPE program due to lack of funds, where the average cost to supervise an individual on probation is \$1.82 per day, and instead incarcerate the 1,483 active probationers at \$139 per day, it would cost the State \$75.2 million (1,483 X \$139 per day X 365 days), as compared to the total FY 2010 allocation of just under \$1 million for Project HOPE.

Recidivism (re-offense) and its effects and economic impacts also would not be felt until sometime in the future. Recidivism rates since inception for adult drug court clients range from 3.5% on Kauai to 16% on Maui, or an average low of 9.6% statewide, as compared to over 50% recidivism within three years for persons released from prison (per Bureau of Justice reports). Thus, for the majority of defendants who are incarcerated without the benefit of the drug court program, the doors of the courthouse and prisons become revolving doors with all the attendant costs that are incurred. Clearly, diverting defendants to drug treatment through our drug court programs, whether they be adult, juvenile, or family drug courts, potentially saves millions of dollars.

In summary, further cuts to staffing and treatment providers that service these specialty courts will result in vastly increased costs to the prison, welfare, law enforcement, social services systems, and judicial communities. Further reductions in these services will have an enormous impact on the ability of our community to remain safe and avoid an increase in crime and child abuse and neglect by repeat offenders. The increase of long-range social costs due to the inadequate provision of services and diversion options for children and youth is immense as these children and youth – if not worked with early – develop educational and behavioral problems and are more likely to matriculate to the adult criminal system.

ALTERNATIVES CONSIDERED:

Generating Additional Revenue - The Judiciary has submitted a bill with its legislative package to increase the traffic abstract fee from \$7 to \$10. Based on the first four months of abstract fee collections for FY 2010, each \$1 increase in this fee could contribute as much as an additional \$500,000 to the general fund annually so a \$3 increase could result in an additional \$1.5 million of revenue for the State each year. This fee was last increased in 1996.

The Judiciary's legislative package also includes a bill to increase the Administrative Drivers License Revocation Office hearing fee from \$30 to \$50, an increase which would result in an additional \$48,000 annually being deposited in the State general fund. The hearing fee has not been adjusted since 2000, and we believe this is a fair adjustment to reflect the increase in virtually all operating costs during these past 10 years.

Shifting General Funded Operational Costs to Non-general Funds - To complement scarce State general fund resources, the Judiciary's Probation Services Special Fund (PSSF) provides the resources to assist in monitoring, enforcing, and collecting fines, restitution, and other monetary obligations owed by defendants. Funds are also used to administer other terms and conditions of probation for low risk offenders. Authorization to expend these special funds is provided by the legislatively authorized ceiling appropriated each year. In order to better fulfill First Circuit's mission without increasing the use of scarce general fund resources, the Judiciary has submitted a budget request to increase the existing \$300,000 PSSF expenditure ceiling by \$125,371 to \$425,371, to provide one permanent Social Worker IV to handle all matters pertaining to the Interstate Compact via which

probationers and parolees are transferred between states, and to authorize a sufficient expenditure ceiling to ensure that employee fringe benefits can be paid.

Over the years, the cost of activities supported by the PSSF has grown to the point where program requirements will exceed the existing \$300,000 annual expenditure authorization. This situation has been exacerbated by general fund budget cuts implemented during the last legislative session which resulted in Adult Client Services (ACS) in the First Circuit losing 12 permanent positions. The lack of general fund resources has resulted in ACS using alternative means, including the PSSF, to help perform its required probation duties. In the past, general funded ACS staff fulfilled its duties relating to the Interstate Compact "by committee," with staff personnel performing such duties in addition to their regular assigned probation duties. However, with the significant reduction in staffing, remaining general fund staff resources must focus on the unit's basic mission of ensuring public safety through essential probation monitoring activities. It is no longer possible to adequately monitor probationers and continue to perform essential Interstate Compact duties as well. The request to raise the ceiling of the PSSF to permit hiring of a full-time Interstate Compact Coordinator to handle all Interstate Compact matters relating to the transfer of probationers and parolees between states would enhance public safety by ensuring that this essential function is performed. For the 190 probationers and 58 parolees currently supervised by ACS, a full-time coordinator is essential to handle all correspondence between Hawai'i and the mainland, as Interstate Compact matters are time-sensitive and need quick, timely processing to ensure Hawai'i fulfills its obligations under the rules of Interstate Compact. It is imperative to have someone overseeing the transfer of felons between states, especially when transfers involve probationers who have previously been convicted of violent offenses. Hiring a full-time coordinator would also benefit public safety by freeing up ACS probation officers to fulfill their essential monitoring activities for their assigned probationers. It is also noted that Act 172/08 provided for "one full-time coordinator position for the supervision of adult offenders." The Judiciary, however, has never had the resources to appoint such a full-time position to perform Interstate Compact duties, and cuts to the Judiciary's general fund appropriation base have left the ACS with no other options.

Outsourcing Activities Performed by Eliminated Personnel – No activities have been outsourced as a result of eliminated positions or personnel.

Consolidation/Elimination of Programs – The Judiciary eliminated the lunch and learn the law program, and the size of the Public Information Office and the Internal Audit Office have been significantly reduced.

With the opening of the Kapolei Court Complex in Spring 2010, the Waianae District Courthouse will be closed and its functions moved to Kapolei. The Puna District Courthouse on the Big Island was closed on August 1, 2009 and its cases were transferred to the new Hilo Court Complex.

Also, since the loss of a significant number of positions during the last legislative session, programs have been trying to do more with less. One approach has been to consolidate programs/functions, restructure, maximize staff resources, re-establish/regroup to provide services, etc. In this regard, seven staff reorganizations have occurred and three are in progress.

This concludes the overview section of our testimony. It should be noted that the 16 tables requested by the December 7, 2009 Budget Briefing Instructions follow this overview section.

Judiciary
Department-wide Budget Summary

Table 1

Fiscal Year (FY) 2010				
Act 139/09 Appropriation (a)	Restriction (b)	Emergency Appropriation (c)	Total FY10 (d)	MOF
139,000,000	(4,797,739)		134,202,261	A
12,174,031	(104,617)		12,069,414	B
			-	N
			-	T
			-	U
343,261	-		343,261	W
151,517,292	(4,902,356)	-	146,614,936	Total
Fiscal Year (FY) 2011				
Act 139/09 Appropriation (e)	Reductions* (f)	Additions (g)	Total FY11 (h)	MOF
139,000,000	(7,676,376)		131,323,624	A
10,715,261	(167,388)	125,371	10,673,244	B
			-	N
			-	T
			-	U
343,261	-		343,261	W
150,058,522	(7,843,764)	125,371	142,340,129	Total

*Estimated based on annualized FY 2010 monthly furlough restriction on all means of financing.

Judiciary
Priority List of Functions

Table 2

Pri #	Description of Function	Activities	Prog ID(s)	Statutory Reference
Appeals Courts				
1	Supreme Court		JUD 101	Article VI of the Hawaii State Constitution HRS Section 602
	The Supreme Court is the State of Hawaii's court of last resort, and hears appeals on transfer from the Intermediate Court of Appeals or on writ of certiorari to the Intermediate Court of Appeals. It licenses and disciplines attorneys, disciplines judges, and exercises ultimate rule-making power for all courts in the State.	The Supreme Court hears and makes determinations on appeals and original proceedings that are properly brought before the court, including cases heard upon applications for writs of certiorari; cases transferred from the Intermediate Courts of Appeals; reserved questions of law from the Circuit Courts, the Land Court, and the Tax Appeal Court; certified questions of law from federal courts; applications for writs directed to judges and other public officers; and complaints regarding elections.		
2	Intermediate Court of Appeals			
	The Intermediate Court of Appeals reviews, in the first instance, appeals from trial courts and from some agencies. It is also authorized to entertain cases submitted without suit when there is a question of law that could be the subject of a civil suit in the Circuit Court of the Tax Appeal Court, and the parties agree upon the facts upon which the controversy depends.	The Intermediate Court of Appeals provides timely disposition of appeals from trial courts and state agencies, including the resolution of the particular dispute and explication of the law for the benefit of the litigants, the bar, and the public.		
3	State Law Library System			
	The State Law Library System provides legal reference sources and services to the courts, the legal community, and the public. It collects, organizes, and disseminates information and materials relating to legal research and judicial administration through the central collection in Honolulu and satellite collections in the Second, Third, and Fifth Circuit Courts. Chamber libraries also are furnished and maintained for each district, circuit, and appellate court judge statewide.	The State Law Library System collects, organizes, and disseminates information and materials relating to legal research and judicial administration in order to enhance the effectiveness of the judicial process.		
Lower Court Programs*				
1	Adjudication		JUD 310 JUD 320 JUD 330 JUD 350	Article VI of the Hawaii State Constitution HRS Section 603 HRS Section 604
	Provides the First, Second, Third, and Fifth Circuits with judges and staff to operate the circuit, family, and district courts.	Central to the operation of the lower court programs of the Judiciary are the Circuit Courts, Family Courts (a division of the Circuit Court), and District Courts.		
2	Central Administration			
	The primary objectives of the programs in each circuit include providing for effective and efficient planning, direction, administration, coordination, and evaluation of all administrative business and support functions, operations, and activities required to support judicial proceedings and judgements in the circuit, district, and family courts.	Circuit Courts are trial courts of general jurisdiction. Circuit Courts have jurisdiction in most felony cases, and concurrent jurisdiction with the Family Courts for certain felonies related to domestic abuse, such as violations of temporary restraining orders involving family and household members. Circuit Courts also have exclusive jurisdiction in probate, trust, and conservatorship (formerly "guardian of the property") proceedings, and concurrent jurisdiction with the Family Courts over adult guardianship (formerly "guardian of the person") proceedings. Circuit Courts have exclusive jurisdiction in civil cases involving amounts greater than \$25,000, and concurrent jurisdiction with District Courts in civil cases involving amounts between \$10,000 and \$25,000. Jury trials are conducted exclusively by Circuit Court judges. A party to a civil case triable by jury may demand a jury trial where the amount in controversy exceeds \$5,000. Circuit Courts have exclusive jurisdiction in mechanics lien cases and foreclosure cases, and jurisdiction as provided by law in appeals from other agencies (such as unemployment compensation appeals).		
3	Client Services			
	The primary objective is to provide direct services to adult and juvenile clients of courts within the First, Second, Third, and Fifth Circuits. Activities include making recommendations to the courts, enforcing compliance with court orders, maintaining client classification and information systems, managing purchase of service contracts, and maintaining contacts with community resources.	Circuit Court programs include alternatives to traditional dispute resolution methods. The Circuit Court Drug Court Programs aim to divert nonviolent defendants from the traditional criminal justice path and incarceration, placing them in treatment programs under judicial supervision, rewarding good behavior, and imposing immediate sanctions for relapse into drug use. The Circuit Court's Court Annexed Arbitration Program is designed to reduce the cost and delay of protracted civil litigation, requiring tort actions with a probable jury award value under \$150,000 to be submitted to the program and be subject to determination of arbitrability and to arbitration under program rules.		
4	Court Services			
	Responsible for providing courtroom clerical, court reporting, and other support and ancillary services to the courts of the First, Second, Third, and Fifth Circuits.			
	Programs are designed to aid in the timely disposition of cases of general and			

Judiciary
Priority List of Functions

Table 2

Pri #	Description of Function	Activities	Prog ID(s)	Statutory Reference
	limited jurisdiction for civil, criminal felonies, misdemeanors, petty misdemeanors, family proceedings, and traffic (decriminalized and regular traffic criminal) in each circuit.	The Family Courts, divisions of the Circuit Courts, are specialized courts of record designed to deal with family conflict and juvenile offenders. The Family Court complements its strictly adjudicatory functions by providing a number of counseling, guidance, detention, mediation, education, and supervisory programs for children and adults. The Family Courts retain jurisdiction over children who, while under the age of 18, violate any law or ordinance, are neglected or abandoned, are beyond the control of their parents or other custodians, live in an environment injurious to their welfare, or behave in a manner injurious to their own or others' welfare. Activities are geared toward facilitating the determination of the court for appropriate and timely dispositions; preparing cases for detention, adjudicatory, and dispositional hearings; conducting social study investigations; and supervising and treating juveniles under legal status with the court. Family Court activities also include Foster Home placement and providing volunteer guardians ad-litem.		
		The Family Court's jurisdiction also encompasses adults involved in offenses against other family members; dissolution of marriages; disputed child custody and visitation issues; resolution of paternity issues; adoptions; and adults who are incapacitated and/or are in need of protection. The Family Courts provide services which include temporary restraining orders for protection; treatment of parties involved in domestic violence; supervision and monitoring of defendants in domestic abuse cases; and education programs for separating parents and children.		
		The District Courts are the courts with which the citizens of Hawai'i most frequently come into contact. In the First Circuit, courthouses in the four rural judicial districts of Ewa, Waianae, Wahiawa, and Kaneohe provide residents with the option of conveniently staying within their respective communities to transact many types of court business. The District Courts, in civil matters, exercise jurisdiction where the amount in controversy does not exceed \$25,000. If the amount in controversy exceeds \$5,000, the parties may demand a jury trial, in which case the matter is committed to the Circuit Courts. The District Courts also have exclusive jurisdiction in all landlord-tenant cases and all small claims actions (suits in which the amount in controversy does not exceed \$3,500). The civil divisions of the District Courts also handle temporary restraining orders and injunctions against harassment for non-household members.		
		In traffic matters, the District Courts exercise jurisdiction over civil infractions and criminal traffic violations of the Hawai'i Revised Statutes, county ordinances, and the rules and regulations of state and county regulatory agencies. Certain traffic matters, known as "decriminalized" traffic offenses, are handled on a civil standard within the traffic division. Those traffic matters which are not "decriminalized" are handled on a criminal standard. In criminal matters, the jurisdiction of the District Courts is limited to misdemeanors, traffic offenses, and cases filed for violations of county ordinances and the rules of the State's regulatory agencies. In felony cases where an arrest has been made, the District Courts are required to hold a preliminary hearing, unless such hearing is waived by the accused. All trials are conducted by judges. However, in criminal misdemeanor cases, the defendant may demand a jury trial, in which case the matter is committed to the Circuit Courts for trial.		
*all functions are an integral part of the Judiciary operation and are dependent on one another.				
Overall Judiciary Administration*			JUD 601	Article VI of the Hawaii State Constitution
1	Office of the Administrative Director of the Courts		JUD 501	
	The Office of the Administrative Director primarily assists the Chief Justice in directing the administration of the Judiciary and in examining the administrative methods of the courts to determine and make recommendations to the Chief Justice for their improvement. It also administers statewide programs and activities relating to personnel management; planning and budget; fiscal; compilation and analysis of	The Office of the Administrative Director of the Courts serves as the administrative arm of the Judiciary. It is headed by an Administrative Director who is appointed by the Chief Justice with the approval of the Supreme Court. The Administrative Director is assisted by a Deputy Administrative Director of the Courts in fulfilling the duties and responsibilities assigned to the office. The Director's Office is composed of a number of staff and specific programs.		HRS Section 601 HRS Section 6F HRS Section 551A HRS Section 588

Judiciary
Priority List of Functions

Table 2

Pri #	Description of Function	Activities	Prog ID(s)	Statutory Reference
	statistical data and reports; information and data processing; public information and dissemination; and facilities planning and maintenance. Relative to these programs and activities, the Office of the Administrative Director will provide direction to the respective Chief Court Administrators and other managers.	The planning, program evaluation, budgeting, statistical, capital improvement, affirmative action, audit, legislative coordination, and administrative drivers' license revocation functions are carried out by the Policy and Planning Department. The financial, purchasing, data processing, reprographics, telecommunications, and records management functions are performed within the Support Services Department. The Human Resources Department manages centralized programs of recruitment, compensation, record keeping, employee and labor relations, employee benefits, and continuing education.		HRS Section 613
2	Office of the Deputy Administrative Director of the Courts			
	The Office of the Deputy Administrative Director of the Courts assists the Administrative Director of the Courts in the administration of the Judiciary through subordinate administrators/managers.	The Intergovernmental and Community Relations Department provides legal services, public relations, and information services for the Judiciary; coordinates citizen volunteer services and investigative processes in cases of intrafamilial and extrafamilial child sex abuse; researches, plans, and develops alternate dispute resolution procedures and programs; and provides educational programs using a variety of interpretive media that promote understanding and appreciation of the history of Hawaii's Judiciary. This Department is also concerned with providing public guardianship for mentally incapacitated adults; and providing equality and accessibility in the State's justice system.		
3	Intergovernmental and Community Relations			
	The Intergovernmental and Community Relations Department plans, directs, and coordinates the operations and activities of the various programs within the department through subordinate program managers, and supervisors. Programs in this unit include: staff attorneys, public information, alternative dispute resolution, volunteers in public service, equality and access to the courts, children's justice advocacy, public guardian, and the Judiciary History Center.	The Commission on Judicial Conduct, which is attached to the Judiciary for administrative purposes only, is responsible for investigating allegations of judicial misconduct and disability. Rules of the court require that three licensed attorneys and four citizens who are not attorneys be appointed to this Commission. An additional function allows the Commission to issue advisory opinions to aid judges in the interpretation of the Code of Judicial Conduct.		
4	Policy and Planning			
	The Policy and Planning Department plans, directs, and coordinates the operations and activities of the various programs within the department through subordinate program managers, and supervisors. Programs in this unit include: budget, statistics, CIP, planning, program evaluation, internal audit, affirmative action and equal employment opportunity, legislative coordinating / special projects, and administrative driver's license revocation.			
5	Support Services			
	The Support Services Department plans, directs, and coordinates the operations and activities of the various programs within the department through subordinate program managers, and supervisors. Programs in this unit include: fiscal and support services, information technology and communication services, records management, and reprographics.			
6	Human Resources			
	Human Resources Department plans, directs, and coordinates the operations and activities of the various programs within the department through subordinate program managers, and supervisors. Programs in this unit include: administrative services, labor relations, classification and pay, recruitment and examinations, workers' compensation, employee services, and judicial / employee training and development.			

*all functions are an integral part of the Judiciary operation, and are dependent upon one another.

Judiciary
Resources by Program ID

Table 3

Prog ID/Org	Program Title	As budgeted in Act 139/09 (FY11)			Judiciary Request (FY11)			MOF
		Pos (P)	Pos (T)	\$\$\$	Pos (P)	Pos (T)	\$\$\$	
JUD 101	Courts of Appeal	79.00	0.00	7,260,041	79.00	0.00	6,910,423	A
		0.00	0.00	243,261	0.00	0.00	243,261	W
JUD 310	First Circuit	1057.50	33.00	76,668,648	1057.50	33.00	71,388,190	A
		40.00	0.00	3,784,971	41.00	0.00	3,910,342	B
JUD 320	Second Circuit	205.00	0.00	15,460,014	205.00	0.00	14,763,619	A
JUD 330	Third Circuit	223.00	3.00	18,676,725	223.00	3.00	17,430,206	A
JUD 350	Fifth Circuit	97.00	0.00	7,245,750	97.00	0.00	6,695,034	A
JUD 501	Judicial Selection Commission	1.00	0.00	99,292	1.00	0.00	91,232	A
JUD 601	Administration	213.00	6.00	13,589,530	213.00	6.00	21,721,296	A
		1.00	10.00	6,930,290	1.00	10.00	6,930,290	B
				100,000			100,000	W
		1,875.50	42.00	139,000,000	1,875.50	42.00	139,000,000	A
		41.00	10.00	10,715,261	42.00	10.00	10,840,632	B
		0.00	0.00	343,261	0.00	0.00	343,261	W

Judiciary
Current Year (FY10) Restrictions

Table 4

<u>Prog ID</u>	<u>Restriction \$\$\$</u>	<u>Impact</u>	<u>MOF</u>
JUD 101	216,802	Furlough Restriction: Employees now have four days to complete a full week of work. Fewer court dates can be calendered, and scheduling is becoming a problem. Hearings and trials are set in advance and there are now less days to choose from, resulting in justice being delayed as hearings and trials take longer to schedule. The need for preliminary and emergency hearings only exacerbates the situation. The court support staff is being adversely affected as they try to keep up with the workload. Court clerks are shortening breaks so that they can keep up. Supervisory staff have noticed an increase in errors in court documents which must be corrected. The theme of stress, fatigue, and frustration is universal among court operating staff. The public has been inconvenienced because the court and administrative offices have been closed twice a month, and people must wait longer in line as a result of this and the loss of 79 positions during the budget process last year.	A
JUD 310	2,562,871		A
JUD 320	516,061		A
JUD 330	569,567		A
JUD 350	233,130		A
JUD 501	3,503		A
JUD 601	695,805		A
JUD 310	78,150		B
JUD 601	26,467		B

Judiciary
Proposed FY11 Reductions

Table 5

Type (CB / RIF/ OA)	Description of Reduction	Impact of Reduction	Prog ID	Pos(P)	Pos(T)	\$\$\$	MOF	Carry-over?(Y/N)
CB	Restriction of furlough savings	<p>Employees will have four days to complete a full week of work. Fewer court dates can be calendered, and scheduling will become a problem. Hearings and trials are set in advance and there will be less days to choose from. The need for preliminary and emergency hearings will only exacerbate the situation. The court support staff will be adversely affected as they try to keep up with the workload. Court clerks will have to shorten breaks so that they can keep up, and there will be an increase in errors in court documents which must be corrected. Stress, fatigue, and frustration are likely to occur among court operating staff.</p>	JUD 101			346,884	A	Y
			JUD 310			4,100,592	A	Y
			JUD 320			825,696	A	Y
			JUD 330			911,304	A	Y
			JUD 350			373,008	A	Y
			JUD 501			5,604	A	Y
			JUD 601			1,113,288	A	Y
			JUD 310			125,040	B	Y
			JUD 601			42,348	B	Y
*Estimated based on annualized FY 2010 monthly furlough restriction on all means of financing.								

Judiciary
Proposed FY 11 Additions

Table 6

Description of Addition	Prog ID	Pos (P)	Pos (T)	\$\$\$	MOF
Add'l special fund ceiling to hire Interstate Compact administrator to perform Interstate Compact duties and to provide for payment of employee fringe benefits for staff currently being paid from the Probation Services Special Fund	JUD 310	1.00		125,371	B

Judiciary
Non-general funds (excluding Federal Funds)

Table 7

Name of Fund	Unencumbered Cash Balance	MOF	Statutory Reference
Parent Education Special Fund	286,196	B	607-5.6, HRS
Driver Education and Training Special Fund	2,085,722	B	286G-2, HRS
Probation Services Special Fund	947,282	B	706-649, HRS
Spouse and Child Abuse Special Account	1,078,820	B	601-3.6, HRS
Judiciary Computer System Special Fund	7,966,440	B	Act 203/96, Act 299/99, Act 216/03, Act 230/04, Act 231/04
Indigent Legal Assistance Fund	113,025	B	Act 121/98, Act 131/01
Supreme Court Law Library Revolving Fund	9,767	W	601-3.5, HRS
Court Interpreting Services Revolving Fund	29,633	W	607-1.5, HRS

Judiciary
Emergency Appropriation Requests

Table 8

<u>Prog ID</u>	<u>Description of Request</u>	<u>FTE</u>	<u>\$\$\$</u>	<u>MOF</u>
None				

Judiciary
Budget Decisions

Table 9

Prog ID/Org	Description	MOF	Department Request			Budget & Finance			Governor's Decision		
			Pos (P)	Pos (T)	\$\$\$	Pos (P)	Pos (T)	\$\$\$	Pos (P)	Pos (T)	\$\$\$
Not Applicable to the Judiciary											

Judiciary
Vacancy Report

Table 10

(Special Fund Posns Noted in RED)

<u>Date of Vacancy</u>	<u>Position Title</u>	<u>Position Number</u>	<u>Exempt (Y/N)</u>	<u>Budgeted Amount</u>	<u>Actual Salary Last Paid</u>	<u>MOF</u>	<u>Prog ID</u>	<u>Authority to Hire (Y/N)</u>
9/16/2009	Associate Judge	500064	Y	135,734	139,924	A	JUD101	Y
9/17/2009	Judicial Assistant II	500070	Y	52,601	54,012	A	JUD101	Y
9/17/2009	Law Clerk	500067	Y	53,835	55,500	A	JUD101	Y
9/17/2009	Law Clerk	500066	Y	53,835	55,500	A	JUD101	Y
10/31/2009	Circuit Judge	213	Y	129,322	136,127	A	JUD 310	Y
7/1/2009	Circuit Judge	57274	Y	129,322	143,292	A	JUD 310	Y
7/1/2009	Judicial Assistant I	57108	Y	62,495	46,176	A	JUD 310	Y
7/1/2009	Law Clerk	57268	Y	50,684	55,500	A	JUD 310	Y
10/31/2009	Circuit Judge	59227	Y	129,322	136,127	A	JUD 310	Y
10/31/2009	Judicial Assistant I	59229	Y	60,044	58,440	A	JUD 310	Y
4/16/2009	Law Clerk	59228	Y	57,023	60,024	A	JUD 310	Y
11/13/2009	Court Support Svcs Coordinato	58665	N	33,311	36,516	A	JUD 310	Y
11/2/2009	Social Worker V	58124	N	72,162	75,960	A	JUD 310	Y
10/15/2009	Accountant III	57951	N	37,084	39,036	A	JUD 310	Y
10/6/2009	Groundskeeper II	500485	N	29,674	35,544	A	JUD 310	Y
9/25/2009	Janitor III	500484	N	31,418	35,544	A	JUD 310	Y
9/25/2009	Janitor III	500483	N	31,418	35,544	A	JUD 310	Y
11/6/2008	Social Worker V	59484	N	50,684	53,352	A	JUD 310	Y
11/20/2009	Clerk III	57011	N	24,385	27,756	B	JUD 310	Y
4/1/2004	Driver Education Officer	25738	N	54,823	49,344	B	JUD 310	Y
9/12/2009	Driver Educ Asst II	28320	N	45,646	49,932	B	JUD 310	Y
12/14/1998	Information Specialist II	57783	N	37,039	38,988	B	JUD 310	Y
12/30/2006	Illustrator III	26900	N	53,363	56,160	B	JUD 310	Y
10/19/2009	Social Worker IV	58645	N	48,746	51,312	A	JUD 310	Y
11/27/2009	Social Worker IV	15611	N	52,725	55,500	A	JUD 310	Y
10/29/2009	Clerk III	57567	N	24,385	25,668	A	JUD 310	Y
11/4/2009	Clerk III	57798	N	24,385	25,668	A	JUD 310	Y
11/3/2009	Social Worker III	4771	N	50,684	42,132	A	JUD 310	Y
10/1/2009	Judicial Clerk II	58964	N	37,506	41,040	A	JUD 310	Y
10/1/2009	Juv Det Training Prog Spclt	15612	N	46,865	57,708	A	JUD 310	Y
8/17/2009	Registered Prof Nurse	58985	N	43,297	47,412	A	JUD 310	Y
4/7/2008	Juvenile Detention Worker II	58026	N	43,297	40,512	A	JUD 310	Y
10/31/2009	Supervising Court Reporter II	4709	N	79,025	83,184	A	JUD 310	Y

Judiciary
Vacancy Report

Table 10

(Special Fund Posns Noted in RED)

<u>Date of Vacancy</u>	<u>Position Title</u>	<u>Position Number</u>	<u>Exempt (Y/N)</u>	<u>Budgeted Amount</u>	<u>Actual Salary Last Paid</u>	<u>MOF</u>	<u>Prog ID</u>	<u>Authority to Hire (Y/N)</u>
7/1/2009	Estate & Guardianship Clk II	4732	N	57,707	60,744	A	JUD 310	Y
10/31/2009	Circuit Court Clerk II	59230	N	60,044	63,204	A	JUD 310	Y
12/31/2008	Circuit Court Clerk II	57754	N	60,044	63,204	A	JUD 310	Y
9/19/2009	District Court Clerk I	15662	N	32,068	33,756	A	JUD 310	Y
10/22/2009	District Court Clerk I	21709	N	34,690	37,968	A	JUD 310	Y
11/2/2009	District Court Clerk II	26152	N	47,435	49,932	A	JUD 310	Y
5/1/2009	Court Bailiff I	59701	N	37,506	41,040	A	JUD 310	Y
11/23/2009	Data Entry Operator I	19274	N	24,385	26,700	A	JUD 310	Y
8/7/2009	Judicial Clerk V	19232	N	42,191	44,412	A	JUD 310	Y
5/1/2009	Judicial Clerk II	58021	N	33,311	35,064	A	JUD 310	Y
9/3/2008	Social Service Assistant IV	500167	N	29,651	31,212	B	JUD 310	Y
10/31/2009	Assistant Facilities Manager	500351	N	40,503	42,684	A	JUD 320	Y
3/13/2009	Drug Ct Subst Abuse Cnslr II	500098	N	34,943	38,988	A	JUD 320	Y
11/20/2009	Social Worker III	59200	N	39,332	43,824	A	JUD 330	Y
10/1/2009	Social Worker IV	59232	N	51,751	53,352	A	JUD 330	Y
10/13/2009	Circuit Court Clerk II	59005	N	56,687	58,440	A	JUD 330	Y
11/24/2009	District Court Clerk I	57443	N	46,607	35,064	A	JUD 330	Y
10/24/2009	Judicial Clerk II	57766	N	32,743	33,756	A	JUD 330	Y
10/16/2009	Judicial Clerk IV	26835	N	41,403	42,684	A	JUD 330	Y
11/17/2009	Social Worker VI	58714	N	80,485	78,984	A	JUD 350	Y
11/16/2009	Judicial Clerk II	58880	N	40,219	41,040	A	JUD 350	Y
12/31/2008	Secretary IV	57127	N	37,968	51,936	A	JUD 601	Y
10/7/2009	Social Worker V	57019	N	51,312	60,024	A	JUD 601	Y
12/31/2008	Dir of IT & Business Services	4710	N	111,792	120,516	A	JUD 601	Y
12/31/2008	Secretary IV	19068	N	37,968	58,440	A	JUD 601	Y
10/23/2009	IT Specialist V	58145	N	53,352	53,352	A	JUD 601	Y
10/22/2009	Accountant IV	58627	N	53,352	53,352	A	JUD 601	Y
11/17/2009	IT Support Technician II	27487	N	51,936	51,936	A	JUD 601	Y

Judiciary

Personnel Separations

(Abolished Posns Noted in BLUE/Special Fund Posns Noted in RED)

Prog ID/Org	Position Number	Perm/Temp	MOF	Position Title	Budgeted FTE	Budgeted Salary	Actual FTE	Actual Salary	BU Code	SR Level
July 2009										
JUD310	00028190	Temp Civil Svc	A	Juvenile Detention Worker I	1.00	0	1.00	38,605	10	SR03
JUD310	00500117	Temp Civil Svc	A	Juvenile Detention Worker II	1.00	0	1.00	41,760	10	SR05
JUD310	00057274	Perm Exempt	A	Circuit Judge	1.00	129,332	1.00	143,292	00	SR05
JUD310	00500118	Temp Civil Svc	A	Juvenile Detention Worker I	1.00	0	1.00	38,604	10	SR03
JUD310	00057108	Perm Exempt	A	Judicial Assistant I	1.00	62,495	1.00	46,176	03	SR21
JUD310	00500120	Temp Civil Svc	A	Juvenile Detention Worker II	1.00	0	1.00	41,760	10	SR05
JUD310	00004732	Perm	A	Estate & Guardianship Spclt	1.00	57,707	1.00	60,744	04	SR19
JUD310	00011938	Perm	A	Social Worker IV-abolished	1.00	0	1.00	67,488	13	SR22
JUD310	00057102	Perm	A	Judicial Clerk II	1.00	26,368	1.00	28,836	03	SR12
JUD310	00500089	Temp Civil Svc	A	Clerk III	1.00	0	1.00	25,668	03	SR08
JUD310	00057268	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	55,500	73	SR20
JUD310	00004711	Perm	A	Estate & Guardianship Atty	1.00	93,229	1.00	99,660	35	SR05
JUD310	00500082	Temp Civil Svc	A	Law Clerk	1.00	0	1.00	42,132	73	SR20
JUD310	00057103	Perm	A	Account Clerk III	1.00	27,394	1.00	28,836	03	SR11
JUD310	00057564	Perm	A	Social Worker IV	1.00	46,865	1.00	49,332	13	SR22
JUD310	00057407	Perm	A	Land & Tax Appeal Ct Clerk	1.00	47,435	1.00	49,932	03	SR17
JUD310	00057623	Perm	A	Judicial Clerk II	1.00	30,803	1.00	33,756	03	SR12
JUD330	00057379	Perm Exempt	A	Judicial Assistant I	1.00	46,607	1.00	48,048	03	SR21
JUD350	00058859	Perm	A	Court Documents Clerk I	1.00	57,271	1.00	36,516	03	SR15
JUD610	00057338	Perm	A	Clerk IV	1.00	27,756	1.00	42,684	03	SR10
JUD610	00058785	Perm	A	CJC Program Specialist	1.00	55,500	1.00	55,500	13	SR26
JUD610	00500009	Temp Civil Svc	A	Attorney - abolished	0.00	0	0.50	37,980	73	SR28
Aug 2009										
JUD101	00500068	Perm Exempt	A	Law Clerk	1.00	53,835	1.00	55,500	73	SR20
JUD101	00027465	Perm Exempt	A	Law Clerk	1.00	53,835	1.00	55,500	73	SR20
JUD101	00027463	Perm Exempt	A	Law Clerk	1.00	53,835	1.00	55,500	73	SR20
JUD101	00057262	Perm Exempt	A	Law Clerk	1.00	53,835	1.00	55,500	73	SR20
JUD310	00057251	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
JUD310	00059386	Perm	A	Judicial Clerk V	1.00	55,518	1.00	58,440	04	SR18
JUD310	00057034	Perm	A	Social Worker III	1.00	41,633	1.00	43,824	13	SR20
JUD310	00057638	Perm	A	Social Worker IV	1.00	45,041	1.00	47,412	13	SR22
JUD310	00057043	Perm	A	Secretary II	1.00	42,191	1.00	44,412	03	SR14
JUD310	00027005	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
JUD310	00500286	Temp Civil Svc	A	Social Worker II	1.00	42,144	1.00	38,988	13	SR18
JUD310	00021661	Perm	A	Social Worker V	1.00	54,823	1.00	60,024	23	SR24

Judiciary

Table 11

Personnel Separations

(Abolished Posns Noted in BLUE/Special Fund Posns Noted in RED)

Prog ID/Org	Position Number	Perm/Temp	MOF	Position Title	Budgeted FTE	Budgeted Salary	Actual FTE	Actual Salary	BU Code	SR Level
JUD310	00023507	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
JUD320	00057772	Perm Exempt	A	Law Clerk	1.00	49,761	1.00	53,352	73	SR20
JUD320	00027881	Perm Exempt	A	Law Clerk	1.00	49,761	1.00	53,352	73	SR20
JUD320	00058367	Perm	A	Judicial Clerk III	1.00	31,451	1.00	32,424	03	SR14
JUD350	00058855	Perm Exempt	A	Law Clerk	1.00	50,274	1.00	53,352	73	SR20
JUD350	00014546	Perm	A	Deputy Chief Court Admr I	1.00	96,902	1.00	98,880	35	SR05
JUD610	00059565	Temp Civil Svc	A	Secretary I - abolished	0.00	0	1.00	35,064	03	SR12
JUD610	00500291	Temp Civil Svc	A	Clerk IV - abolished	0.00	0	1.00	30,036	03	SR10
JUD610	00059695	Temp Civil Svc	A	CIP Spclt V - to be abolished	0.00	0	0.48	30,835	13	SR24
Sept 2009										
JUD101	00012739	Perm Exempt	A	Law Clerk	1.00	53,835	1.00	55,500	73	SR20
JUD101	00012281	Perm Exempt	A	Law Clerk	1.00	53,835	1.00	55,500	73	SR20
JUD101	00057721	Perm Exempt	A	Law Clerk	1.00	53,835	1.00	55,500	73	SR20
JUD101	00059187	Perm Exempt	A	Law Clerk	1.00	53,835	1.00	55,500	73	SR20
JUD101	00500067	Perm Exempt	A	Law Clerk	1.00	53,835	1.00	55,500	73	SR20
JUD101	00500066	Perm Exempt	A	Law Clerk	1.00	53,835	1.00	55,500	73	SR20
JUD310	00014890	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
JUD310	00025218	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
JUD310	00058003	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
JUD310	00025311	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
JUD310	00058008	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
JUD310	00026894	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
JUD310	00057876	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
JUD310	00058583	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
JUD310	00058579	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
JUD310	00057966	Perm	A	Janitor II	1.00	31,567	1.00	33,228	01	SR02
JUD310	00028320	Perm	B	Driver Educ Asst II	1.00	45,646	1.00	49,932	03	SR17
JUD310	00015662	Perm	A	District Court Clerk I	1.00	32,068	1.00	33,756	03	SR15
JUD330	00057200	Perm Exempt	A	Law Clerk	1.00	49,761	1.00	53,352	73	SR20
JUD330	00057122	Perm Exempt	A	Law Clerk	1.00	49,761	1.00	53,352	73	SR20
JUD330	00500146	Perm Exempt	A	Judicial Assistant I	1.00	63,365	1.00	46,176	03	SR21
JUD330	00058527	Perm	A	Judicial Clerk II	1.00	38,296	1.00	39,480	03	SR12
JUD350	00058110	Perm	A	Circuit Court Clerk II	1.00	61,940	1.00	63,204	03	SR20
Oct 2009										
JUD101	00027462	Perm Exempt	A	Law Clerk	1.00	53,835	1.00	55,500	73	SR20
JUD101	00057438	Perm Civil Service	A	Court Fiscal Officer I	1.00	68,117	1.00	70,224	23	SR24
JUD310	00000213	Perm Exempt	A	Circuit Judge	1.00	129,322	1.00	136,127	00	SR05

Judiciary
Personnel Separations

Table 11

(Abolished Posns Noted in BLUE/Special Fund Posns Noted in RED)

Prog ID/Org	Position Number	Perm/Temp	MOF	Position Title	Budgeted FTE	Budgeted Salary	Actual FTE	Actual Salary	BU Code	SR Level
JUD310	00059229	Perm Exempt	A	Judicial Assistant I	1.00	60,044	1.00	58,440	03	SR21
JUD310	00059227	Perm Exempt	A	Circuit Judge	1.00	129,322	1.00	136,127	00	SR05
JUD310	00059079	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
JUD310	00057494	Perm Civil Service	A	Facilities Manager	1.00	64,969	1.00	68,388	04	SR24
JUD310	00500283	Temp Civil Service	A	Social Service Assistant IV	1.00	26,664	1.00	31,212	03	SR11
JUD310	00058964	Perm Civil Service	A	Judicial Clerk II	1.00	37,506	1.00	41,040	03	SR12
JUD310	00500323	Temp Civil Service	A	Social Worker III	1.00	0	1.00	43,824	13	SR20
JUD310	00004709	Perm Civil Service	A	Supervising Court Reporter II	1.00	79,025	1.00	83,184	04	SR27
JUD310	00059230	Perm Civil Service	A	Circuit Court Clerk II	1.00	60,044	1.00	63,204	03	SR20
JUD310	00014602	Perm Civil Service	A	District Court Clerk III	1.00	57,707	1.00	60,744	04	SR19
JUD320	00500351	Perm Civil Service	A	Assistant Facilities Manager	1.00	40,503	1.00	42,684	04	SR21
JUD330	00058892	Perm Civil Service	A	Social Worker IV	1.00	60,551	1.00	62,424	13	SR22
JUD330	00059005	Perm Civil Service	A	Circuit Court Clerk II	1.00	56,687	1.00	58,440	03	SR20
JUD330	00057766	Perm Civil Service	A	Judicial Clerk II	1.00	32,743	1.00	33,756	03	SR12
JUD350	00023657	Perm Civil Service	A	Secretary IV	1.00	40,219	1.00	41,040	63	SR18
JUD350	00004848	Perm Civil Service	A	Circuit Court Clerk II	1.00	47,087	1.00	48,048	03	SR20
JUD610	00058839	Perm Exempt	A	Research Analyst	1.00	37,452	0.60	37,452	13	SR24
JUD610	00058145	Perm Civil Service	A	IT Specialist V	1.00	53,352	1.00	53,352	13	SR24
JUD610	00059560	Temp Exempt	B	Jud Info Mgmt Sys Manager	1.00	124,392	1.00	124,392	35	NA
Nov 2009										
JUD310	00057011	Perm Civil Service	B	Clerk III	1.00	24,385	1.00	27,756	03	SR08
JUD310	00500124	Temp Civil Service	A	Juvenile Detention Worker I	1.00	0	1.00	38,604	10	SR03
JUD320	00027877	Perm Exempt	A	Judicial Assistant I	1.00	48,434	1.00	46,176	03	SR21
JUD330	00059200	Perm Civil Service	A	Social Worker III	1.00	39,332	1.00	43,824	13	SR20
JUD610	00014462	Perm Civil Service	A	Secretary IV	1.00	37,968	1.00	42,684	63	SR18

Judiciary
New Hires

Table 12

(Special Fund Positions Noted in RED)

<u>New Hire Effective Date:</u>	<u>Prog ID/Org</u>	<u>Position Number</u>	<u>Perm/Temp</u>	<u>MOF</u>	<u>Position Title</u>	<u>Budgeted FTE</u>	<u>Budgeted Salary</u>	<u>Actual FTE</u>	<u>Actual Salary</u>	<u>BU Code</u>	<u>SR Level</u>
July 2009											
	NO NEW HIRES										
Aug 2009											
	JUD101	00027463	Perm Exempt	A	Law Clerk	1.00	53,835	1.00	55,500	73	SR20
	JUD101	00027461	Perm Exempt	A	Law Clerk	1.00	58,223	1.00	55,500	73	SR20
	JUD101	00500068	Perm Exempt	A	Law Clerk	1.00	53,835	1.00	55,500	73	SR20
	JUD310	00057251	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
	JUD310	00500284	Temp Civil Svc	A	Social Service Assistant IV	1.00	26,664	1.00	28,836	03	SR11
	JUD310	00023507	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
	JUD310	00058670	Perm	A	Juvenile Detention Worker II	1.00	39,672	1.00	41,760	10	SR05
	JUD310	00025881	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
	JUD310	00059430	Temp Exempt	A	Law Clerk	1.00	49,332	1.00	53,352	73	SR20
	JUD310	00057877	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
	JUD320	00057758	Perm	A	Judicial Clerk II	1.00	29,135	1.00	30,036	03	S1R2
	JUD320	00027877	Perm Exempt	A	Judicial Assistant I	1.00	48,434	1.00	46,176	03	SR21
	JUD320	00057772	Perm Exempt	A	Law Clerk	1.00	49,761	1.00	53,352	73	SR20
	JUD320	00059126	Perm	A	Social Worker II	1.00	37,818	1.00	38,988	13	SR18
	JUD320	00500350	Perm	A	IT Support Technician III	1.00	46,485	1.00	36,516	03	SR17
	JUD320	00027881	Perm Exempt	A	Law Clerk	1.00	49,761	1.00	53,352	73	SR20
	JUD350	00059433	Perm	A	Court Bailiff I	1.00	38,690	1.00	31,212	03	SR13
	JUD350	00058855	Perm Exempt	A	Law Clerk	1.00	50,274	1.00	53,352	73	SR20
Sept 2009											
	JUD101	00027465	Perm Exempt	A	Law Clerk	1.00	53,835	1.00	55,500	73	SR20
	JUD101	00012739	Perm Exempt	A	Law Clerk	1.00	53,835	1.00	55,500	73	SR20
	JUD101	00027464	Perm Exempt	A	Law Clerk	1.00	53,835	1.00	55,500	73	SR20
	JUD101	00012281	Perm Exempt	A	Law Clerk	1.00	53,835	1.00	55,500	73	SR20
	JUD101	00057721	Perm Exempt	A	Law Clerk	1.00	53,835	1.00	55,500	73	SR20
	JUD101	00057262	Perm Exempt	A	Law Clerk	1.00	53,835	1.00	55,500	73	SR20
	JUD101	00059187	Perm Exempt	A	Law Clerk	1.00	53,835	1.00	55,500	73	SR20
	JUD101	00500066	Perm Exempt	A	Law Clerk	1.00	53,835	1.00	55,500	73	SR20
	JUD101	00500067	Perm Exempt	A	Law Clerk	1.00	53,835	1.00	55,500	73	SR20
	JUD310	00023424	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
	JUD310	00014890	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
	JUD310	00025218	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
	JUD310	00058003	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
	JUD310	00025311	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
	JUD310	00058008	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
	JUD310	00026894	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
	JUD310	00057876	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
	JUD310	00058583	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
	JUD310	00058579	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20

Judiciary
New Hires

Table 12

(Special Fund Positions Noted in RED)

<u>New Hire Effective Date:</u>	<u>Prog ID/Org</u>	<u>Position Number</u>	<u>Perm/Temp</u>	<u>MOF</u>	<u>Position Title</u>	<u>Budgeted FTE</u>	<u>Budgeted Salary</u>	<u>Actual FTE</u>	<u>Actual Salary</u>	<u>BU Code</u>	<u>SR Level</u>
	JUD310	00059427	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
	JUD310	00004800	Perm	A	Cook III	1.00	42,283	1.00	44,508	01	SR08
	JUD310	00011956	Perm	A	Juvenile Detention Worker II	1.00	41,234	1.00	41,760	10	SR05
	JUD310	00058222	Perm	A	Judicial Clerk II	1.00	30,803	1.00	30,036	03	SR12
	JUD320	00057719	Perm	A	Judicial Clerk II	1.00	34,012	1.00	30,036	03	SR12
	JUD330	00057200	Perm Exempt	A	Law Clerk	1.00	49,761	1.00	53,352	73	SR20
	JUD330	00057122	Perm Exempt	A	Law Clerk	1.00	49,761	1.00	53,352	73	SR20
	JUD330	00057379	Perm Exempt	A	Judicial Assistant I	1.00	46,607	1.00	46,176	03	SR21
	JUD330	00058919	Perm	A	Clerk IV	1.00	29,135	1.00	27,756	03	SR10
	JUD350	00058861	Perm	A	Clerk III	1.00	31,776	1.00	25,668	03	SR08
	JUD610	00500425	Temp Exempt	B	JIMS Project Development Spvr	1.00	82,000	1.00	82,000	23	NA
	JUD610	00500471	Temp Exempt	B	JIMS Assistant	1.00	35,000	1.00	35,000	03	NA
Oct 2009											
	JUD101	00027462	Perm Exempt	A	Law Clerk	1.00	53,835	1.00	55,500	73	SR20
	JUD310	00059079	Perm Exempt	A	Law Clerk	1.00	50,684	1.00	53,352	73	SR20
	JUD310	00059430	Temp Exempt	A	Law Clerk	1.00	49,332	1.00	53,352	73	SR20
	JUD310	00057880	Perm Civil Service	A	District Court Clerk I	1.00	42,191	1.00	33,756	03	SR15
	JUD310	00015961	Perm Civil Service	A	Court Bailiff I	1.00	43,867	1.00	31,212	03	SR13
	JUD320	00059262	Perm Civil Service	A	Social Worker III	1.00	47,852	1.00	42,132	13	SR20
	JUD320	00058157	Perm Civil Service	A	Social Worker III	1.00	55,977	1.00	42,132	13	SR20
	JUD320	00500370	Perm Civil Service	A	Social Worker I	1.00	44,209	1.00	36,024	13	SR16
	JUD330	00059716	Perm Civil Service	A	Social Worker IV	1.00	44,209	1.00	47,412	13	SR22
	JUD330	00057365	Perm Civil Service	A	Judicial Clerk I	1.00	30,276	1.00	27,756	03	SR10
	JUD610	00500331	Perm Civil Service	A	Clerk IV	1.00	27,756	1.00	27,756	03	SR10
	JUD610	00026622	Perm Civil Service	A	Planner III	1.00	42,132	1.00	42,132	13	SR20
	JUD610	00500464	Temp Civil Service	A	Clerk III	1.00	19,251	1.00	25,668	03	SR08
Nov 2009											
	JUD310	00059430	Temp Exempt	A	Law Clerk	1.00	49,332	1.00	53,352	73	SR20
	JUD310	00057966	Perm Civil Service	A	Janitor II	1.00	31,567	1.00	33,228	01	SR02
	JUD310	00500298	Temp Exempt	A	Research Aide	0.48	0	0.48		63	SR10
	JUD310	00500476	Temp Civil Service	A	Social Service Assistant IV	1.00	0	1.00	28,836	03	SR11
	JUD310	00500475	Temp Civil Service	A	Social Service Assistant IV	1.00	0	1.00	28,836	03	SR11
	JUD310	00004724	Perm Civil Service	A	Juvenile Detention Worker I	1.00	39,672	1.00	38,604	10	SR03
	JUD310	00059606	Perm Civil Service	A	Juvenile Detention Worker II	1.00	46,865	1.00	41,760	10	SR05
	JUD310	00023082	Perm Civil Service	A	District Court Clerk I	1.00	34,690	1.00	33,756	03	SR15
	JUD310	00057591	Perm Civil Service	A	Clerk III	1.00	24,385	1.00	25,668	03	SR08
	JUD310	00021708	Perm Civil Service	A	Judicial Clerk I	1.00	26,368	1.00	27,756	03	SR10
	JUD320	00027877	Perm Exempt	A	Judicial Assistant I	1.00	48,434	1.00	46,176	03	SR21
	JUD320	00059729	Perm Civil Service	A	Social Worker IV	1.00	47,852	1.00	45,576	13	SR22
	JUD320	00057850	Perm Civil Service	A	Social Worker IV	1.00	40,868	1.00	45,576	13	SR22
	JUD320	00057791	Perm Civil Service	A	Social Worker I	1.00	60,551	1.00	36,024	13	SR16
	JUD320	00059220	Perm Civil Service	A	Judicial Clerk II	1.00	35,093	1.00	30,036	03	SR12

Judiciary
New Hires

Table 12

(Special Fund Positions Noted in RED)

<u>New Hire Effective Date:</u>	<u>Prog ID/Org</u>	<u>Position Number</u>	<u>Perm/Temp</u>	<u>MOF</u>	<u>Position Title</u>	<u>Budgeted FTE</u>	<u>Budgeted Salary</u>	<u>Actual FTE</u>	<u>Actual Salary</u>	<u>BU Code</u>	<u>SR Level</u>
	JUD330	00500146	Perm Exempt	A	Judicial Assistant I	1.00	63,365	1.00	46,176	03	SR21
	JUD330	00500254	Temp Civil Service	A	Clerk III	1.00	0	1.00	25,668	03	SR08
	JUD330	00059742	Perm Civil Service	A	Clerk III	1.00	25,899	1.00	25,668	03	SR08
	JUD330	00057006	Perm Civil Service	A	Judicial Clerk II	1.00	31,451	1.00	30,036	03	SR12
	JUD350	00059727	Perm Civil Service	A	Social Worker II	1.00	38,208	1.00	38,988	13	SR18
	JUD350	00059312	Perm Civil Service	A	Social Worker II	1.00	41,289	1.00	38,988	13	SR18
	JUD350	00057126	Perm Civil Service	A	District Court Clerk I	1.00	37,209	1.00	33,756	03	SR15
	JUD610	00058839	Perm Exempt	A	Research Analyst	1.00	37,452	0.60	33,300	13	SR24

Judiciary
Reduction in Force (RIF) Actions

Table 13

<u>RIF Code</u>	<u>Prog ID/Org</u>	<u>RIF Action</u>	<u>Position ##</u>	<u>Position Title</u>	<u>MOF</u>	<u>FTE</u>	<u>Current Comp Rate</u>	<u>Position Salary Decrease</u>	<u>Position Salary Increase</u>	<u>Comp Freq (Mo/Hr)</u>	<u>SR Level</u>	<u>BU</u>	<u>Perm/ Temp</u>	<u>Placement Action</u>	<u>Reason</u>
None to date.															

Judiciary
Expenditures Exceeding Federal Fund Ceiling

Table 14

<u>Prog ID</u>	<u>Appropriation Ceiling</u>	<u>Ceiling Increase</u>	<u>Date of Increase</u>	<u>Reason for Exceeding Ceiling</u>	<u>Recurring (Y/N)</u>	<u>GF Impact (Y/N)</u>	<u>ARRA?</u>
Not Applicable to the Judiciary							

Judiciary
Intradepartmental Transfers

Table 15

<u>From Prog ID</u>	<u>To Prog ID</u>	<u>Amount Transferred</u>	<u>Date of Transfer</u>	<u>Reason for Transfer</u>	<u>Recurring (Y/N)</u>
FY 2009					
JUD 601	JUD 310	75,000	9/18/2008	Hawaii Family Law Clinic GIA approp to JUD 601 by administered by JUD 310.	N
JUD 310	JUD 320	15,647	9/18/2008	Distribution of statewide urinalysis funds to neighbor island programs.	N
	JUD 330	7,910	9/18/2008	Distribution of statewide urinalysis funds to neighbor island programs.	N
	JUD 350	7,310	9/18/2008	Distribution of statewide urinalysis funds to neighbor island programs.	N
JUD 601	JUD 310	66,030	9/18/2008	Interpreter fees approp to JUD 601 but paid by operating pgm.	N
	JUD 320	10,230	9/18/2008	Interpreter fees approp to JUD 601 but paid by operating pgm.	N
	JUD 330	14,880	9/18/2008	Interpreter fees approp to JUD 601 but paid by operating pgm.	N
	JUD 350	1,860	9/18/2008	Interpreter fees approp to JUD 601 but paid by operating pgm.	N
JUD 330	JUD 601	50,000	3/24/2009	To ensure sufficient funding for worker's compensation payments.	N
JUD 320 JUD 330	JUD 601	400,000	5/6/2009	To cover program shortfall caused by large electricity cost increases.	N
JUD 310	JUD 601	200,000	5/21/2009	To cover program shortfall caused by large electricity cost increases.	N
JUD 330 JUD 350	JUD 601	400,000	6/8/2009	To cover program shortfall caused by large electricity cost increases.	N
FY 2010					
JUD 101 JUD 310 JUD 320 JUD 330 JUD 350 JUD 501	JUD 601	8,088,655	10/21/2009	To reallocate funds as intended by the Legislature when the entire Judiciary's lump-sum budget cut was applied solely to JUD 601 for expediency purposes.	N

Judiciary
CIP Summary

Table 16

Priority	Project Title	\$\$\$\$	MOF
1	Kapolei Judiciary Complex, O'ahu	3,050,000	C
2	Kauikeaouli Hale Cooling Tower Condenser Water Piping Replacement, O'ahu	360,000	C
3	Ka'ahumanu Hale Roof, Lanai, and Concrete Terrace Deck Improvements, O'ahu	4,215,000	C
4	Lahaina District Court Roof and Parapet Wall Improvements, Maui	300,000	C
5	Ka'ahumanu Hale Elevator Systems Upgrade and Modernization, O'ahu	312,000	C
6	North Kohala District Court Roof and Eave Improvements, Hawai'i	300,000	C
7	Lump Sum CIP for Judiciary Facilities, Statewide	25,950,000	C
	Judiciary Total	34,487,000	C