



JUDICIARY COMM. NO. 18

Office of the Administrative Director of the Courts – THE JUDICIARY • STATE OF HAWAII
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Rodney A. Maile
ADMINISTRATIVE DIRECTOR

Brandon M. Kimura
DEPUTY ADMINISTRATIVE DIRECTOR

December 20, 2019

The Honorable Ronald D. Kouchi
President of the Senate
State Capitol, Room 409
Honolulu, HI 96813

The Honorable Scott K. Saiki
Speaker of the House of Representatives
State Capitol, Room 431
Honolulu, HI 96813

Dear President Kouchi and Speaker Saiki:

Pursuant to Act 159, Session Laws of Hawai'i and Chapter 37, Hawai'i Revised Statutes, the Judiciary is transmitting a copy of the *Report on the Judiciary's Supplemental Budget (2019-2021) and Variance Report (2018-2020)*.

In accordance with Section 93-16, Hawai'i Revised Statutes, we are also transmitting a copy of this report to the Legislative Reference Bureau Library.

The public may view an electronic copy of this report on the Judiciary's website at the following link: http://www.courts.state.hi.us/news_and_reports/reports/reports.html.

Should you have any questions regarding this report, please feel free to contact Karen Takahashi of the Judiciary's Legislative Coordinating Office at 539-4896, or via e-mail at Karen.T.Takahashi@courts.hawaii.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Rodney A. Maile".

for Rodney A. Maile
Administrative Director of the Courts

Enclosure

c: Legislative Reference Bureau Library
Office of the Clerk, Hawai'i State Senate
Office of the Clerk, Hawai'i House of Representatives



The **Judiciary**
State of Hawai'i

**Supplemental Budget
(2019-2021)
and
Variance Report
(2018-2020)
Submitted to the
Thirtieth State Legislature**



December 2019

**To the Thirtieth State Legislature of Hawai'i
Regular Session of 2020**

As Chief Justice of the Hawai'i Supreme Court and Administrative Head of the Judiciary, it is my pleasure to transmit to the Hawai'i State Legislature the Judiciary's FB 2019-21 Supplemental Budget and Variance Report. This document was prepared in accordance with the provisions of Act 159, Session Laws of Hawai'i, 1974, and Chapter 37 of the Hawai'i Revised Statutes, as amended.

Hawaii's courts provide an independent and accessible forum to fairly resolve disputes and administer justice according to the law. Consistent with this principle, the courts seek to make justice available without undue cost, inconvenience, or delay.

The Hawai'i economy, economic outlook, visitor arrivals, job counts, and construction activities continue to be strong and current state business sentiment remains positive. However, even with that, members of the Hawai'i Council on Revenues at their most recent meeting expressed concern that the economy may have reached the end of its current expansionary cycle during the seven-year budget window and cited some uncertainty about the future and the possible impact on the local economy. This uncertainty related to such matters as the U.S.-China trade war, a slowing global economy, the inverted debt instrument yield curve which has preceded recessions in the past, the potential effect of increased regulation of transient accommodation units, and the negative economic impact of Hawaii's population decline the past few years. In the end, the Council lowered its growth forecast for FY 2021 from 4% to 3%. The Judiciary is also aware of other challenges that could affect the availability of general funds including the ongoing collective bargaining negotiations, health care costs, State-mandated commitments, and other post-employment/unfunded liabilities.

Accordingly, in its supplemental budget request, the Judiciary is requesting an increase of just seven new permanent positions and funding of \$1.23 million for FY 2021, which is less than one percent of the Judiciary's current budget. Three of these position requests are for "no-cost" conversions of temporary to permanent positions – two social workers for the Court Appointed Special Advocates Program in the First Circuit to help stabilize the program and provide programmatic assistance and advocacy for abused and neglected children, and one for a court operations specialist in the Courts of Appeal. Stability for the court operations specialist position is necessary to provide continuity, knowledge, and familiarity in building management and maintenance issues for Ali'iōlani Hale and Kapuāiwa Buildings, both of which are over 150 years old.

The remaining four new permanent positions being requested are for a District Court judge and three support staff positions in the Second Circuit where the county population has more than doubled since the last district court judge position was added in 1982. A new judge would allow the Second Circuit to consider implementing additional court dockets and programming to meet needs of individuals struggling with homelessness or mental health issues; expand court services in Lahaina to five days per week; and expand services in Hāna, and on Moloka'i and Lāna'i.

The Judiciary has only two other general fund requests – one to fund the \$2,000 annual salary increase per judge based on the recommendation from the 2019 Commission on Salaries, and the second for a passthrough of purchase of services funding for continuous civil legal services funding for low-income individuals rather than have it periodically provided on a one-time basis.

Capital Improvement Project (CIP) requirements remain a major item of concern as the Judiciary's infrastructure continues to age and deteriorate, and as the population served and services provided by the Judiciary keep expanding. CIP funds totaling \$27.7 million are being requested to address certain critical needs, some of which relate to the health and safety of Judiciary employees and the public. Specifically, the Judiciary is requesting funds to upgrade and modernize fire alarm systems and elevators at Ka'ahumanu Hale (First Circuit), both of which are more than 30 years old, are tied into each other, and which continue to malfunction with greater frequency; to renovate the Ka'ahumanu Hale sheriff station; and to continue on-going projects to renovate piping at the Hoapili Hale parking structure (Second Circuit) and to reroof and repair leaks and resulting damages at Pu'uhonua Kaulike (Fifth Circuit). Lastly, CIP lump sum funding is being requested so that we can address both continuing and emergent building issues.

The Judiciary recognizes that there are many competing initiatives and difficult choices to be made regarding limited available general fund and general obligation bond fund resources. We believe that our approach to our supplemental budget request reflects consideration of these concerns yet still provides a great opportunity to provide the necessary court and legal services to the public and to the clients we serve.

I know that the Legislature shares the Judiciary's commitment to preserving a fair and effective judicial system for Hawai'i. On behalf of the Judiciary, I extend my heartfelt appreciation for your continued support and consideration.

Sincerely,



MARK E. RECKTENWALD

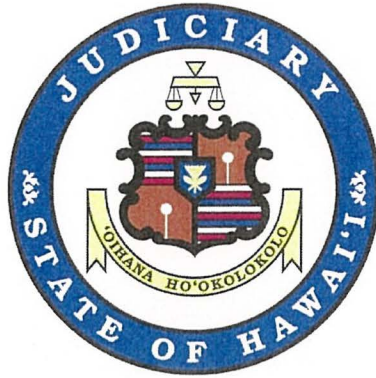
Chief Justice

December 20, 2019

TABLE OF CONTENTS

	Chief Justice's Message	
	Table of Contents	
Part I.	Introduction	1
Part II.	Operating Program Summaries	6
	The Judicial System	7
	Court Operations	8
	Support Services	9
Part III.	Operating Program Plan Details	11
	Courts of Appeal	13
	First Circuit	21
	Second Circuit	25
	Third Circuit	29
	Fifth Circuit	31
	Judicial Selection Commission	33
	Administration	35
Part IV.	Capital Improvements Appropriations and Details	42
Part V.	Variance Report	49
	Courts of Appeal	53
	First Circuit	55
	Second Circuit	57
	Third Circuit	59
	Fifth Circuit	61
	Judicial Selection Commission	63
	Administration	65

PART I



Introduction

INTRODUCTION

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.

Judiciary Programs

The major program categories of the Judiciary are court operations and support services. Programs in the court operations category serve to safeguard the rights and interests of persons by assuring an equitable and expeditious judicial process. 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.

The following is a display of the program structure of the Judiciary:

Program Structure Number	Program Level I II III	Program I.D.
01	The Judicial System	
01 01	Court Operations	
01 01 01	Courts of Appeal	JUD 101
01 01 02	First Circuit	JUD 310
01 01 03	Second Circuit	JUD 320
01 01 04	Third Circuit	JUD 330
01 01 05	Fifth Circuit	JUD 350
01 02	Support Services	
01 02 01	Judicial Selection Commission	JUD 501
01 02 02	Administration	JUD 601

Contents of Document

This document contains the Judiciary Supplemental Budget. It has been prepared to supplement the Judiciary Budget Document presented to the Legislature in December 2018, and serves as the basis for amending the Judiciary Appropriations Act (Act 38, SLH 2019) passed by the Thirtieth State Legislature.

The following is an explanation of the sections contained in this document:

Operating Program Summaries

The summaries in this section present data at the total judicial system level and at the court operations and support services levels.

Operating Program Plan Details

The Supplemental Budget is presented by major program areas. Each program area includes a financial summary, followed by narratives on the program objectives, and related data. The budget requests are listed and then discussed.

Capital Improvements Appropriations and Details

This section provides capital improvements cost information by project, cost element, and means of financing over the 6-year planning period.

Variance Report

This section provides information on the estimated and actual expenditures, positions, measures of effectiveness, and program size indicators for major program areas within the Judiciary.

The Budget

The recommended levels of operating expenditures for FY 2021 by major programs are as follows:

Operating Expenditures (in \$)

Major Program	MOF	Current Appropriation	Supplemental Request	Total Request
Courts of Appeal	A	7,269,592	44,000	7,313,592
First Circuit	A	88,382,752	220,000	88,602,752
	B	4,429,112	---	4,429,112
Second Circuit	A	17,955,448	392,856	18,348,304
Third Circuit	A	21,750,643	48,000	21,798,643
Fifth Circuit	A	8,447,902	24,000	8,471,902
Judicial Selection Commission	A	103,414	---	103,414
Administration	A	27,587,239	500,000	28,087,239
	B	8,034,802	---	8,034,802
	W	<u>343,261</u>	<u>---</u>	<u>343,261</u>
Total	A	171,496,990	1,228,856	172,725,846
	B	12,463,914	---	12,463,914
	W	<u>343,261</u>	<u>---</u>	<u>343,261</u>

Revenues

The projected revenues (all sources) for FY 2021 by major programs are as follows:

Revenues (in \$)

Major Program	Amount
Courts of Appeal	82,744
First Circuit	33,429,218
Second Circuit	3,995,240
Third Circuit	4,558,750
Fifth Circuit	1,576,490
Administration	<u>146,630</u>
Total	<u>43,789,072</u>

Cost Categories, Cost Elements, and Means of Financing

"**Cost categories**" identifies the major types of costs and includes operating and capital investment.

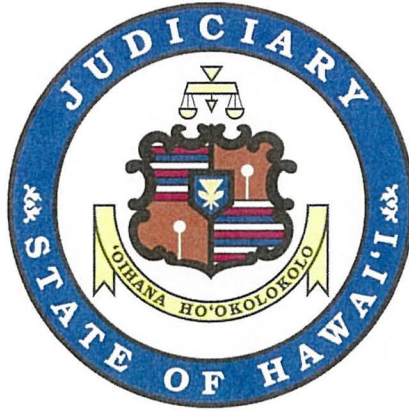
"**Cost elements**" identifies the major subdivisions of a cost category. The category "operating" includes personal services, other current expenses, and equipment. The category "capital investment" includes plans, land acquisition, design, construction, and equipment.

"**Means of financing**" (MOF) identifies the various sources from which funds are made available and includes general funds (A), federal funds (N), special funds (B), revolving funds (W), and general obligation bond funds (C).

This document has been prepared by the Office of the Administrative Director with assistance from the Judiciary staff. It is being submitted to the Thirtieth State Legislature in accordance with the provisions of Chapter 37, Hawai'i Revised Statutes.

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PART II



Operating Program Summaries

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II		
Level III		

PROGRAM EXPENDITURES (in dollars)	FISCAL YEAR 2019-20			FISCAL YEAR 2020-21			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs	1,999.00 *	0.00 *	1,999.00 *	1,999.00 *	7.00 *	2,006.00 *	1,999.00 *	2,006.00 *
	88.02 #	0.00 #	88.02 #	88.02 #	(3.00) #	85.02 #	88.02 #	85.02 #
Personal Services	129,537,819	0	129,537,819	130,364,543	699,016	131,063,559	259,902,362	260,601,378
Other Current Expenses	54,167,922	0	54,167,922	53,045,134	500,000	53,545,134	107,213,056	107,713,056
Equipment	920,638	0	920,638	894,488	29,840	924,328	1,815,126	1,844,966
Motor Vehicles	0	0	0	0	0	0	0	0
	1,999.00 *	0.00 *	1,999.00 *	1,999.00 *	7.00 *	2,006.00 *	1,999.00 *	2,006.00 *
	88.02 #	0.00 #	88.02 #	88.02 #	(3.00) #	85.02 #	88.02 #	85.02 #
Total Operation Costs	184,626,379	0	184,626,379	184,304,165	1,228,856	185,533,021	368,930,544	370,159,400
Capital & Investment Costs	9,355,000	0	9,355,000	0	27,700,000	27,700,000	9,355,000	37,055,000
	1,999.00 *	0.00 *	1,999.00 *	1,999.00 *	7.00 *	2,006.00 *	1,999.00 *	2,006.00 *
	88.02 #	0.00 #	88.02 #	88.02 #	(3.00) #	85.02 #	88.02 #	85.02 #
Total Program Expenditures	193,981,379	0	193,981,379	184,304,165	28,928,856	213,233,021	378,285,544	407,214,400

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2019-20			FISCAL YEAR 2020-21			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
	1,957.00 *	0.00 *	1,957.00 *	1,957.00 *	7.00 *	1,964.00 *	1,957.00 *	1,964.00 *
	79.02 #	0.00 #	79.02 #	79.02 #	(3.00) #	76.02 #	79.02 #	76.02 #
General Fund	171,819,204	0	171,819,204	171,496,990	1,228,856	172,725,846	343,316,194	344,545,050
	42.00 *	0.00 *	42.00 *	42.00 *	0.00 *	42.00 *	42.00 *	42.00 *
	9.00 #	0.00 #	9.00 #	9.00 #	0.00 #	9.00 #	9.00 #	9.00 #
Special Funds	12,463,914	0	12,463,914	12,463,914	0	12,463,914	24,927,828	24,927,828
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	343,261	0	343,261	343,261	0	343,261	686,522	686,522
G.O. Bond Fund	9,355,000	0	9,355,000	0	27,700,000	27,700,000	9,355,000	37,055,000
	1,999.00 *	0.00 *	1,999.00 *	1,999.00 *	7.00 *	2,006.00 *	1,999.00 *	2,006.00 *
	88.02 #	0.00 #	88.02 #	88.02 #	(3.00) #	85.02 #	88.02 #	85.02 #
Total Financing	193,981,379	0	193,981,379	184,304,165	28,928,856	213,233,021	378,285,544	407,214,400

* Permanent positions
Temporary positions

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	01	Court Operations
Level III		

PROGRAM EXPENDITURES (in dollars)	FISCAL YEAR 2019-20			FISCAL YEAR 2020-21			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs	1,771.00 *	0.00 *	1,771.00 *	1,771.00 *	7.00 *	1,778.00 *	1,771.00 *	1,778.00 *
	69.54 #	0.00 #	69.54 #	69.54 #	(3.00) #	66.54 #	69.54 #	66.54 #
Personal Services	112,272,156	0	112,272,156	113,097,827	699,016	113,796,843	225,369,983	226,068,999
Other Current Expenses	35,760,410	0	35,760,410	35,137,622	0	35,137,622	70,898,032	70,898,032
Equipment	26,150	0	26,150	0	29,840	29,840	26,150	55,990
Motor Vehicles	0	0	0	0	0	0	0	0
	1,771.00 *	0.00 *	1,771.00 *	1,771.00 *	7.00 *	1,778.00 *	1,771.00 *	1,778.00 *
	69.54 #	0.00 #	69.54 #	69.54 #	(3.00) #	66.54 #	69.54 #	66.54 #
Total Operation Costs	148,058,716	0	148,058,716	148,235,449	728,856	148,964,305	296,294,165	297,023,021
Capital & Investment Costs	0	0	0	0	0	0	0	0
	1,771.00 *	0.00 *	1,771.00 *	1,771.00 *	7.00 *	1,778.00 *	1,771.00 *	1,778.00 *
	69.54 #	0.00 #	69.54 #	69.54 #	(3.00) #	66.54 #	69.54 #	66.54 #
Total Program Expenditures	148,058,716	0	148,058,716	148,235,449	728,856	148,964,305	296,294,165	297,023,021

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2019-20			FISCAL YEAR 2020-21			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
	1,730.00 *	0.00 *	1,730.00 *	1,730.00 *	7.00 *	1,737.00 *	1,730.00 *	1,737.00 *
	69.54 #	0.00 #	69.54 #	69.54 #	(3.00) #	66.54 #	69.54 #	66.54 #
General Fund	143,629,604	0	143,629,604	143,806,337	728,856	144,535,193	287,435,941	288,164,797
	41.00 *	0.00 *	41.00 *	41.00 *	0.00 *	41.00 *	41.00 *	41.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Special Funds	4,429,112	0	4,429,112	4,429,112	0	4,429,112	8,858,224	8,858,224
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Fund	0	0	0	0	0	0	0	0
	1,771.00 *	0.00 *	1,771.00 *	1,771.00 *	7.00 *	1,778.00 *	1,771.00 *	1,778.00 *
	69.54 #	0.00 #	69.54 #	69.54 #	(3.00) #	66.54 #	69.54 #	66.54 #
Total Financing	148,058,716	0	148,058,716	148,235,449	728,856	148,964,305	296,294,165	297,023,021

* Permanent positions
Temporary positions

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	02	Support Services
Level III		

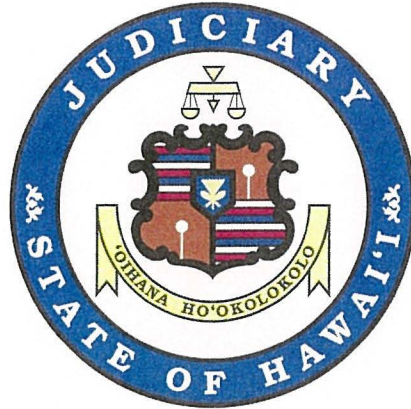
PROGRAM EXPENDITURES (in dollars)	FISCAL YEAR 2019-20			FISCAL YEAR 2020-21			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs	228.00 *	0.00 *	228.00 *	228.00 *	0.00 *	228.00 *	228.00 *	228.00 *
	18.48 #	0.00 #	18.48 #	18.48 #	0.00 #	18.48 #	18.48 #	18.48 #
Personal Services	17,265,663	0	17,265,663	17,266,716	0	17,266,716	34,532,379	34,532,379
Other Current Expenses	18,407,512	0	18,407,512	17,907,512	500,000	18,407,512	36,315,024	36,815,024
Equipment	894,488	0	894,488	894,488	0	894,488	1,788,976	1,788,976
Motor Vehicles	0	0	0	0	0	0	0	0
	228.00 *	0.00 *	228.00 *	228.00 *	0.00 *	228.00 *	228.00 *	228.00 *
	18.48 #	0.00 #	18.48 #	18.48 #	0.00 #	18.48 #	18.48 #	18.48 #
Total Operation Costs	36,567,663	0	36,567,663	36,068,716	500,000	36,568,716	72,636,379	73,136,379
Capital & Investment Costs	9,355,000	0	9,355,000	0	27,700,000	27,700,000	9,355,000	37,055,000
	228.00 *	0.00 *	228.00 *	228.00 *	0.00 *	228.00 *	228.00 *	228.00 *
	18.48 #	0.00 #	18.48 #	18.48 #	0.00 #	18.48 #	18.48 #	18.48 #
Total Program Expenditures	45,922,663	0	45,922,663	36,068,716	28,200,000	64,268,716	81,991,379	110,191,379

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2019-20			FISCAL YEAR 2020-21			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
	227.00 *	0.00 *	227.00 *	227.00 *	0.00 *	227.00 *	227.00 *	227.00 *
	9.48 #	0.00 #	9.48 #	9.48 #	0.00 #	9.48 #	9.48 #	9.48 #
General Fund	28,189,600	0	28,189,600	27,690,653	500,000	28,190,653	55,880,253	56,380,253
	1.00 *	0.00 *	1.00 *	1.00 *	0.00 *	1.00 *	1.00 *	2.00 *
	9.00 #	0.00 #	9.00 #	9.00 #	0.00 #	9.00 #	9.00 #	18.00 #
Special Funds	8,034,802	0	8,034,802	8,034,802	0	8,034,802	16,069,604	16,069,604
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	343,261	0	343,261	343,261	0	343,261	686,522	686,522
G.O. Bond Fund	9,355,000	0	9,355,000	0	27,700,000	27,700,000	9,355,000	37,055,000
	228.00 *	0.00 *	228.00 *	228.00 *	0.00 *	228.00 *	228.00 *	228.00 *
	18.48 #	0.00 #	18.48 #	18.48 #	0.00 #	18.48 #	18.48 #	18.48 #
Total Financing	45,922,663	0	45,922,663	36,068,716	28,200,000	64,268,716	81,991,379	110,191,379

* Permanent positions
Temporary positions

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PART III



Operating Program Plan Details

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JUDICIARY
STATE OF HAWAII

PROGRAM TITLE:
COURTS OF APPEAL

PROGRAM STRUCTURE LEVEL NO.III

PROGRAM STRUCTURE NO.

01 01 01

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	01	Court Operations
Level III	01	Courts of Appeal

PROGRAM EXPENDITURES (in dollars)	FISCAL YEAR 2019-20			FISCAL YEAR 2020-21			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs								
	73.00 *	0.00 *	73.00 *	74.00 * [^]	1.00 *	75.00 * [^]	74.00 * [^]	75.00 * [^]
	1.00 #	0.00 #	1.00 #	1.48 # [^]	(1.00) #	0.48 # [^]	1.48 # [^]	0.48 # [^]
Personal Services	6,821,036	0	6,821,036	6,811,543	44,000	6,855,543	13,632,579	13,676,579
Other Current Expenses	395,149	0	395,149	458,049	0	458,049	853,198	853,198
Equipment	0	0	0	0	0	0	0	0
Motor Vehicles	0	0	0	0	0	0	0	0
	73.00 *	0.00 *	73.00 *	74.00 * [^]	1.00 *	75.00 * [^]	74.00 * [^]	75.00 * [^]
	1.00 #	0.00 #	1.00 #	1.48 # [^]	(1.00) #	0.48 # [^]	1.48 # [^]	0.48 # [^]
Total Operation Costs	7,216,185	0	7,216,185	7,269,592	44,000	7,313,592	14,485,777	14,529,777
Capital & Investment Costs	0	0	0	0	0	0	0	0
	73.00 *	0.00 *	73.00 *	74.00 * [^]	1.00 *	75.00 * [^]	74.00 * [^]	75.00 * [^]
	1.00 #	0.00 #	1.00 #	1.48 # [^]	(1.00) #	0.48 # [^]	1.48 # [^]	0.48 # [^]
Total Program Expenditures	7,216,185	0	7,216,185	7,269,592	44,000	7,313,592	14,485,777	14,529,777

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2019-20			FISCAL YEAR 2020-21			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
	73.00 *	0.00 *	73.00 *	74.00 * [^]	1.00 *	75.00 * [^]	74.00 * [^]	75.00 * [^]
	1.00 #	0.00 #	1.00 #	1.48 # [^]	(1.00) #	0.48 # [^]	1.48 # [^]	0.48 # [^]
General Fund	7,216,185	0	7,216,185	7,269,592	44,000	7,313,592	14,485,777	14,529,777
	0.00 *	0.00 *	0.00 *	0.00 * [^]	0.00 *	0.00 * [^]	0.00 * [^]	0.00 * [^]
	0.00 #	0.00 #	0.00 #	0.00 # [^]	0.00 #	0.00 # [^]	0.00 # [^]	0.00 # [^]
Special Funds	0	0	0	0	0	0	0	0
	0.00 *	0.00 *	0.00 *	0.00 * [^]	0.00 *	0.00 * [^]	0.00 * [^]	0.00 * [^]
	0.00 #	0.00 #	0.00 #	0.00 # [^]	0.00 #	0.00 # [^]	0.00 # [^]	0.00 # [^]
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Fund	0	0	0	0	0	0	0	0
	73.00 *	0.00 *	73.00 *	74.00 * [^]	1.00 *	75.00 * [^]	74.00 * [^]	75.00 * [^]
	1.00 #	0.00 #	1.00 #	1.48 # [^]	(1.00) #	0.48 # [^]	1.48 # [^]	0.48 # [^]
Total Financing	7,216,185	0	7,216,185	7,269,592	44,000	7,313,592	14,485,777	14,529,777

* Permanent positions

Temporary positions

[^] Reflects transfer in of 1.00 FTE permanent position and \$43,008 from First Circuit Court, and transfer in of 0.48 FTE temporary position and \$10,399 from Third Circuit Court.

JUD 101 COURTS OF APPEAL PROGRAM INFORMATION AND BUDGET REQUESTS

Supreme Court

The mission of the Supreme Court is to provide timely disposition of cases, including resolution of particular disputes and explication of applicable law; to license and discipline attorneys; to discipline judges; and to make rules of practice and procedure for all Hawai'i courts.

Intermediate Court of Appeals (ICA)

The mission of the ICA is to provide 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.

A. PROGRAM OBJECTIVES

Supreme Court

- To hear and determine appeals and original proceedings that are properly brought before the court, including cases heard upon:
 - applications for writs of certiorari;
 - transfer from the ICA;
 - 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;
 - applications for other extraordinary writs;
 - complaints regarding elections.
- To make rules of practice and procedure for all state courts.
- To license, regulate, and discipline attorneys.
- To discipline judges.

ICA

- To promptly hear and determine all appeals from the district, family, and circuit courts and from any agency when appeals are allowed by law.
- To entertain, at its discretion, any case submitted without suit when there is a question of law that could be the subject of a civil action or proceeding in the Circuit Court or Tax Appeal Court, and the parties agree to the facts upon which the controversy depends.

B. DESCRIPTION OF BUDGET REQUESTS

Justices' and Judges' Salary Differential: Funding of \$44,000 for FY 2021 is requested to pay justices' and judges' pay increases that were recommended by the Commissions on Salaries and authorized by the 2019 Legislature.

Convert Budgeted Temporary Court Operations Specialist to Permanent Status: This no-cost conversion request of one temporary Court Operations Specialist III position to permanent status is to help ensure continuity of building management services and support for the Chief Clerk of the Courts of Appeal.

C. REASON FOR BUDGET REQUESTS

Justices' and Judges' Salary Differential: The Courts of Appeal are requesting \$44,000 for FY 2021 to fund justices' and judges' salaries at the legislatively mandated pay levels set by the 2019 Commissions on Salaries and authorized by the 2019 Legislature.

Convert Budgeted Temporary Court Operations Specialist to Permanent Status: The Courts of Appeal are requesting a no-cost conversion of its temporary Court Operations Specialist III position in the Supreme Court Clerk's Office to permanent status.

The Court Operations Specialist III is responsible for performing building management duties for those facilities housing the Courts of Appeal, and for providing staff support to assist with special projects for the Chief Clerk of the Supreme Court. As the Courts of Appeal operate in the Ali'iōlani Hale and Kapuāiwa Building, both of which are both on the Hawai'i and National Historic Registers, it is critical that the Court Operations Specialist be familiar with and follows the necessary protocols associated with conserving these historic buildings.

The Kapuāiwa building houses approximately 70 employees that make up the Judiciary's Human Resources Department, Internal Audit Office, Equal Employment Opportunity Office, Office of Equality & Access to the Courts, Judiciary Education Office, Commission on Judicial Conduct, and the ICA. Though this building is not open to the general public, there are ongoing repair and maintenance issues that directly affect the safety and well-being of its occupants and those who enter it, and that require continuing attention.

Beyond the approximately 100 judiciary employees and various administrative offices, Ali'iōlani Hale also houses the Supreme Court of Hawai'i (inclusive of courtroom and justices' chambers), the Law Library, and the Judiciary History Center with Museum (which focuses on the legal history of Hawai'i and landmark court cases). Ali'iōlani Hale is a documented and official historical building open to the public during regular business hours, Monday through Friday. Additionally, Ali'iōlani Hale is sought after both publicly and privately for special events, ceremonies, films and celebrations throughout the year.

Although the duties and responsibilities of the Court Operations Specialist may be varied, tending to the repair and maintenance of the Ali'iōlani Hale and the Kapuāiwa Building is of primary concern. Due to the age of the buildings (almost 150 years old) and the systems within, interior modifications and exterior maintenance often pose significant challenges and have air

quality issues that require immediate attention. The high ceilings of Ali‘iōlani Hale, along with limited crawl spaces, make installing new electrical wiring, laying conduits, or changing air conditioning systems very problematic. Also, with no sprinkler system and a single fire stairwell, the Judiciary remains committed to ensuring that Ali‘iōlani Hale remains as safe as possible for all of the building’s occupants. Having a long-term, permanent employee dedicated to interfacing and developing strong working relationships with the State Historic Preservation Division (SHPD), Judiciary Capital Improvement staff, private contractors, and other state agencies such as the Department of Accounting and General Services, would greatly assist in addressing not only existing repair and maintenance issues but preventative measures as well.

A permanent Court Operations Specialist III position would also provide much needed ongoing assistance to the Supreme Court Chief Clerk. As the building manager, the Chief Clerk is responsible for coordinating training and developing plans for the safety and security of building occupants. Training, such as active shooter training and fire and bomb emergency action plans and drills, is critical to prepare for crisis situations. With a permanent Court Operations Specialist dedicated to working with Judiciary security staff, the Sheriff’s Department, the Honolulu Police Department and other agencies, effective and continual training can be accomplished. Without a permanent Court Operations Specialist who can be depended on to oversee building management and training development/implementation, the building occupants may be placed at greater risk for their safety and security, and the historic buildings may not receive the attention needed to maintain them in the appropriate manner.

In summary, the no-cost request to convert the temporary Court Operations Specialist III position to permanent status will assist in ensuring that Ali‘iōlani Hale and the Kapuāiwa building are properly maintained and that the Chief Clerk of the Supreme Court is provided with the support required to adequately address the various issues and problems confronting the appellate court operations. In light of the important responsibilities assigned to this position and the significant impact it has on operations, conversion to permanent status will greatly contribute to a sustained level of support for the Chief Clerk and the preservation of the Judiciary’s historic facilities.

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JUD 310 FIRST CIRCUIT, JUD 320 SECOND CIRCUIT, JUD 330 THIRD CIRCUIT, AND JUD 350 FIFTH CIRCUIT PROGRAM INFORMATION

The mission of each of the four circuits is to expeditiously and fairly adjudicate or resolve all matters within its jurisdiction in accordance with law.

PROGRAM OBJECTIVES

- To assure a proper consideration of all competing interests and countervailing considerations intertwined in questions of law arising under the Constitutions of the State and the United States in order to safeguard individual rights and liberties and to protect the legitimate interests of the State and thereby ensure to the people of this State the highest standard of justice attainable under our system of government.
- To develop and maintain a sound management system which incorporates the most modern administrative practices and techniques to assure the uniform delivery of services of the highest possible quality, while providing for and promoting the effective, economical, and efficient utilization of public resources.
- To administer a system for the selection of qualified individuals to serve as jurors so as to ensure fair and impartial trials and thereby effectuate the constitutional guarantee of trial by jury.
- To provide for the fair and prompt resolution of all civil and criminal proceedings and traffic cases so as to ensure public safety and promote the general welfare of the people of the State, but with due consideration for safeguarding the constitutional rights of the accused.
- To conduct presentence and other predispositional investigations in a fair and prompt manner for the purpose of assisting the courts in rendering appropriate sentences and other dispositions with due consideration for all relevant facts and circumstances.
- To maintain accurate and complete court records as required by law and to permit immediate access to such records, where appropriate, by employing a records management system which minimizes storage and meets retention requirements.
- To supervise convicted and deferred law violators who are placed on probation or given deferments of guilty pleas by the courts to assist them toward socially acceptable behavior and thereby promote public safety.
- To safeguard the rights and interests of persons by assuring an effective, equitable, and expeditious resolution of civil and criminal cases properly brought to the courts, and by providing a proper legal remedy for legally recognized wrongs.

- To assist and protect children and families whose rights and well-being are jeopardized by securing such rights through action by the court, thereby promoting the community's legitimate interest in the unity and welfare of the family and the child.
- To administer, to the fullest extent permitted by law, the orders and decrees pronounced by the Family Courts so as to maintain the integrity of the judicial process.
- To supervise law violators who are placed on probation by the Family Courts and assist them toward socially acceptable behavior, thereby promoting public safety.
- To protect minors whose environment or behavior is injurious to themselves or others and to restore them to society as law-abiding citizens.
- To complement the strictly adjudicatory function of the Family Courts by providing services such as counseling, guidance, mediation, education, and other necessary and proper services for children and adults.
- To coordinate and administer a comprehensive traffic safety education program as a preventive and rehabilitative endeavor directed to both adult and juvenile traffic offenders in order to reduce the number of deaths and injuries resulting from collisions due to unsafe driving decisions and behavior.
- To develop a statewide drug court treatment and supervision model for non-violent adults and juveniles, adapted to meet the needs and resources of the individual jurisdictions they serve.
- To deliver services and attempt to resolve disputes in a balanced manner that provides attention to all participants in the justice system, including parties to a dispute, attorneys, witnesses, jurors, and other community members, embodying the principles of restorative justice.

LAND COURT/TAX APPEAL COURT

- To provide for an effective, equitable, and expeditious system for the adjudication and registration of title to land and easements and rights to land within the State.
- To assure an effective, efficient, and expeditious adjudication of all appeals between the tax assessor and the taxpayer with respect to all matters of taxation committed to its jurisdiction.
- To provide a guaranteed and absolute register of land titles which simplifies for landowners the method for conveying registered land.

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POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	01	Court Operations
Level III	02	First Circuit

PROGRAM EXPENDITURES (in dollars)	FISCAL YEAR 2019-20			FISCAL YEAR 2020-21			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs								
	1,144.50 *	0.00 *	1,144.50 *	1,143.50 *^	2.00 *	1,145.50 *^	1,143.50 *^	1,145.50 *^
	58.58 #	0.00 #	58.58 #	58.58 #^	(2.00) #	56.58 #^	58.58 #^	56.58 #^
Personal Services	71,060,375	0	71,060,375	71,176,223	220,000	71,396,223	142,236,598	142,456,598
Other Current Expenses	21,635,641	0	21,635,641	21,635,641	0	21,635,641	43,271,282	43,271,282
Equipment	11,150	0	11,150	0	0	0	11,150	11,150
Motor Vehicles	0	0	0	0	0	0	0	0
	1,144.50 *	0.00 *	1,144.50 *	1,143.50 *^	2.00 *	1,145.50 *^	1,143.50 *^	1,145.50 *^
	58.58 #	0.00 #	58.58 #	58.58 #^	(2.00) #	56.58 #^	58.58 #^	56.58 #^
Total Operation Costs	92,707,166	0	92,707,166	92,811,864	220,000	93,031,864	185,519,030	185,739,030
Capital & Investment Costs	0	0	0	0	0	0	0	0
	1,144.50 *	0.00 *	1,144.50 *	1,143.50 *^	2.00 *	1,145.50 *^	1,143.50 *^	1,145.50 *^
	58.58 #	0.00 #	58.58 #	58.58 #^	(2.00) #	56.58 #^	58.58 #^	56.58 #^
Total Program Expenditures	92,707,166	0	92,707,166	92,811,864	220,000	93,031,864	185,519,030	185,739,030

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2019-20			FISCAL YEAR 2020-21			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
	1,103.50 *	0.00 *	1,103.50 *	1,102.50 *^	2.00 *	1,104.50 *^	1,102.50 *^	1,104.50 *^
	58.58 #	0.00 #	58.58 #	58.58 #^	(2.00) #	56.58 #^	58.58 #^	56.58 #^
General Fund	88,278,054	0	88,278,054	88,382,752	220,000	88,602,752	176,660,806	176,880,806
	41.00 *	0.00 *	41.00 *	41.00 *^	0.00 *	41.00 *^	41.00 *^	41.00 *^
	0.00 #	0.00 #	0.00 #	0.00 #^	0.00 #	0.00 #^	0.00 #^	0.00 #^
Special Funds	4,429,112	0	4,429,112	4,429,112	0	4,429,112	8,858,224	8,858,224
	0.00 *	0.00 *	0.00 *	0.00 *^	0.00 *	0.00 *^	0.00 *^	0.00 *^
	0.00 #	0.00 #	0.00 #	0.00 #^	0.00 #	0.00 #^	0.00 #^	0.00 #^
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Fund	0	0	0	0	0	0	0	0
	1,144.50 *	0.00 *	1,144.50 *	1,143.50 *^	2.00 *	1,145.50 *^	1,143.50 *^	1,145.50 *^
	58.58 #	0.00 #	58.58 #	58.58 #^	(2.00) #	56.58 #^	58.58 #^	56.58 #^
Total Financing	92,707,166	0	92,707,166	92,811,864	220,000	93,031,864	185,519,030	185,739,030

* Permanent positions

Temporary positions

^ Reflects transfer out of 1.00 FTE permanent position and \$43,008 to Courts of Appeal.

JUD 310 FIRST CIRCUIT BUDGET REQUESTS

A. DESCRIPTION OF BUDGET REQUESTS

Judges' Salary Differential: Funding of \$220,000 in FY 2021 is requested to fund Judges' salaries at the legislatively mandated pay levels set by the 2019 Commission on Salaries and authorized by the 2019 Legislature.

Convert Two Temporary Social Worker IV Positions in the Court Appointed Special Advocate (CASA) Program to Permanent Status: This request for a no-cost conversion of two temporary positions to permanent standing is an effort to further stabilize the CASA Program, which represents the best interests of children in abuse and neglect cases.

B. REASON FOR BUDGET REQUESTS

Judges' Salary Differential: First Circuit is requesting \$220,000 in FY 2021 to fund judges' salaries at the legislatively mandated pay levels set by the 2019 Commission on Salaries and authorized by the 2019 Legislature.

Convert Two Temporary Positions in the CASA Program to Permanent Status: First Circuit is requesting a no-cost conversion of two temporary Social Worker IV positions in its CASA Program to permanent status.

Federal and state statutes mandate the appointment of a Guardian Ad Litem (GAL) to represent the best interests of every abused and neglected child during child protective court proceedings. They also require that every child entering the foster care system must be provided a GAL to represent the child's best interests and ensure the child's safety and well-being.

Historically, GALs were attorneys; however, over the years, the value of having non-attorney individuals serving as Court Appointed Special Advocates (CASAs) was recognized at the national level. This resulted in a 1996 amendment to the Child Abuse Prevention and Treatment Act of 1974, which specifically included the appointment of a CASA in child abuse and neglect cases.

Section 587A-16, Hawai'i Revised Statutes provides guidance as to when a GAL, including a CASA, appointment is required. The Family Court appoints a GAL when the Department of Human Services' Child Welfare Services, through the Attorney General's Office, files a petition on behalf of the child. The sole responsibility of the GAL is to protect the best interests of the child, that is, safety, permanency and well-being.

The CASA Program in the First Circuit has eight social workers positions - six permanent and two temporary - and utilizes court-appointed community volunteers (i.e., CASAs) to represent the best interests of a child in a child abuse or neglect case in and out of court. The CASA social worker will serve as the CASA/GAL for the most severe harm cases and when there is no CASA volunteer available. The CASAs/GALs are appointed as an officer of the court who serve as fact-finders, monitors, and advocates for the safety and well-being of these children in foster

care. The social workers who staff the CASA Program recruit, train, support, and provide oversight to these volunteers, as well as attend the various meetings and court hearings for each of their cases.

In 2018, CASA social workers supervised and supported 78 CASA volunteers who served 3,708 hours in their capacity as children’s advocates. In 2019, through September 30, 51 CASA volunteers had worked 2,594 hours of volunteer time.

At any given point in time, the CASA Program serves an average of 205 children. The following table shows the number of children and families that the Family Court has appointed to the CASA Program between 2015 and 2019:

Calendar Year	Number of Children	Number of Families
2015	299	167
2016	305	170
2017	311	176
2018	326	187
2019*	285	167

*Jan 1 – Sep 30

Following National CASA Program standards, the CASA staff of social workers is responsible for ensuring that a CASA social worker or volunteer meets monthly with every child who is part of the CASA Program. In fact, during the last two years, the Program social workers and/or volunteers visited or made face-to-face contact with an average 171 children each month.

The social worker for every child appointed to the CASA Program must attend all family ohana conferences, court hearings/mediation/trials/motions, special education eligibility and re-evaluation meetings, youth circle meetings, and treatment/multi-disciplinary team meetings. The social workers are also directly involved with the Department of Human Services initiatives such as wrap around services and safety/permanency/well-being of child services, and for conducting home visits and submitting court reports at every review hearing.

As mentioned earlier, the CASA staff must also recruit, train, and supervise the community volunteers. The Program conducts three CASA certification trainings annually. CASA social workers interview volunteer applicants and facilitate the trainings that consist of five, eight hour sessions for a total of 40 hours of training. Once certified, the CASA volunteer is assigned to various children’s cases, under the supervision of the CASA social worker.

In light of the sheer number of foster children represented by the CASA Program, being fully staffed is essential to meeting all of its ongoing duties and requirements, to supporting best practices and high quality advocacy for these children, and to maintaining legal and national certification standards as a GAL Program working with volunteer CASAs.

Having two temporary rather than permanent social worker positions adversely affects the overall Program and staff as it continues to struggle to retain highly skilled and well trained individuals in these positions, and to maintain a consistent face and contact with the children it serves. The job duties that are involved with helping neglected and abused children are extremely difficult to deal with, and when combined with the position being temporary can make

the position even less attractive. Individuals who fill these temporary positions often continue to seek permanent employment opportunities elsewhere. When these positions are vacant or just recently filled, the other social workers have to take on extra cases resulting in overloaded case assignments and increased stress and hardship for them. Furthermore, the need to invest precious time and resources to recruit, hire, and train new workers (which could take up to a year), only to have these highly skilled trained workers seek out and possibly leave for permanent positions elsewhere, is very inefficient. The biggest criticism regarding why children in the child welfare and foster care system fail is the lack of any consistent/constant person in their lives. The high turnover rate in these two temporary social worker positions negatively contributes to an already difficult situation faced by these children.

Another consequence from not being able to retain social workers in these temporary positions is that some cases may be kept open longer, which can have a detrimental effect on these vulnerable children. Conversely, having consistent interactions between social workers and children in cases and the good working relationship that builds between them over time will often increase the advancement of a case and can reduce costs to the state as cases do not linger in the system.

Converting the temporary social worker positions into permanent status will hopefully increase the ability of the Program to retain highly competent and trained social workers, and help improve the staffing issues affecting the CASA Program. While the six permanent CASA social worker positions have been relatively stable with some of the social workers being in their position between 14 and 18 years, those social workers in the temporary positions have rarely stayed long, averaging just over one year.

A full staff of eight permanent social workers is essential to meet the program's standards and legal obligations required under the law, and to be in good standing with CASA's national certification requirements. The conversion will help stabilize the Program's work force to allow more time and resources to recruit and train new CASA volunteers. Most important would be the more consistent support, service, interaction, and advocacy for these vulnerable children who otherwise would have little or no voice.

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	01	Court Operations
Level III	03	Second Circuit

PROGRAM EXPENDITURES (in dollars)	FISCAL YEAR 2019-20			FISCAL YEAR 2020-21			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs	210.50 *	0.00 *	210.50 *	210.50 *	4.00 *	214.50 *	210.50 *	214.50 *
	1.68 #	0.00 #	1.68 #	1.68 #	0.00 #	1.68 #	1.68 #	1.68 #
Personal Services	12,892,345	0	12,892,345	13,346,795	363,016	13,709,811	26,239,140	26,602,156
Other Current Expenses	5,057,653	0	5,057,653	4,608,653	0	4,608,653	9,666,306	9,666,306
Equipment	0	0	0	0	29,840	29,840	0	29,840
Motor Vehicles	0	0	0	0	0	0	0	0
	210.50 *	0.00 *	210.50 *	210.50 *	4.00 *	214.50 *	210.50 *	214.50 *
	1.68 #	0.00 #	1.68 #	1.68 #	0.00 #	1.68 #	1.68 #	1.68 #
Total Operation Costs	17,949,998	0	17,949,998	17,955,448	392,856	18,348,304	35,905,446	36,298,302
Capital & Investment Costs	0	0	0	0	0	0	0	0
	210.50 *	0.00 *	210.50 *	210.50 *	4.00 *	214.50 *	210.50 *	214.50 *
	1.68 #	0.00 #	1.68 #	1.68 #	0.00 #	1.68 #	1.68 #	1.68 #
Total Program Expenditures	17,949,998	0	17,949,998	17,955,448	392,856	18,348,304	35,905,446	36,298,302

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2019-20			FISCAL YEAR 2020-21			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
	210.50 *	0.00 *	210.50 *	210.50 *	4.00 *	214.50 *	210.50 *	214.50 *
	1.68 #	0.00 #	1.68 #	1.68 #	0.00 #	1.68 #	1.68 #	1.68 #
General Fund	17,949,998	0	17,949,998	17,955,448	392,856	18,348,304	35,905,446	36,298,302
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Special Funds	0	0	0	0	0	0	0	0
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Fund	0	0	0	0	0	0	0	0
	210.50 *	0.00 *	210.50 *	210.50 *	4.00 *	214.50 *	210.50 *	214.50 *
	1.68 #	0.00 #	1.68 #	1.68 #	0.00 #	1.68 #	1.68 #	1.68 #
Total Financing	17,949,998	0	17,949,998	17,955,448	392,856	18,348,304	35,905,446	36,298,302

* Permanent positions

Temporary positions

JUD 320 SECOND CIRCUIT BUDGET REQUESTS

A. DESCRIPTION OF BUDGET REQUESTS

Judges' Salary Differential: Funding of \$40,000 in FY 2021 is requested to fund Judges' salaries at the legislatively mandated pay levels set by the 2019 Commission on Salaries and authorized by the 2019 Legislature.

District Court Judgeship and Support Staff: Funding of \$352,856 for FY 2021 is requested for a District Court Judge and related support staff to handle increased caseload and expand court calendars in the Second Circuit.

B. REASON FOR BUDGET REQUESTS

Judges' Salary Differential: First Circuit is requesting \$40,000 in FY 2021 to fund judges' salaries at the legislatively mandated pay levels set by the 2019 Commission on Salaries and authorized by the 2019 Legislature.

District Court Judgeship and Support Staff: The Second Circuit is requesting \$352,856 in FY 2021 to establish a District Court Judgeship and three related staff support positions. Congested court calendars, caused in part by increased case filings, combined with Maui County's unique tri-isle geography, remote rural jurisdictions, and demographics, have sometimes hindered and posed significant barriers to Second Circuit's ability to administer justice in a timely, accessible, and efficient manner.

The last District Court judge position for the Second Circuit was legislatively authorized in 1982, which increased the number of judge positions from two to three. Since then, the population of Maui County has more than doubled, from about 77,000 in 1982 to more than 167,000 in 2018. Just since 2011, the population has increased by another 10,000 or some 6.6%. Comparatively, new criminal filings have increased by 19.0% from 2,859 cases in FY 2011 to an average of 3,401 cases the last three years, and new traffic filings by 15.9% from 21,694 to an average 25,136 cases during the same period (note that these numbers include traffic criminal filings which increased by 24.9% from 3,311 to an average 4,134 during this period)

These statistics indicate that an additional judge and more court calendar time are needed in District Court as court calendars are currently inadequate. On Maui, nearly all District Court civil, criminal, and traffic cases in the Second Circuit fall within the venue of the Division of Wailuku, and are heard in Hoapili Hale in Wailuku. The District Court also convenes in Hāna and Lāna'i once a month, on Moloka'i three times per month, and in Lahaina three days per week. These calendars are insufficient to keep up with the growing number of cases being filed in the rural courts and off-island courts, and also have become quite congested, especially in Wailuku where the two courtrooms have court scheduled all day, every day of the week. Further, this heavy calendar workload sometimes does not allow Maui's District Court judges to timely attend to other important judicial responsibilities such as requests for finding of probable cause for extended restraint of liberty of warrantless arrestees, review and approval of charging

by felony information packet, orders pertaining to bail, execution of search warrants, orders to show cause, and approval of temporary restraining orders and protective orders; and review of and action on civil traffic written statements, traffic notices of discrepancies, and ex-parte and non-hearing motions.

The Second Circuit was recently notified by the Lahaina Division of the Maui Police Department, that their in-custodies normally sent to Hoapili Hale will now be taken to the Lahaina District Court. The authorization of a fourth District Court Judge at the Second Circuit would allow for expanding the Lahaina District Court calendar from a three day to a five day a week rural court to support the judicial needs of the Lahaina community, including the establishment of an in-custody calendar.

In addition, the three District Court judges based at Hoapili Hale would have the capacity and flexibility to develop additional calendars for the rural courts, Hāna, Moloka'i, and Lāna'i, as well as expanding the Wailuku court calendars. The Second Circuit has also been studying various other court options, including but not limited to implementing a dedicated District Court Mental Health docket, a DUI treatment court, and a Community Outreach Court to address the problems faced by those less fortunate and struggling with homelessness.

In summary, the additional judge and staff would not only help address the increasing number of filings and congested calendars, but would also accommodate the needs of the growing rural communities that are underserved at present and enable the judges to attend to other duties in a timelier manner.

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JUDICIARY
STATE OF HAWAII

PROGRAM TITLE:
THIRD CIRCUIT

PROGRAM STRUCTURE LEVEL NO.III

PROGRAM STRUCTURE NO.

01 01 04

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	01	Court Operations
Level III	04	Third Circuit

PROGRAM EXPENDITURES (in dollars)	FISCAL YEAR 2019-20			FISCAL YEAR 2020-21			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs	240.00 *	0.00 *	240.00 *	240.00 *^	0.00 *	240.00 *^	240.00 *^	240.00 *
	5.68 #	0.00 #	5.68 #	5.20 #^	0.00 #	5.20 #^	5.20 #^	5.20 #
Personal Services	14,985,823	0	14,985,823	15,201,552	48,000	15,249,552	30,187,375	30,235,375
Other Current Expenses	6,744,064	0	6,744,064	6,549,091	0	6,549,091	13,293,155	13,293,155
Equipment	0	0	0	0	0	0	0	0
Motor Vehicles	0	0	0	0	0	0	0	0
	240.00 *	0.00 *	240.00 *	240.00 *^	0.00 *	240.00 *^	240.00 *^	240.00 *
	5.68 #	0.00 #	5.68 #	5.20 #^	0.00 #	5.20 #^	5.20 #^	5.20 #
Total Operation Costs	21,729,887	0	21,729,887	21,750,643	48,000	21,798,643	43,480,530	43,528,530
Capital & Investment Costs	0	0	0	0	0	0	0	0
	240.00 *	0.00 *	240.00 *	240.00 *^	0.00 *	240.00 *^	240.00 *^	240.00 *
	5.68 #	0.00 #	5.68 #	5.20 #^	0.00 #	5.20 #^	5.20 #^	5.20 #
Total Program Expenditures	21,729,887	0	21,729,887	21,750,643	48,000	21,798,643	43,480,530	43,528,530

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2019-20			FISCAL YEAR 2020-21			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
	240.00 *	0.00 *	240.00 *	240.00 *^	0.00 *	240.00 *^	240.00 *^	240.00 *
	5.68 #	0.00 #	5.68 #	5.20 #^	0.00 #	5.20 #^	5.20 #^	5.20 #
General Fund	21,729,887	0	21,729,887	21,750,643	48,000	21,798,643	43,480,530	43,528,530
	0.00 *	0.00 *	0.00 *	0.00 *^	0.00 *	0.00 *^	0.00 *^	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #^	0.00 #	0.00 #^	0.00 #^	0.00 #
Special Funds	0	0	0	0	0	0	0	0
	0.00 *	0.00 *	0.00 *	0.00 *^	0.00 *	0.00 *^	0.00 *^	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #^	0.00 #	0.00 #^	0.00 #^	0.00 #
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Fund	0	0	0	0	0	0	0	0
	240.00 *	0.00 *	240.00 *	240.00 *^	0.00 *	240.00 *^	240.00 *^	240.00 *
	5.68 #	0.00 #	5.68 #	5.20 #^	0.00 #	5.20 #^	5.20 #^	5.20 #
Total Financing	21,729,887	0	21,729,887	21,750,643	48,000	21,798,643	43,480,530	43,528,530

* Permanent positions

Temporary positions

^ Reflects transfer out of 0.48 FTE temporary position and \$10,399 to Courts of Appeal.

**JUD 330 THIRD CIRCUIT
BUDGET REQUESTS**

A. DESCRIPTION OF BUDGET REQUESTS

Judges' Salary Differential: Funding of \$48,000 in FY 2021 is requested to fund Judges' salaries at the legislatively mandated pay levels set by the 2019 Commission on Salaries and authorized by the 2019 Legislature.

B. REASON FOR BUDGET REQUESTS

Judges' Salary Differential: First Circuit is requesting \$48,000 in FY 2021 to fund judges' salaries at the legislatively mandated pay levels set by the 2019 Commission on Salaries and authorized by the 2019 Legislature.

JUDICIARY
STATE OF HAWAII

PROGRAM TITLE:
FIFTH CIRCUIT

PROGRAM STRUCTURE LEVEL NO.III

PROGRAM STRUCTURE NO.

01 01 05

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	01	Court Operations
Level III	05	Fifth Circuit

PROGRAM EXPENDITURES (in dollars)	FISCAL YEAR 2019-20			FISCAL YEAR 2020-21			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs	103.00 *	0.00 *	103.00 *	103.00 *	0.00 *	103.00 *	103.00 *	103.00 *
	2.60 #	0.00 #	2.60 #	2.60 #	0.00 #	2.60 #	2.60 #	2.60 #
Personal Services	6,512,577	0	6,512,577	6,561,714	24,000	6,585,714	13,074,291	13,098,291
Other Current Expenses	1,927,903	0	1,927,903	1,886,188	0	1,886,188	3,814,091	3,814,091
Equipment	15,000	0	15,000	0	0	0	15,000	15,000
Motor Vehicles	0	0	0	0	0	0	0	0
	103.00 *	0.00 *	103.00 *	103.00 *	0.00 *	103.00 *	103.00 *	103.00 *
	2.60 #	0.00 #	2.60 #	2.60 #	0.00 #	2.60 #	2.60 #	2.60 #
Total Operation Costs	8,455,480	0	8,455,480	8,447,902	24,000	8,471,902	16,903,382	16,927,382
Capital & Investment Costs	0	0	0	0	0	0	0	0
	103.00 *	0.00 *	103.00 *	103.00 *	0.00 *	103.00 *	103.00 *	103.00 *
	2.60 #	0.00 #	2.60 #	2.60 #	0.00 #	2.60 #	2.60 #	2.60 #
Total Program Expenditures	8,455,480	0	8,455,480	8,447,902	24,000	8,471,902	16,903,382	16,927,382

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2019-20			FISCAL YEAR 2020-21			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
	103.00 *	0.00 *	103.00 *	103.00 *	0.00 *	103.00 *	103.00 *	103.00 *
	2.60 #	0.00 #	2.60 #	2.60 #	0.00 #	2.60 #	2.60 #	2.60 #
General Fund	8,455,480	0	8,455,480	8,447,902	24,000	8,471,902	16,903,382	16,927,382
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Special Funds	0	0	0	0	0	0	0	0
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Fund	0	0	0	0	0	0	0	0
	103.00 *	0.00 *	103.00 *	103.00 *	0.00 *	103.00 *	103.00 *	103.00 *
	2.60 #	0.00 #	2.60 #	2.60 #	0.00 #	2.60 #	2.60 #	2.60 #
Total Financing	8,455,480	0	8,455,480	8,447,902	24,000	8,471,902	16,903,382	16,927,382

* Permanent positions
Temporary positions

**JUD350 FIFTH CIRCUIT
BUDGET REQUESTS**

A. DESCRIPTION OF BUDGET REQUESTS

Judges' Salary Differential: Funding of \$24,000 in FY 2021 is requested to fund Judges' salaries at the legislatively mandated pay levels set by the 2019 Commission on Salaries and authorized by the 2019 Legislature.

B. REASON FOR BUDGET REQUESTS

Judges' Salary Differential: First Circuit is requesting \$24,000 in FY 2021 to fund judges' salaries at the legislatively mandated pay levels set by the 2019 Commission on Salaries and authorized by the 2019 Legislature.

JUDICIARY
STATE OF HAWAII

PROGRAM TITLE:
JUDICIAL SELECTION COMMISSION

PROGRAM STRUCTURE LEVEL NO.III

PROGRAM STRUCTURE NO. 01 02 01

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	02	Support Services
Level III	01	Judicial Selection Commission

PROGRAM EXPENDITURES (in dollars)	FISCAL YEAR 2019-20			FISCAL YEAR 2020-21			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs	1.00 *	0.00 *	1.00 *	1.00 *	0.00 *	1.00 *	1.00 *	1.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Personal Services	71,435	0	71,435	71,435	0	71,435	142,870	142,870
Other Current Expenses	31,979	0	31,979	31,979	0	31,979	63,958	63,958
Equipment	0	0	0	0	0	0	0	0
Motor Vehicles	0	0	0	0	0	0	0	0
	1.00 *	0.00 *	1.00 *	1.00 *	0.00 *	1.00 *	1.00 *	1.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Total Operation Costs	103,414	0	103,414	103,414	0	103,414	206,828	206,828
Capital & Investment Costs	0	0	0	0	0	0	0	0
	1.00 *	0.00 *	1.00 *	1.00 *	0.00 *	1.00 *	1.00 *	1.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Total Program Expenditures	103,414	0	103,414	103,414	0	103,414	206,828	206,828

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2019-20			FISCAL YEAR 2020-21			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
	1.00 *	0.00 *	1.00 *	1.00 *	0.00 *	1.00 *	1.00 *	1.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
General Fund	103,414	0	103,414	103,414	0	103,414	206,828	206,828
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Special Funds	0	0	0	0	0	0	0	0
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Fund	0	0	0	0	0	0	0	0
	1.00 *	0.00 *	1.00 *	1.00 *	0.00 *	1.00 *	1.00 *	1.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Total Financing	103,414	0	103,414	103,414	0	103,414	206,828	206,828

* Permanent positions
Temporary positions

**JUD 501 JUDICIAL SELECTION COMMISSION
PROGRAM INFORMATION**

A. PROGRAM OBJECTIVES

- To screen and submit nominees for judicial vacancies, and to conduct hearings for retention of justices or judges.

B. DESCRIPTION OF BUDGET REQUESTS

None.

C. REASON FOR BUDGET REQUESTS

N/A

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	02	Support Services
Level III	02	Administration

PROGRAM EXPENDITURES (in dollars)	FISCAL YEAR 2019-20			FISCAL YEAR 2020-21			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs	227.00 *	0.00 *	227.00 *	227.00 *	0.00 *	227.00 *	227.00 *	227.00 *
	18.48 #	0.00 #	18.48 #	18.48 #	0.00 #	18.48 #	18.48 #	18.48 #
Personal Services	17,194,228	0	17,194,228	17,195,281	0	17,195,281	34,389,509	34,389,509
Other Current Expenses	18,375,533	0	18,375,533	17,875,533	500,000	18,375,533	36,251,066	36,751,066
Equipment	894,488	0	894,488	894,488	0	894,488	1,788,976	1,788,976
Motor Vehicles	0	0	0	0	0	0	0	0
	227.00 *	0.00 *	227.00 *	227.00 *	0.00 *	227.00 *	227.00 *	227.00 *
	18.48 #	0.00 #	18.48 #	18.48 #	0.00 #	18.48 #	18.48 #	18.48 #
Total Operation Costs	36,464,249	0	36,464,249	35,965,302	500,000	36,465,302	72,429,551	72,929,551
Capital & Investment Costs	9,355,000	0	9,355,000	0	27,700,000	27,700,000	9,355,000	37,055,000
	227.00 *	0.00 *	227.00 *	227.00 *	0.00 *	227.00 *	227.00 *	227.00 *
	18.48 #	0.00 #	18.48 #	18.48 #	0.00 #	18.48 #	18.48 #	18.48 #
Total Program Expenditures	45,819,249	0	45,819,249	35,965,302	28,200,000	64,165,302	81,784,551	109,984,551

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2019-20			FISCAL YEAR 2020-21			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
	226.00 *	0.00 *	226.00 *	226.00 *	0.00 *	226.00 *	226.00 *	226.00 *
	9.48 #	0.00 #	9.48 #	9.48 #	0.00 #	9.48 #	9.48 #	9.48 #
General Fund	28,086,186	0	28,086,186	27,587,239	500,000	28,087,239	55,673,425	56,173,425
	1.00 *	0.00 *	1.00 *	1.00 *	0.00 *	1.00 *	1.00 *	1.00 *
	9.00 #	0.00 #	9.00 #	9.00 #	0.00 #	9.00 #	9.00 #	9.00 #
Special Funds	8,034,802	0	8,034,802	8,034,802	0	8,034,802	16,069,604	16,069,604
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	343,261	0	343,261	343,261	0	343,261	686,522	686,522
G.O. Bond Fund	9,355,000	0	9,355,000	0	27,700,000	27,700,000	9,355,000	37,055,000
	227.00 *	0.00 *	227.00 *	227.00 *	0.00 *	227.00 *	227.00 *	227.00 *
	18.48 #	0.00 #	18.48 #	18.48 #	0.00 #	18.48 #	18.48 #	18.48 #
Total Financing	45,819,249	0	45,819,249	35,965,302	28,200,000	64,165,302	81,784,551	109,984,551

* Permanent positions
Temporary positions

JUD 601 ADMINISTRATION PROGRAM INFORMATION AND BUDGET REQUESTS

The mission of the Office of the Administrative Director is to promote the administration of justice in Hawai'i by providing professional, responsive administrative support to the Chief Justice, the courts, and Judiciary programs. Support services help to expedite, facilitate and enhance the mission of the Judiciary.

A. PROGRAM OBJECTIVES

Administration

The Office of the Administrative Director of the Courts is responsible for daily operations of the court system. The Administrative Director is appointed by the Chief Justice with the approval of the Supreme Court, and is assisted by the Deputy Administrative Director.

The Equal Employment Opportunity (EEO) Office and the Judiciary Security Emergency Management Office are attached to the Deputy Administrative Director. The EEO Officer provides advice and technical assistance to the Judiciary to ensure compliance with equal opportunity laws, legislation, and policies. The EEO Officer is responsible for providing training to judges, administrators, and staff on current EEO issues; to develop and review EEO policies and procedures; and to investigate complaints of discrimination.

Policy and Planning

The Policy and Planning Department includes: Budget and CIP Division, Planning and Program Evaluation Division, Internal Audit Office, and the Special Projects/Legislative Coordinating Office.

- To develop and maintain an effective and comprehensive planning capability within the Judiciary to provide the statewide organization with overall guidance and long-range direction in meeting the community's demands for judicial service.
- To establish and maintain a budgeting system that will serve as the mechanism by which the required resources to achieve the objectives of the Judiciary will be identified and articulated to top-level management.
- To develop and maintain a uniform statistical information system for the statewide Judiciary which identifies what data is needed as well as how the data will be collected, tabulated, analyzed, and interpreted so as to permit the periodic reporting of statistics of court cases to the principal decision-makers of the Judiciary and thereby facilitate evaluation of influential factors or variables affecting court workload and efficiency.

- To administer a judiciary-wide audit program to ensure compliance with laws, rules and regulations, and policies of the Judiciary, the State and, where applicable, the federal government.
- To conduct investigations and audits of accounting, reporting, and internal control systems established and maintained in the Judiciary, and to suggest and recommend improvements to accounting methods and procedures.
- To maintain oversight and coordination of the Judiciary's capital improvement projects to ensure compliance with the Judiciary's policies and applicable State and Federal rules and regulations.
- To coordinate the Judiciary's legislative activities and special projects.

Financial Services

The Financial Services Department includes: Fiscal Services Division, Contracts and Purchasing Division, and the Administrative Drivers' License Revocation Office.

- To provide current, accurate, and complete financial and accounting data in a form useful to decision-makers.
- To ensure adequate and reasonable accounting control over assets, liabilities, revenues, and expenditures in accordance with generally accepted accounting principles, laws, policies, rules, and regulations of the State and the Judiciary.
- To provide a fair and expeditious administrative process for revoking the driver licenses of alcohol or drug impaired offenders who have shown themselves to be safety hazards by driving or boating under the influence of intoxicants or who refused chemical testing.

Information Technology and Systems

The Information Technology and Systems Department includes: Applications Division, Infrastructure Division (1), Infrastructure Division (2), and the Documents Management Division.

- To plan, organize, direct, and coordinate the Judiciary's statewide telecommunications and information processing program, resources, and services by providing advice, guidance, and assistance to all Judiciary courts and administrative units relating to the concepts, methods, and use of telecommunication and information processing technologies and equipment.
- To plan, direct, and manage a centralized court records management system which includes reproduction, retention, control, storage, and destruction.

- To maintain accurate and complete court records, render technical assistance, and provide information and reference services from court records to court personnel, attorneys, and the general public.
- To provide cost effective printing, form development, and related services, statewide.

Intergovernmental and Community Relations

The Intergovernmental and Community Relations Department includes: Staff Attorney's Office, King Kamehameha V Judiciary History Center, Children's Justice Centers, Law Library, Center for Alternative Dispute Resolution, Communications and Community Relations, Equality and Access to the Courts, and Office of the Public Guardian.

- To promote public awareness and understanding of the Judiciary by disseminating information through various print, broadcast, and electronic means; the news media; and direct dealings with the general public and other audiences concerning the role of the Judiciary and the services that it provides.
- To acquaint the Legislature with the program and policies of the Judiciary in order to convey the ongoing needs and importance of its role as an independent branch of government.
- To advise Judiciary officials on public perception of particular issues relating to the Judiciary.
- To design and implement projects that promote access to the courts for all persons, including those with special needs.
- To promote, through research and educational programs, fair treatment in adjudication of cases and provision of services to the public.
- To inform and provide learning opportunities to the public about the judicial process and Hawaii's legal history from precontact to present. The Judiciary History Center generates knowledge by conducting and encouraging research, disseminating information, and collecting, preserving, and displaying materials.
- To provide an impartial professional process for addressing reports of felony child abuse that will facilitate access to the justice system for child victims and witnesses.
- To maintain a continuing liaison with agencies and departments dealing with child abuse to foster cooperation within the legal system to improve and coordinate activities for the effective overall administration of justice.
- To investigate, design, and implement alternative dispute resolution processes for the judicial, legislative, and executive branches of government that will assist these three branches of government in resolving their disputes. Emphasis is on developing systems for use by the Judiciary in the various courts,

mediating/facilitating public policy issues, and building skills capacity within all branches of government.

- To provide and coordinate the Judiciary's statewide guardianship services for mentally incapacitated adults.
- To provide information, referral, and technical assistance to guardians and to the courts on the roles and responsibilities of a guardian.
- To effectively utilize volunteer citizen participants from a cross-section of the community in formalized volunteer positions based on the needs of the Judiciary and the skills, talents, and interests of the volunteers.
- To collect, organize, and disseminate information and materials relating to legal research and judicial administration in order to enhance the effectiveness of the judicial process.

Human Resources

The Human Resource Department includes: Administrative Services Division, Compensation Management Division, Employee Services Division, Disability Claims Management Division, Labor Relations Division, Staffing Services Division and the Judicial Education Office.

- To manage a central recruitment and examination system that will attract the most capable persons, provide a selection system that will ensure the highest caliber employee, and exhibit our commitment to celebrate diversity and create an inclusive environment for all employees.
- To develop, enhance, and manage a Judiciary compensation program consistent with merit principles, recognized job evaluation principles and methodologies, and labor market trends, and to attract and retain a competent and skilled workforce.
- To develop and implement an ongoing comprehensive continuing legal education program for judges to support them in their judicial roles and in the performance of their duties and responsibilities and programs of continuing education and development for staff in support of the judges and the mission of the Judiciary.
- To administer a Judiciary-wide workers' compensation program designed to provide claims management, cost containment, and vocational rehabilitation services to all echelons of the Judiciary.

Commission on Judicial Conduct

- To investigate and conduct hearings concerning allegations of misconduct or disability of justices or judges.

- To make recommendations to the Supreme Court concerning the reprimand, discipline, suspension, retirement, or removal of any justice or judge.
- To provide advisory opinions concerning proper interpretations of the Revised Code of Judicial Conduct.

B. DESCRIPTION OF BUDGET REQUESTS

Civil Legal Services: Funding of \$500,000 is being requested to provide civil legal services to the indigent community on an ongoing basis.

C. REASON FOR BUDGET REQUESTS

Civil Legal Services: Administration is requesting \$500,000 in FY 2021 to provide civil legal services to the indigent and working poor throughout the State of Hawai‘i. For most of the last 14 fiscal years, the Legislature has appropriated grant-in-aid and purchase of service monies ranging from \$290,000 to \$1.9 million to the Judiciary for the sole purpose of providing civil legal services to the indigent community. However, each of these appropriations was one-time only, and therefore never became a permanent part of the Judiciary’s budget.

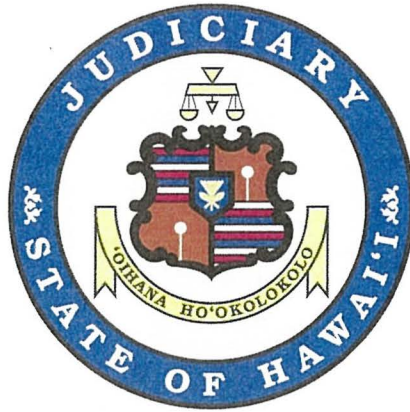
In FY 2019, \$450,000 was appropriated to the Judiciary for civil legal services that enabled two providers to be contracted. The Legal Aid Society of Hawai‘i closed a total of 3,258 cases affecting the lives of 5,842 individuals in areas including support for families, keeping children safe and secure, preserving the home, preventing foreclosure, maintaining economic stability, protecting consumers, promoting safety/stability/health, assisting populations with special vulnerabilities, and assisting culturally and linguistically isolated populations. These clients had incomes less than 125 percent of the poverty level and/or were individuals who were eligible for free services under the Older Americans Act or Developmentally Disabled Act. Clients were also assisted with services like writing wills and constructing Powers of Attorney, provided with pro se legal clinics, and helped with negotiating settlements.

The second provider, Volunteer Legal Services, opened 2,827 intakes for Hawai‘i residents. They received 724 referrals for pro bono services for advice and counsel, 219 for limited action (brief services, drafting documents), and 40 for full representation. In addition, Volunteer Legal Services provided pro se workshops with 148 involving uncontested divorce workshops and 117 for re-employment and community service project workshops. They also provided various information, training, and recruiting events as well as pop-up legal clinics. Over 300 individuals have been reached through various outreach efforts.

For this current FY 2020, the Legislature appropriated \$500,000 for civil legal services. Legislative appropriations have clearly enabled the indigent access to valuable legal services that they might otherwise have been unable to obtain. Approving funding for \$500,000 will help ensure that the indigent in Hawai‘i will continue to have access to legal services.

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PART IV



Capital Improvements Appropriations And Details

PROGRAM PLAN TITLE: Judiciary
PROGRAM STRUCTURE NO: 01

DESCRIPTION	Cost Element	Project Total	Prior Years Total	Fiscal Year 2020-21				2021-22	2022-23	2023-24	2024-25
				FY 2019-20	Current Appropriation	Adjustment	Recommended Appropriation				
JUDICIARY TOTAL	Plans	1,382	832	0	0	50	50	0	0	500	0
	Land	4,550	4,550	0	0	0	0	0	0	0	0
	Design	11,827	11,032	0	0	250	250	545	0	0	0
	Constr	143,775	97,000	0	0	27,000	27,000	16,575	3,200	0	0
	Equip	6,225	5,825	0	0	400	400	0	0	0	0
	L/S	21,355	0	9,355	0	0	0	3,000	3,000	3,000	3,000
	Total	189,114	119,239	9,355	0	27,700	27,700	20,120	6,200	3,500	3,000
	G.O. Bonds	189,114	119,239	9,355	0	27,700	27,700	20,120	6,200	3,500	3,000

REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS

PROGRAM PLAN TITLE: Administration
PROGRAM STRUCTURE NO: 01 02 02

DESCRIPTION	Cost Element	Project Total	Prior Years Total	Fiscal Year 2020-21							
				FY2019-20	Current Appropriation	Adjustment	Recommended Appropriation	2021-22	2022-23	2023-24	2024-25
Ka'ahumanu Hale Fire Alarm and Elevator Systems Upgrade and Modernization, O'ahu	Plans	282	282				0				
	Land	0					0				
	Design	1,422	1,422				0				
	Constr	28,250					17,550	17,550	10,700		
	Equip	0						0			
	L/S	0						0			
	Total	29,954	1,704	0	0	17,550	17,550	10,700	0	0	0
G.O. Bonds	29,954	1,704	0	0	17,550	17,550	10,700	0	0	0	
Lump Sum CIP for Judiciary Facilities, Statewide (for FB 2015-2017 through FB 2023-2025)	Plans	100	50				50	50			
	Land	0					0				
	Design	550	300				250	250			
	Constr	4,925	2,625				2,300	2,300			
	Equip	425	25				400	400			
	L/S	15,000		3,000 *				0	3,000	3,000	3,000
	Total	21,000	3,000	3,000	0	3,000	3,000	3,000	3,000	3,000	3,000
G.O. Bonds	21,000	3,000	3,000	0	3,000	3,000	3,000	3,000	3,000	3,000	
Hoapili Hale Parking Structure Piping Renovations, Maui	Plans	0					0				
	Land	0					0				
	Design	0					0				
	Constr	5,950					2,800	2,800	3,150		
	Equip	0						0			
	L/S	850		850 *				0			
	Total	6,800	0	850	0	2,800	2,800	3,150	0	0	0
G.O. Bonds	6,800	0	850	0	2,800	2,800	3,150	0	0	0	
Kaua'i Judiciary Complex Reroof and Repair Leaks and Damages, Kaua'i	Plans	0					0				
	Land	0					0				
	Design	390	390				0				
	Constr	4,750	2,100				2,650	2,650			
	Equip	0						0			
	L/S	0						0			
	Total	5,140	2,490	0	0	2,650	2,650	0	0	0	0
G.O. Bonds	5,140	2,490	0	0	2,650	2,650	0	0	0	0	
Ka'ahumanu Hale Sheriff Station Renovation O'ahu	Plans	0					0				
	Land	0					0				
	Design	0					0				
	Constr	1,700					1,700	1,700			
	Equip	0						0			
	L/S	0						0			
	Total	1,700	0	0	0	1,700	1,700	0	0	0	0
G.O. Bonds	1,700	0	0	0	1,700	1,700	0	0	0	0	

* Appropriated as a lumpsum amount as noted in Act 38/19.

REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS

PROGRAM PLAN TITLE: Administration
PROGRAM STRUCTURE NO: 01 02 02

DESCRIPTION	Cost Element	Project Total	Prior Years Total	Fiscal Year 2020-21									
				FY2019-20	Current		Recommended	2021-22	2022-23	2023-24	2024-25		
					Appropriation	Adjustment						Appropriation	
Ka'ahumanu Hale Repair Basement Leaks and Damages, O'ahu	Plans	0											
	Land	0											
	Design	0											
	Constr	0											
	Equip	0											
	L/S	1,995			1,995 *								
	Total	1,995	0	0	1,995	0	0	0	0	0	0	0	0
G.O. Bonds	1,995	0	1,995	0	0	0	0	0	0	0	0	0	
Hoapili Hale Security Improvements Maui	Plans	0											
	Land	0											
	Design	250	250										
	Constr	2,350	2,350										
	Equip	0											
	L/S	3,510			3,510 *								
	Total	6,110	2,600	2,600	3,510	0	0	0	0	0	0	0	0
G.O. Bonds	6,110	2,600	3,510	0	0	0	0	0	0	0	0	0	
Kona Judiciary Complex, Hawai'i	Plans	500	500										
	Land	4,550	4,550										
	Design	8,500	8,500										
	Constr	89,000	89,000										
	Equip	5,800	5,800										
	L/S	0											
	Total	108,350	108,350	0	0	0	0	0	0	0	0	0	0
G.O. Bonds	108,350	108,350	0	0	0	0	0	0	0	0	0	0	
'Ewa District Court Mitigate Water Intrusion and Settlement - Phase 2, O'ahu	Plans	0											
	Land	0											
	Design	20	20										
	Constr	200	200										
	Equip	0											
	L/S	0											
	Total	220	220	0	0	0	0	0	0	0	0	0	0
G.O. Bonds	220	220	0	0	0	0	0	0	0	0	0	0	
'Ewa District Court Roof Fall Protection and Re-roofing, O'ahu	Plans	0											
	Land	0											
	Design	25	25										
	Constr	175	175										
	Equip	0											
	L/S	0											
	Total	200	200	0	0	0	0	0	0	0	0	0	0
G.O. Bonds	200	200	0	0	0	0	0	0	0	0	0	0	

* Appropriated as a lumpsum amount as noted in Act 38/19.

REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS

PROGRAM PLAN TITLE: Administration
PROGRAM STRUCTURE NO: 01 02 02

DESCRIPTION	Cost Element	Project Total	Prior Years Total	Fiscal Year 2020-21							
				FY2019-20	Current Appropriation	Adjustment	Recommended Appropriation	2021-22	2022-23	2023-24	2024-25
Kapuāiwa Building Separate Storm Drain and Sanitary Sewer Systems, O'ahu	Plans	0					0				
	Land	0					0				
	Design	125	125				0				
	Constr	550	550				0				
	Equip	0					0				
	L/S	0					0				
	Total	675	675	0	0	0	0	0	0	0	0
G.O. Bonds	675	675	0	0	0	0	0	0	0	0	0
Maui - Planning for Judiciary Complex, Maui	Plans	500					0			500	
	Land	0					0				
	Design	0					0				
	Constr	0					0				
	Equip	0					0				
	L/S	0					0				
	Total	500	0	0	0	0	0	0	0	0	500
G.O. Bonds	500	0	0	0	0	0	0	0	0	500	0
Lahaina District Court Interior Air Distribution System Upgrades and Improvements Maui	Plans	0					0				
	Land	0					0				
	Design	115					0	115			
	Constr	650					0	650			
	Equip	0					0				
	L/S	0					0				
	Total	765	0	0	0	0	0	0	765	0	0
G.O. Bonds	765	0	0	0	0	0	0	765	0	0	0
Kāne'ohe District Court Generator Power Back-up System, O'ahu	Plans	0					0				
	Land	0					0				
	Design	110					0	110			
	Constr	1,200					0	1,200			
	Equip	0					0				
	L/S	0					0				
	Total	1,310	0	0	0	0	0	0	1,310	0	0
G.O. Bonds	1,310	0	0	0	0	0	0	1,310	0	0	0
Kauikeaouli Hale Main Data Center Fire Suppression System, O'ahu	Plans	0					0				
	Land	0					0				
	Design	50					0	50			
	Constr	875					0	875			
	Equip	0					0				
	L/S	0					0				
	Total	925	0	0	0	0	0	0	925	0	0
G.O. Bonds	925	0	0	0	0	0	0	925	0	0	0

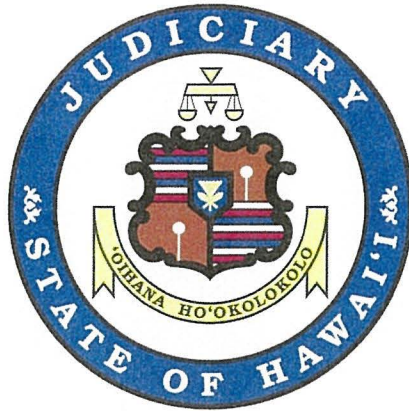
REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS

PROGRAM PLAN TITLE: Administration
PROGRAM STRUCTURE NO: 01 02 02

DESCRIPTION	Cost Element	Project Total	Prior Years Total	Fiscal Year 2020-21							
				FY2019-20	Current Appropriation	Adjustment	Recommended Appropriation	2021-22	2022-23	2023-24	2024-25
Kauikeaouli Hale Cellblock Upgrades, O'ahu	Plans	0					0				
	Land	0					0				
	Design	270					0	270			
	Constr	3,200					0		3,200		
	Equip	0					0				
	L/S	0					0				
	Total	3,470	0	0	0	0	0	0	270	3,200	0
G.O. Bonds	3,470	0	0	0	0	0	0	270	3,200	0	0
Judiciary Total	Plans	1,382	832	0	0	50	50	0	0	500	0
	Land	4,550	4,550	0	0	0	0	0	0	0	0
	Design	11,827	11,032	0	0	250	250	545	0	0	0
	Constr	143,775	97,000	0	0	27,000	27,000	16,575	3,200	0	0
	Equip	6,225	5,825	0	0	400	400	0	0	0	0
	L/S	21,355	0	9,355	0	0	0	3,000	3,000	3,000	3,000
	Total	189,114	119,239	9,355	0	27,700	27,700	27,700	20,120	6,200	3,500
G.O. Bonds	189,114	119,239	9,355	0	27,700	27,700	27,700	20,120	6,200	3,500	3,000

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PART V



Variance Report

VARIANCE REPORT

INTRODUCTION

The Variance Report presents for each program the absolute and percentage differences in expenditures, positions, measures of effectiveness, and program size indicators. Significant differences between the planned and the actual levels for the last completed fiscal year and the current fiscal year are explained in narrative form.

In general, the reasons for the variance tend to fall into one or more of the following areas:

A. FORECASTING AND DATA COLLECTION METHODS

At present, the forecasting techniques used are largely based on historical data. In order to obtain more accurate projections, sophisticated and expensive modeling techniques would have to be employed to fully take into account the numerous factors that affect the courts. Such techniques are beyond the financial resources of the courts.

As to the variances reported, the initial estimate may have been inaccurate due to difficulties in forecasting. These situations have occurred most notably where data was limited or unavailable. On a more specific empirical level, a change in data collection methods may have caused further difficulties in forecasting estimated levels. However, these are generally temporary conditions which can be overcome as a larger database develops and as clear statistical patterns emerge over time.

B. EXTERNAL TRENDS AND EVENTS

There are cases where the forecasts, given historical trends, would have been accurate but for unforeseen trends or events, external to the Judiciary, which might have caused the actual magnitude to change. These events or trends include, among others: (1) new laws enacted by the Legislature; (2) social, economic, and technological change on global, national, state, and local levels; (3) fluctuations in public and institutional attitudes toward litigation and crime; and (4) reductions in resources available to the court programs as a result of the current economic conditions of the State.

C. OTHER FACTORS

In a few cases, it is difficult to ascertain, with any degree of exactitude, the precise cause of the variance. This ambiguity in causality happens as a result of a multitude of contributing factors that may come into play. Such factors as staff shortages, a redirection of court resources, policy changes on the part of other criminal justice agencies, or other factors that are as yet undefined all contribute in differing degrees to a variation between the actual and planned levels.

By comparing the actual and the planned, the analyst, the manager, and the decision-maker are forced to constantly reevaluate the system and thereby gain valuable information as to the activities of the system under study.

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JUDICIARY

VARIANCE DETAILS

STATE OF HAWAII

PROGRAM TITLE: Courts of Appeal

Program Plan ID: JUD 101

Program Structure No. 01 01 01

PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

		Fiscal Year 2019										
COST (Expenditures in \$1,000's)		A	B	Change From A TO B								
		Budgeted	Actual	Amount	+/-	%						
Research and Development	Positions, Perm											
	Positions, Temp											
	Expenditures											
Operating	Positions, Perm	73.00	72.00	1.00	-	1						
	Positions, Temp	1.00	1.00	0.00	+	0						
	Expenditures	6,974	7,094	120	+	2						
Totals	Positions, Perm	73.00	72.00	1.00	-	1						
	Positions, Temp	1.00	1.00	0.00	+	0						
	Expenditures	6,974	7,094	120	+	2						

		Three Months Ended 9-30-19					Nine Months Ended 6-30-20					
COST (Expenditures in \$1,000's)		A	B	Change From A TO B								
		Budgeted	Actual	Amount	+/-	%	A	B	Change From A TO B			
Research and Development	Positions, Perm											
	Positions, Temp											
	Expenditures											
Operating	Positions, Perm	73.00	70.00	3.00	-	4	73.00	77.00	4.00	+	5	
	Positions, Temp	1.00	1.00	0.00	+	0	1.00	1.00	0.00	+	0	
	Expenditures	1,804	1,563	241	-	13	5,412	5,835	423	+	8	
Totals	Positions, Perm	73.00	70.00	3.00	-	4	73.00	77.00	4.00	+	5	
	Positions, Temp	1.00	1.00	0.00	+	0	1.00	1.00	0.00	+	0	
	Expenditures	1,804	1,563	241	-	13	5,412	5,835	423	+	8	

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

		Fiscal Year 2019					Fiscal Year 2020					
Item No.	MEASURES OF EFFECTIVENESS	A	B	Change From A TO B								
		Estimated	Actual	Amount	+/-	%	A	B	Change From A TO B			
1.	Median Time to Decision, Criminal Appeal (Mo)	12	14	2	+	17	12	13	1	+	8	
2.	Median Time to Decision, Civil Appeal (Mo)	12	13	1	+	8	12	12	0	+	0	
3.	Median Time to Decision, Original Proc. (Mo)	1	1	0	+	0	1	1	0	+	0	

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

		Fiscal Year 2019					Fiscal Year 2020					
Item No.	PROGRAM SIZE INDICATORS	A	B	Change From A TO B								
		Estimated	Actual	Amount	+/-	%	A	B	Change From A TO B			
1.	A01 Criminal Appeals Filed	250	286	36	+	14	250	270	20	+	8	
2.	A02 Civil Appeals Filed	512	430	82	-	16	512	486	26	-	5	
3.	A03 Original Proceedings Filed	70	78	8	+	11	70	77	7	+	10	
4.	A04 Appeals Disposed	669	713	44	+	7	670	714	44	+	7	
5.	A05 Motions Filed	2,609	2,626	17	+	1	2,617	2,628	11	+	0	
6.	A06 Motions Terminated	2,610	2,651	41	+	2	2,626	2,631	5	+	0	

JUD 101 COURTS OF APPEAL

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2019, the variance in positions was due to normal employee turnover and the expenditure variance was attributed to collective bargaining augmentation.

In the first quarter of FY 2020, the number of filled authorized positions remains reflective of normal employee turnover and recruitment time factors. Expenditure variances for this period are the result of normal procurement and operational practices. For the remainder of the FY 2020, the position variance indicates efforts to fill vacancies and the expenditure variance continues to show collective bargaining augmentation and normal procurement and operational expenditure patterns. In addition, these variances also reflect the establishment and filling of positions associated with the Criminal Justice Institute which was authorized in separate legislation during the 2019 Session.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

There are no significant variances to report.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

There are no significant variances to report.

JUDICIARY

STATE OF HAWAII
PROGRAM TITLE: First Circuit

Program Plan ID: JUD 310

VARIANCE DETAILS
Program Structure No. 01 01 02

PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

COST (Expenditures in \$1,000's)		Fiscal Year 2019					Fiscal Year 2020				
		A Budgeted	B Actual	Change From A TO B Amount +/- %		A Budgeted	B Estimated	Change From A TO B Amount +/- %			
Research and Development	Positions, Perm										
	Positions, Temp										
	Expenditures										
Operating	Positions, Perm	1,140.50	1,053.50	87.00	-	8	1,144.50 *	1,075.50	69.00	-	6
	Positions, Temp	81.58	56.28	25.30	-	31	58.58	46.58	12.00	-	20
	Expenditures	89,173	92,152	2,979	+	3	69,530	73,695	4,165	+	6
Totals	Positions, Perm	1,140.50	1,053.50	87.00	-	8	1,144.50 *	1,075.50	69.00	-	6
	Positions, Temp	81.58	56.28	25.30	-	31	58.58	46.58	12.00	-	20
	Expenditures	89,173	92,152	2,979	+	3	69,530	73,695	4,165	+	6

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

Item No. MEASURES OF EFFECTIVENESS		Fiscal Year 2019					Fiscal Year 2020				
		A Estimated	B Actual	Change From A TO B Amount +/- %		A Planned	B Estimated	Change From A TO B Amount +/- %			
1.	Med. Time to Dispo., Circ. Ct. Crim. Act. (Days)	370	366	4	-	1	363	365	2	+	1
2.	Med. Time to Dispo., Circ. Ct. Civil Act. (Days)	594	601	7	+	1	584	599	15	+	3

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

Item No. PROGRAM SIZE INDICATORS		Fiscal Year 2019					Fiscal Year 2020				
		A Estimated	B Actual	Change From A TO B Amount +/- %		A Planned	B Estimated	Change From A TO B Amount +/- %			
1.	T01 Civil Actions, Circuit Court	8,731	8,785	54	+	1	8,762	8,816	54	+	1
2.	T02 Marital Actions	8,164	8,364	200	+	2	8,165	8,365	200	+	2
3.	T03 Adoption Proceedings	488	416	72	-	15	496	483	13	-	3
4.	T04 Parental Proceedings	3,002	2,465	537	-	18	3,003	2,698	305	-	10
5.	A01 Civil Actions Filed, Circuit Court	2,003	2,085	82	+	4	2,024	2,127	103	+	5
6.	A02 Criminal Actions Filed, Circuit Court	2,110	2,038	72	-	3	2,116	2,134	18	+	1
7.	A03 Marital Actions Filed	3,371	3,292	79	-	2	3,383	3,372	11	-	0
8.	A04 Traffic - Filed (thousands)	315	266	49	-	16	315	310	5	-	2
9.	A05 Traffic - Terminated (thousands)	311	333	22	+	7	311	321	10	+	3

JUD 310 FIRST CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2019, position variances were the result of normal employee turnover and recruitment time factors. Filling temporary positions will often have the challenge of retaining employees due to the nature of non-permanency, as they will likely seek and move to permanent positions which will create temporary position vacancies.

In FY 2019, First Circuit expenditures were slightly higher than budgeted largely due to collective bargaining increases and Community Outreach Court funds appropriated by the Legislature through the Budget and Finance Department.

In the first quarter of FY 2020, the variance in the number of filled authorized positions is again reflective of normal employee turnover and recruitment time factors. As mentioned above, temporary positions present challenges to retain employees seeking and moving to permanent positions. Expenditure variances in the first quarter are largely due to the timing of actual payroll disbursements and normal procurement and operational practices.

For the balance of FY 2020, action to fill vacancies and recruitment time factors should result in the maintenance of normal position variances through the final nine months of the year. Estimated expenditures are expected to reflect the combined effect of additional payroll expenses (as vacancies are filled), payments made for court ordered services, collective bargaining augmentation, Grant-In-Aid funds, and funds appropriated for the Community Outreach Court through the Budget and Finance Department.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

There are no significant variances to report.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

There are no significant variances to report.

JUDICIARY

STATE OF HAWAII
PROGRAM TITLE: Second Circuit

Program Plan ID: JUD 320

Program Structure No. 01 01 03

VARIANCE DETAILS

PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

COST (Expenditures in \$1,000's)		Fiscal Year 2019				
		A Budgeted	B Actual	Change From A TO B Amount +/- %		
Research and Development	Positions, Perm					
	Positions, Temp					
	Expenditures					
Operating	Positions, Perm	210.50	196.50	14.00	-	7
	Positions, Temp	1.68	1.68	0.00	+	0
	Expenditures	17,184	17,908	724	+	4
Totals	Positions, Perm	210.50	196.50	14.00	-	7
	Positions, Temp	1.68	1.68	0.00	+	0
	Expenditures	17,184	17,908	724	+	4

COST (Expenditures in \$1,000's)		Three Months Ended 9-30-19					Nine Months Ended 6-30-20				
		A Budgeted	B Actual	Change From A TO B Amount +/- %			A Budgeted	B Estimated	Change From A TO B Amount +/- %		
Research and Development	Positions, Perm										
	Positions, Temp										
	Expenditures										
Operating	Positions, Perm	210.50	198.50	12.00	-	6	210.50	204.50	6.00	-	3
	Positions, Temp	1.68	1.68	0.00	+	0	1.68	1.68	0.00	+	0
	Expenditures	4,487	3,844	643	-	14	13,462	14,109	647	+	5
Totals	Positions, Perm	210.50	198.50	12.00	-	6	210.50	204.50	6.00	-	3
	Positions, Temp	1.68	1.68	0.00	+	0	1.68	1.68	0.00	+	0
	Expenditures	4,487	3,844	643	-	14	13,462	14,109	647	+	5

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

Item No. MEASURES OF EFFECTIVENESS		Fiscal Year 2019					Fiscal Year 2020				
		A Estimated	B Actual	Change From A TO B Amount +/- %			A Planned	B Estimated	Change From A TO B Amount +/- %		
1.	Med. Time to Dispo., Cirt. Ct. Crim. Act. (Days)	250	274	24	+	10	248	270	22	+	9
2.	Med. Time to Dispo., Cirt. Ct. Civil Act. (Days)	538	557	19	+	4	535	553	18	+	3

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

Item No. PROGRAM SIZE INDICATORS		Fiscal Year 2019					Fiscal Year 2020				
		A Estimated	B Actual	Change From A TO B Amount +/- %			A Planned	B Estimated	Change From A TO B Amount +/- %		
1.	T01 Civil Actions, Circuit Court	1,649	1,567	82	-	5	1,671	1,619	52	-	3
2.	T02 Marital Actions	873	845	28	-	3	891	862	29	-	3
3.	T03 Adoption Proceedings	74	50	24	-	32	75	64	11	-	15
4.	T04 Parental Proceedings	409	408	1	-	0	412	410	2	-	0
5.	A01 Civil Actions Filed, Circuit Court	533	443	90	-	17	537	522	15	-	3
6.	A02 Criminal Actions Filed, Circuit Court	1,054	892	162	-	15	1,063	957	106	-	10
7.	A03 Marital Actions Filed	470	473	3	+	1	481	478	3	-	1
8.	A04 Traffic - Filed (thousands)	40	37	3	-	8	41	40	1	-	2
9.	A05 Traffic - Terminated (thousands)	45	42	3	-	7	45	44	1	-	2

JUD 320 SECOND CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2019, position variances were the result of normal employee turnover and related recruitment time factors. FY 2019 expenditures were higher than budget due to collective bargaining augmentation.

In the first quarter of FY 2020, the number of filled authorized positions remains reflective of normal employee turnover and recruitment time factors. Expenditure variances are a result of position vacancies, including a Circuit Judge position for which a replacement has been recently confirmed by the State Senate, and normal procurement and operational practices.

For the balance of FY 2020, estimated expenditures are expected to reflect the combined effect of additional payroll expenses (as position vacancies are filled), collective bargaining augmentation, the payment of first quarter billings as they are received in later quarters, and payments made for court purchased services. Action to fill vacancies should result in the maintenance of normal position variances through the final nine months of the year.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

There are no significant variances to report.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Item 3, Adoption Proceedings was 32% lower than the estimated level in FY 2019 due to an unexpected decrease in new filings in FY 2019 (i.e., 33 in FY 2019 as compared to 64 in FY 2018 and 48 in FY 2017).

JUDICIARY

STATE OF HAWAII
PROGRAM TITLE: Third Circuit

Program Plan ID: JUD 330

VARIANCE DETAILS
Program Structure No. 01 01 04

PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

		Fiscal Year 2019										
COST (Expenditures in \$1,000's)		A	B	Change From A TO B								
		Budgeted	Actual	Amount	+/-	%						
Research and Development	Positions, Perm											
	Positions, Temp											
	Expenditures											
Operating	Positions, Perm	234.00	215.00	19.00	-	8						
	Positions, Temp	5.68	3.88	1.80	-	32						
	Expenditures	20,219	20,822	603	+	3						
Totals	Positions, Perm	234.00	215.00	19.00	-	8						
	Positions, Temp	5.68	3.88	1.80	-	32						
	Expenditures	20,219	20,822	603	+	3						

		Three Months Ended 9-30-19					Nine Months Ended 6-30-20					
COST (Expenditures in \$1,000's)		A	B	Change From A TO B								
		Budgeted	Actual	Amount	+/-	%	A	B	Change From A TO B			
Research and Development	Positions, Perm											
	Positions, Temp											
	Expenditures											
Operating	Positions, Perm	240.00	220.00	20.00	-	8	240.00	227.00	13.00	-	5	
	Positions, Temp	5.68	3.41	2.27	-	40	5.68	5.48	0.20	-	4	
	Expenditures	5,432	9,022	3,590	+	66	16,297	12,713	3,584	-	22	
Totals	Positions, Perm	240.00	220.00	20.00	-	8	240.00	227.00	13.00	-	5	
	Positions, Temp	5.68	3.41	2.27	-	40	5.68	5.48	0.20	-	4	
	Expenditures	5,432	9,022	3,590	+	66	16,297	12,713	3,584	-	22	

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

		Fiscal Year 2019					Fiscal Year 2020					
Item No.	MEASURES OF EFFECTIVENESS	A	B	Change From A TO B								
		Estimated	Actual	Amount	+/-	%	A	B	Change From A TO B			
1.	Med. Time to Dispo., Circ. Ct. Crim. Act. (Days)	176	175	1	-	1	175	174	1	-	1	
2.	Med. Time to Dispo., Circ. Ct. Civil Act. (Days)	566	577	11	+	2	556	577	21	+	4	

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

		Fiscal Year 2019					Fiscal Year 2020					
Item No.	PROGRAM SIZE INDICATORS	A	B	Change From A TO B								
		Estimated	Actual	Amount	+/-	%	A	B	Change From A TO B			
1.	T01 Civil Actions, Circuit Court	2,663	2,498	165	-	6	2,675	2,603	72	-	3	
2.	T02 Marital Actions	1,462	1,366	96	-	7	1,470	1,412	58	-	4	
3.	T03 Adoption Proceedings	152	172	20	+	13	153	171	18	+	12	
4.	T04 Parental Proceedings	1,610	1,720	110	+	7	1,612	1,724	112	+	7	
5.	A01 Civil Actions Filed, Circuit Court	662	607	55	-	8	674	637	37	-	5	
6.	A02 Criminal Actions Filed, Circuit Court	1,012	983	29	-	3	1,014	998	16	-	2	
7.	A03 Marital Actions Filed	566	508	58	-	10	575	546	29	-	5	
8.	A04 Traffic - Filed (thousands)	41	37	4	-	10	41	38	3	-	7	
9.	A05 Traffic - Terminated (thousands)	49	42	7	-	14	49	46	3	-	6	

JUD 330 THIRD CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2019, actual position counts were less than budget due to normal employee turnover and related recruitment time factors. Expenditures were higher than budget due to collective bargaining augmentation.

In the first quarter of FY 2020, the number of filled authorized positions remains reflective of normal employee turnover and recruitment time factors. Expenditures are greater than budgeted in the first quarter due to funding for most recurring expenses (i.e., utilities, maintenance contracts, rentals, service on a fee, purchase of service) being encumbered at the beginning of the fiscal year. For the balance of FY 2020, estimated expenditures are expected to be lower than budgeted amounts as these encumbered funds are liquidated. Action to fill vacancies should result in the maintenance of normal position variances through the final nine months of the year.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

There are no significant variances to report.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

There are no significant variances to report.

JUDICIARY

STATE OF HAWAII
PROGRAM TITLE: Fifth Circuit

Program Plan ID: JUD 350

VARIANCE DETAILS
Program Structure No. 01 01 05

PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

COST (Expenditures in \$1,000's)		Fiscal Year 2019					Fiscal Year 2020				
		A Budgeted	B Actual	Change From A TO B Amount +/- %		A Budgeted	B Estimated	Change From A TO B Amount +/- %			
Research and Development	Positions, Perm										
	Positions, Temp										
	Expenditures										
Operating	Positions, Perm	99.00	91.00	8.00	-	8	103.00	99.00	4.00	-	4
	Positions, Temp	2.60	2.60	0.00	+	0	2.60	2.60	0.00	+	0
	Expenditures	7,783	8,001	218	+	3	6,341	6,856	515	+	8
Totals	Positions, Perm	99.00	91.00	8.00	-	8	103.00	99.00	4.00	-	4
	Positions, Temp	2.60	2.60	0.00	+	0	2.60	2.60	0.00	+	0
	Expenditures	7,783	8,001	218	+	3	6,341	6,856	515	+	8

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

Item No.	MEASURES OF EFFECTIVENESS	Fiscal Year 2019					Fiscal Year 2020				
		A Estimated	B Actual	Change From A TO B Amount +/- %		A Planned	B Estimated	Change From A TO B Amount +/- %			
1.	Med. Time to Dispo., Circ. Ct. Crim. Act. (Days)	320	376	56	+	18	311	364	53	+	17
2.	Med. Time to Dispo., Circ. Ct. Civil Act. (Days)	1,324	732	592	-	45	988	732	256	-	26

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

Item No.	PROGRAM SIZE INDICATORS	Fiscal Year 2019					Fiscal Year 2020				
		A Estimated	B Actual	Change From A TO B Amount +/- %		A Planned	B Estimated	Change From A TO B Amount +/- %			
1.	TO1 Civil Actions, Circuit Court	825	595	230	-	28	843	715	128	-	15
2.	TO2 Marital Actions	563	619	56	+	10	574	593	19	+	3
3.	TO3 Adoption Proceedings	65	83	18	+	28	67	72	5	+	7
4.	TO4 Parental Proceedings	514	537	23	+	4	514	524	10	+	2
5.	A01 Civil Actions Filed, Circuit Court	156	199	43	+	28	168	201	33	+	20
6.	A02 Criminal Actions Filed, Circuit Court	414	402	12	-	3	425	426	1	+	0
7.	A03 Marital Actions Filed	196	215	19	+	10	200	209	9	+	5
8.	A04 Traffic - Filed (thousands)	10	9	1	-	10	11	11	0	+	0
9.	A05 Traffic - Terminated (thousands)	11	11	0	+	0	11	12	1	+	9

JUD 350 FIFTH CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2019, position variances were the result of normal employee turnover and related recruitment time factors. FY 2019 expenditures were higher than budgeted due to collective bargaining augmentation.

The position variance in the first quarter of FY 2020 is reflective of normal employee turnover and the newly established positions related to the District Family Judgeship authorized for Fifth Circuit during the 2019 Legislative Session. The corresponding expenditure variance for this period is attributed to normal spending patterns experienced at the beginning of each fiscal year as well as delays associated with recruiting and filling the new District Family Judge position and staff. The position variance for the remainder of FY 2020 reflects the filling of the newly authorized District Family Judgeship positions along with normal employee turnover vacancies while the expenditure variance for this period indicates collective bargaining augmentation and increased expenditure levels.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

Item 2, Median Time to Disposition, Circuit Court Civil Actions, was 45% under the estimated level due to an over projection based on actual numbers from prior years (i.e., 1,085 in FY 2017 and 1,660 in FY 2018). The actual median times in FY 2017 and FY 2018 were the result of an intensive effort to dispose of and close old cases sitting on the court's records.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Item 1, Civil Actions, Circuit Court was 28% under the estimated level due to an over projection of the estimated level which was based on actual numbers from prior years (i.e., 1,176 in FY 2016, 1,153 in FY 2017, and 807 in FY 2018.). The recent decrease in the actual numbers occurred largely in the areas of contract, foreclosure, and other civil actions.

Item 3, Adoption Proceedings was 28% higher than the estimated level primarily due to the increase in filings, and estimates being based on the lower caseloads (i.e., proceedings) (i.e., 61 in FY 2017 and 63 in FY 2018).

Item 5, Civil Actions Filed in Circuit Court was 28% higher the estimated level due to the increases in other non-vehicle tort cases as well as other civil actions cases filed and an under projection based in part on actual filings that were lower in the previous year – 145 in FY 2018.

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE: Judicial Selection Commission

Program Plan ID: JUD 501

VARIANCE DETAILS

Program Structure No. 01 02 01

PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

COST (Expenditures in \$1,000's)		Fiscal Year 2019				
		A Budgeted	B Actual	Change From A TO B Amount	+/-	%
Research and Development	Positions, Perm					
	Positions, Temp					
	Expenditures					
Operating	Positions, Perm	1.00	1.00	0.00	+	0
	Positions, Temp	0.00	0.00	0.00	+	0
	Expenditures	99	99	0	+	0
Totals	Positions, Perm	1.00	1.00	0.00	+	0
	Positions, Temp	0.00	0.00	0.00	+	0
	Expenditures	99	99	0	+	0

COST (Expenditures in \$1,000's)		Three Months Ended 9-30-19					Nine Months Ended 6-30-20				
		A Budgeted	B Actual	Change From A TO B Amount	+/-	%	A Budgeted	B Estimated	Change From A TO B Amount	+/-	%
Research and Development	Positions, Perm										
	Positions, Temp										
	Expenditures										
Operating	Positions, Perm	1.00	1.00	0.00	+	0	1.00	1.00	0.00	+	0
	Positions, Temp	0.00	0.00	0.00	+	0	0.00	0.00	0.00	+	0
	Expenditures	26	38	12	+	46	77	65	12	-	16
Totals	Positions, Perm	1.00	1.00	0.00	+	0	1.00	1.00	0.00	+	0
	Positions, Temp	0.00	0.00	0.00	+	0	0.00	0.00	0.00	+	0
	Expenditures	26	38	12	+	46	77	65	12	-	16

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

Item No. MEASURES OF EFFECTIVENESS		Fiscal Year 2019					Fiscal Year 2020				
		A Estimated	B Actual	Change From A TO B Amount	+/-	%	A Planned	B Estimated	Change From A TO B Amount	+/-	%
N/A											

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

Item No. PROGRAM SIZE INDICATORS		Fiscal Year 2019					Fiscal Year 2020				
		A Estimated	B Actual	Change From A TO B Amount	+/-	%	A Planned	B Estimated	Change From A TO B Amount	+/-	%
N/A											

JUD 501 JUDICIAL SELECTION COMMISSION

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2019, there were no position variances and actual expenditures for FY 2019 were at budgeted amounts.

FY 2020 first quarter expenditures are greater than budgeted due to advertising expenses for multiple judicial vacancies. For the remainder of the fiscal year, expenditures should decrease as the vacancies are filled.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

N/A.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

N/A.

JUDICIARY

STATE OF HAWAII
PROGRAM TITLE: Administration

Program Plan ID: JUD 601

VARIANCE DETAILS
Program Structure No. 01 02 02

PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

		Fiscal Year 2019												
COST (Expenditures in \$1,000's)		A Budgeted	B Actual	Change From A TO B Amount +/- %										
Research and Development	Positions, Perm													
	Positions, Temp													
	Expenditures													
Operating	Positions, Perm	228.00	213.00	15.00	-	7								
	Positions, Temp	19.48	13.48	6.00	-	31								
	Expenditures	35,204	34,645	559	-	2								
Totals	Positions, Perm	228.00	213.00	15.00	-	7								
	Positions, Temp	19.48	13.48	6.00	-	31								
	Expenditures	35,204	34,645	559	-	2								

		Three Months Ended 9-30-19						Nine Months Ended 6-30-20						
COST (Expenditures in \$1,000's)		A Budgeted	B Actual	Change From A TO B Amount +/- %										
		A Budgeted	B Actual	Change From A TO B Amount +/- %		A Budgeted	B Estimated	Change From A TO B Amount +/- %						
Research and Development	Positions, Perm													
	Positions, Temp													
	Expenditures													
Operating	Positions, Perm	227.00	211.00	16.00	-	7	227.00	227.00	0.00	+	0			
	Positions, Temp	18.48	14.48	4.00	-	22	18.48	18.48	0.00	+	0			
	Expenditures	9,116	11,265	2,149	+	24	27,348	25,200	2,148	-	8			
Totals	Positions, Perm	227.00	211.00	16.00	-	7	227.00	227.00	0.00	+	0			
	Positions, Temp	18.48	14.48	4.00	-	22	18.48	18.48	0.00	+	0			
	Expenditures	9,116	11,265	2,149	+	24	27,348	25,200	2,148	-	8			

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

		Fiscal Year 2019						Fiscal Year 2020						
Item No.	MEASURES OF EFFECTIVENESS	A Estimated	B Actual	Change From A TO B Amount +/- %										
		A Estimated	B Actual	Change From A TO B Amount +/- %		A Planned	B Estimated	Change From A TO B Amount +/- %						
1.	Average Time to Process JUDHR001 Form (days)	5	5	0	+	0	5	5	0	+	0			
2.	Average Time to Process Payment Document (days)	5	5	0	+	0	5	5	0	+	0			

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

		Fiscal Year 2019						Fiscal Year 2020						
Item No.	PROGRAM SIZE INDICATORS	A Estimated	B Actual	Change From A TO B Amount +/- %										
		A Estimated	B Actual	Change From A TO B Amount +/- %		A Planned	B Estimated	Change From A TO B Amount +/- %						
1.	A01 Number of Payment Documents Processed	37,500	35,917	1,583	-	4	36,000	36,000	0	+	0			
2.	A02 Number of Recruitment Announcements	1,200	1,450	250	+	21	1,300	1,300	0	+	0			
3.	A03 Number of JUDHR001 Forms Processed	6,300	5,100	1,200	-	19	6,300	6,300	0	+	0			
4.	A04 Library - Size of Collections (000's)	285	285	0	+	0	285	285	0	+	0			
5.	A05 Library - Circulation, Trans & Ref Use (000's)	32	35	3	+	9	30	30	0	+	0			
6.	A06 Library - Patrons Served (000's)	9	9	0	+	0	9	9	0	+	0			

JUD 601 ADMINISTRATION

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2019, position variances were the result of normal employee turnover as well as recruitment time factors. The corresponding expenditure variance for the fiscal year is attributed to non-general fund expenditure ceilings which exceed expenditure levels due to declining revenues.

In the first quarter of FY 2020, the variance in the number of filled authorized positions is a carryover from the previous year and a result of normal employee turnover. Expenditure variances are a result of collective bargaining increases as well as contractual and other significant operational obligations that are incurred early in the fiscal year. The payment of these financial requirements in the first quarter results in the proportionately lower level of operating expenses projected for the remainder of the fiscal year.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

There are no significant variances to report.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Item 2, Number of Recruitment Announcements, was 21% higher than estimated levels due to a significant increase in the number of vacancies related to retirements and resignations as compared to FY 2018. Due to recruitment difficulties, many of the vacancies were announced or re-announced at multiple levels.