



**January 2013
The Judiciary
FY 2013-15 Biennium Budget**

MISSION

THE UNIFIED COURT SYSTEM OF HAWAII

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

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

* A division of the Circuit Courts

OTHER LIMITED JURISDICTION SPECIALTY COURTS/PROGRAMS

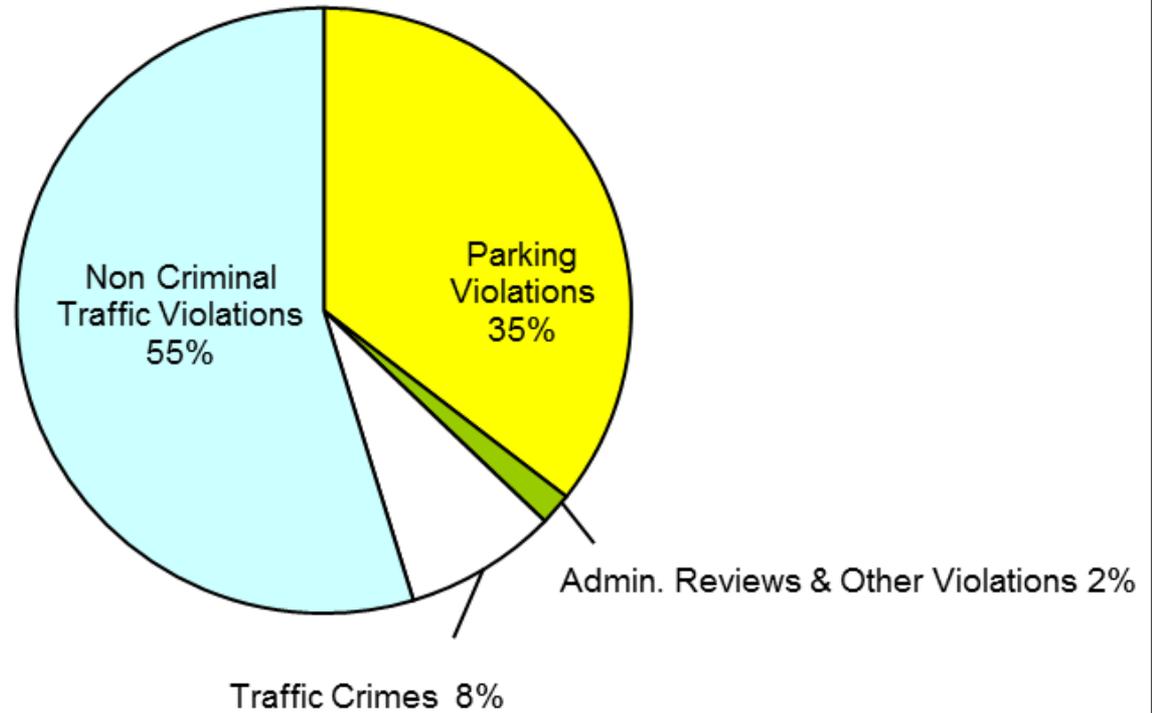
- Adult Drug Courts (4)
- Family Drug Courts (2)
- Juvenile Drug Courts (4)
- Adult Mental Health Court (1)
- Girls Court (1)
- Teen Courts (2)
- Juvenile Sex Offender Unit (1)
- Project Hope (4)
- Court Annexed Arbitration Program (CAAP) (4)
- Veterans Court (1) and DUI Court (1) – In process

CASELOAD

JUDICIARY CASELOAD

	<u>FY 2010</u>	<u>FY 2011</u>	<u>FY 2012</u>
CRIMINAL			
Circuit Courts	17,220	17,308	17,264
District Courts	94,479	93,427	99,443
Traffic	68,041	64,092	60,771
CIVIL			
Circuit Courts	37,251	40,272	45,901
District Courts	60,575	65,714	68,494
FAMILY			
Proceedings/Cases	57,696	55,462	54,928
Non-Criminal			
Traffic	600,835	548,458	536,185

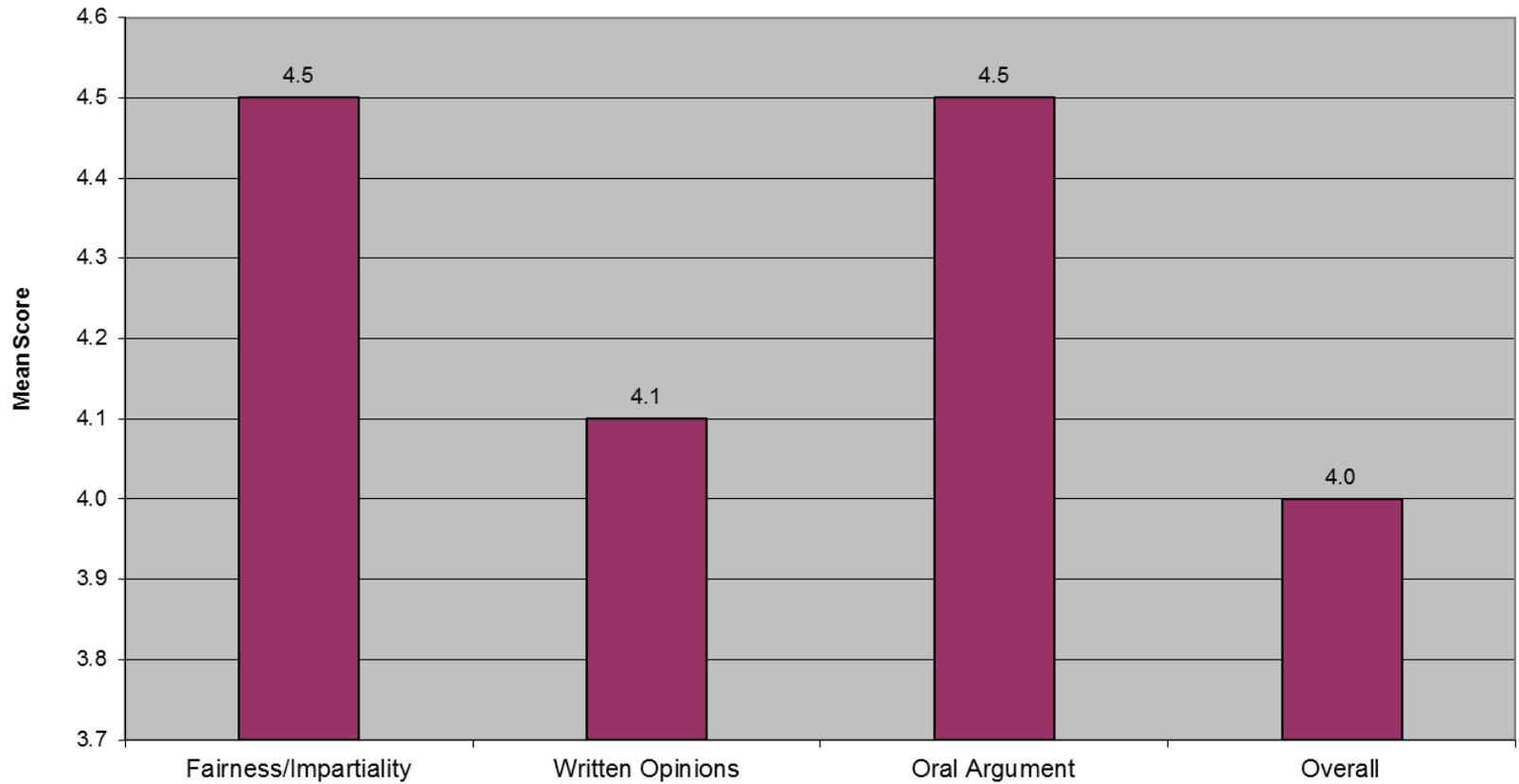
Traffic and Parking Cases - FY 2012
396,062 New Cases Filed
(See Table 27 of the 2012 Statistical Supplement)



PERFORMANCE MEASURES

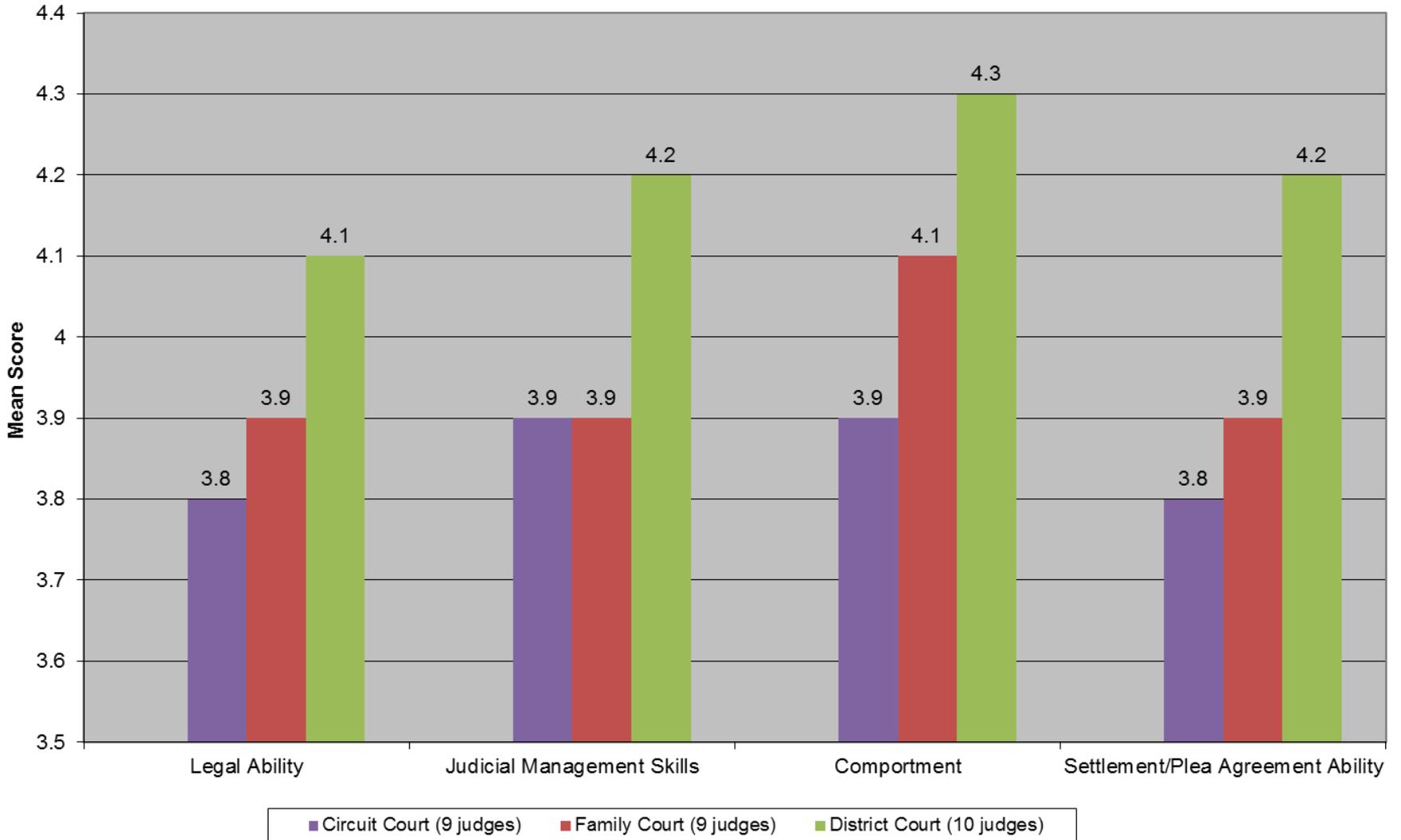
Appellate Justice/Judge Evaluations (3 justices/judges) - Average Score

(Poor: 1.0 - 1.5; Less Than Adequate: 1.5 - 2.5; Adequate: 2.5 - 3.5; Good: 3.5 - 4.5; Excellent 4.5 - 5.0)

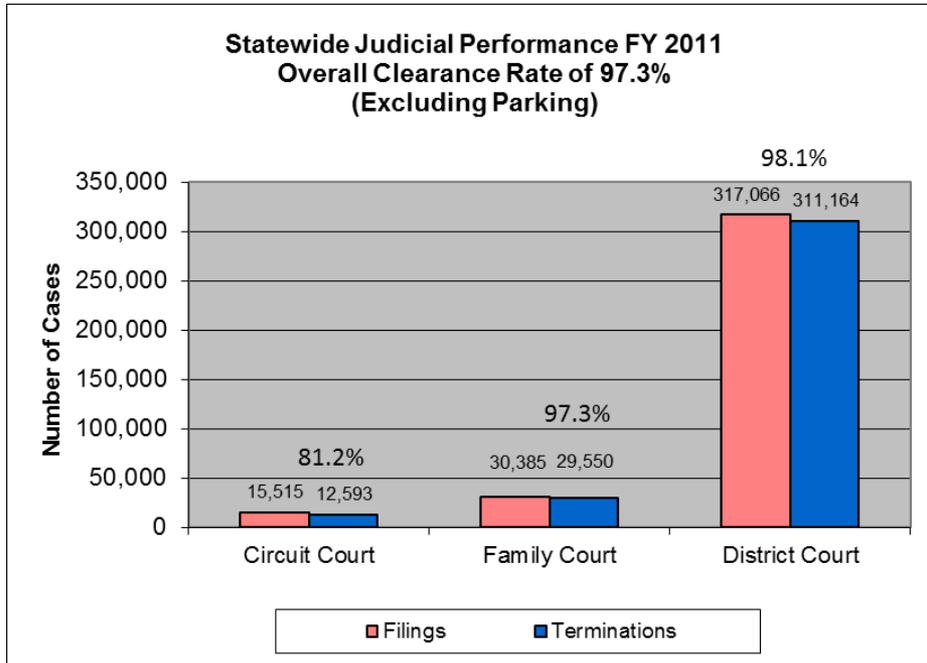


Judge Evaluations - Average Score

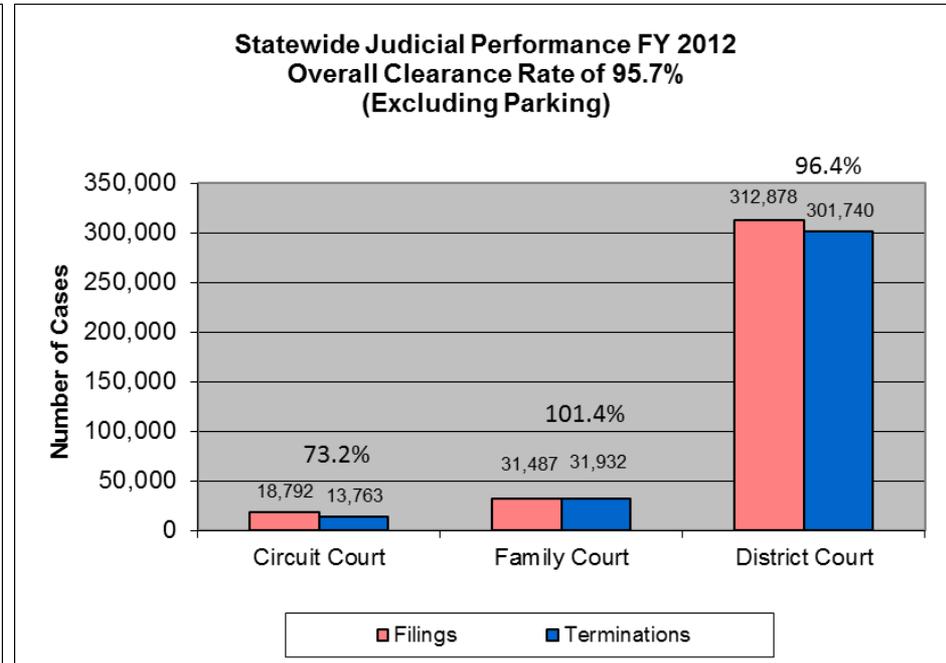
(Poor: 1.0 - 1.5; Less Than Adequate: 1.5 - 2.5; Adequate: 2.5 - 3.5; Good: 3.5 - 4.5; Excellent: 4.5 - 5.0)



FY 2011



FY 2012



Intermediate Court of Appeals ¹

Fiscal Year	Appeals Filed ²	Appeals Disposed					Rate of Disposition	Total Pending Appeals	Average Disposition Rate
		Published	Memo	Summary Dispo Order	Dismissed/Withdrawn	Total			
2007	522	51	47	261	201	560	107%	594	
2008	525	43	41	223	162	469	89%	650	
2009	565	43	43	316	183	585	104%	630	
2010	534	35	56	232	180	503	94%	661	
2011	552	35	53	219	115	422	76%	791	
2012	577	37	53	257	212	559	97%	756	
	3,275					3,098		95%	

1 - Excludes appeals transferred between appellate courts.

2 - In accordance with Section 82 of Act 202, Session Laws of Hawaii 2004, 284 appeals pending in the Supreme Court on July 1, 2006 were transferred to the Intermediate Court of Appeals and are accordingly included here.

REVENUES, APPROPRIATIONS, AND EXPENDITURES

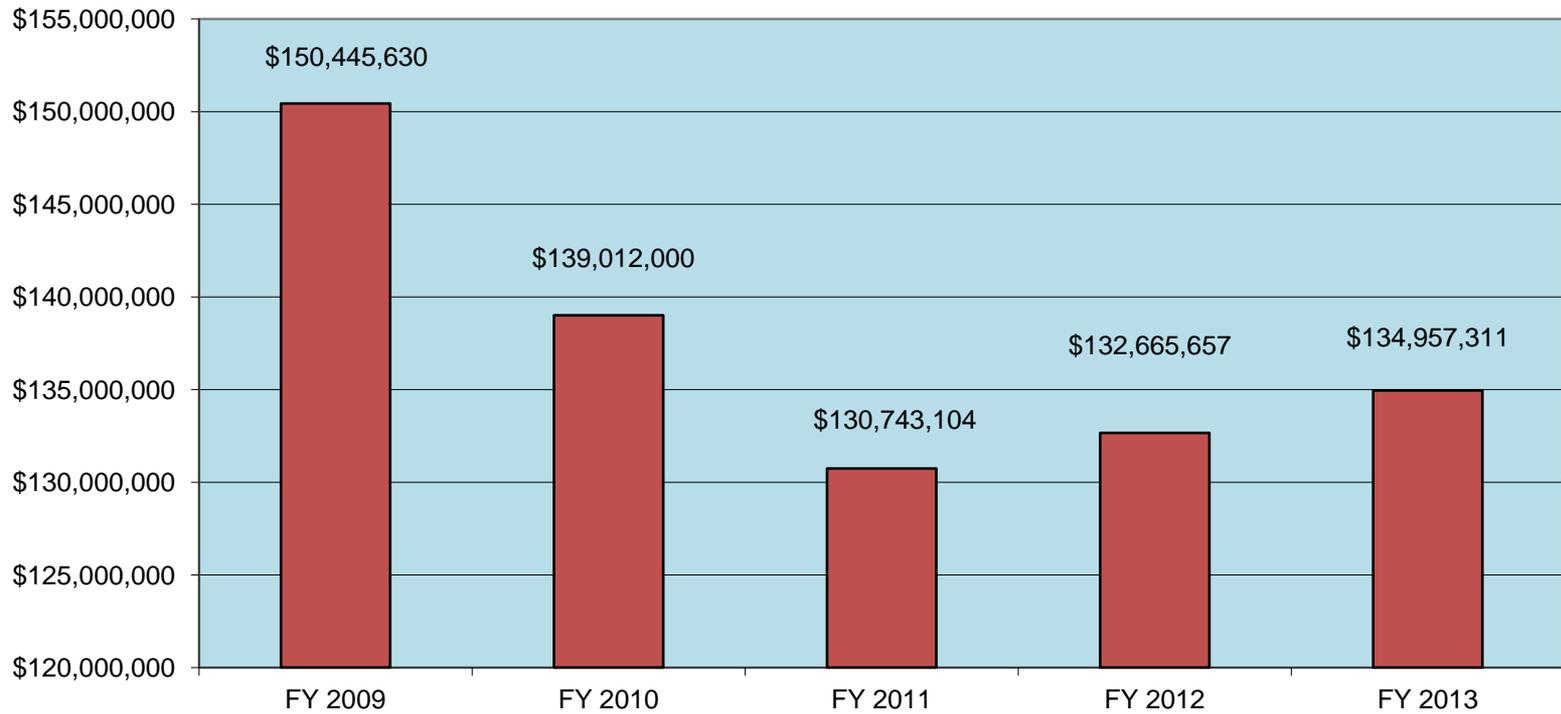
REVENUES BY PROGRAM

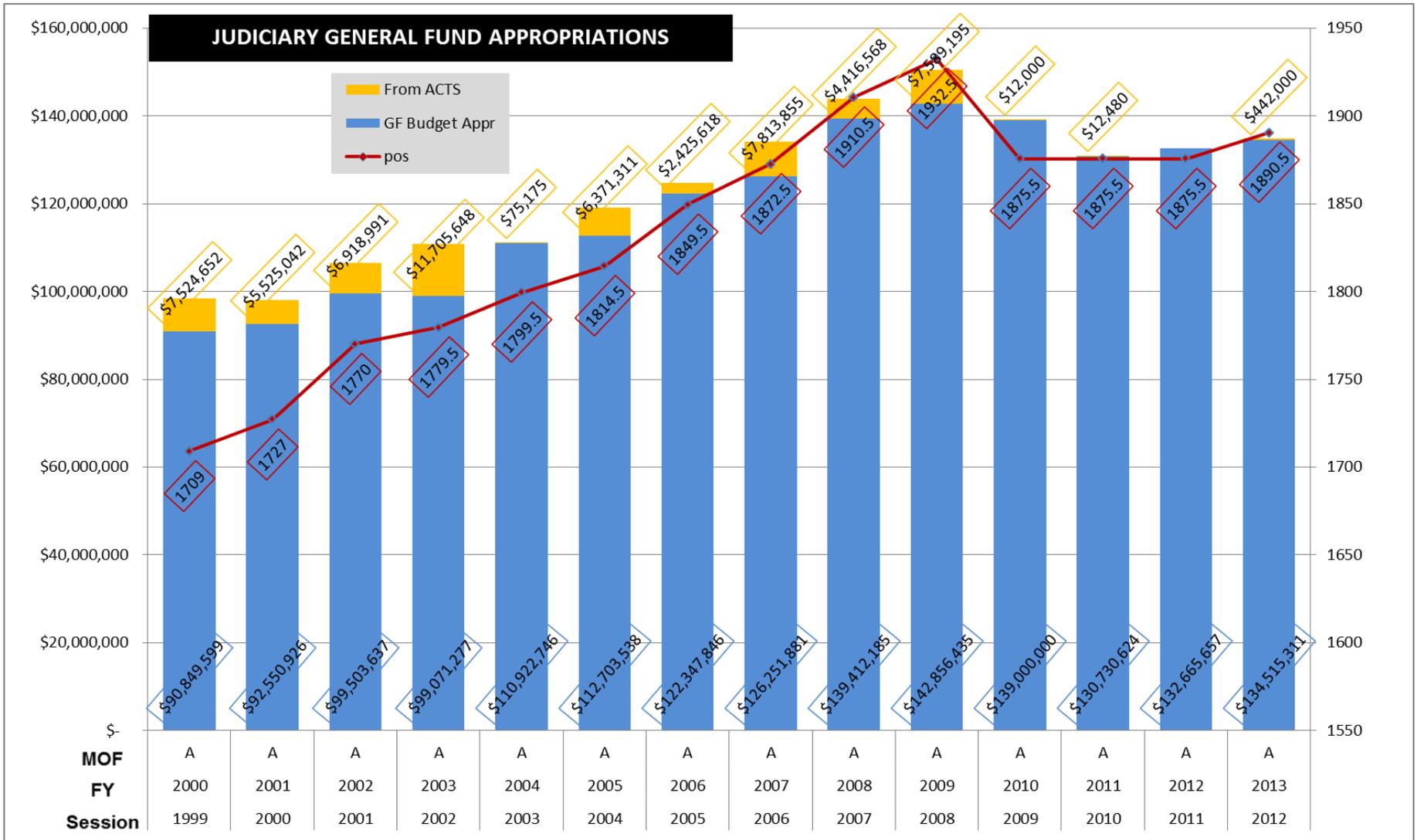
	<u>FY 2010</u>	<u>FY 2011</u>	<u>FY 2012</u>
General Fund			
Courts of Appeal	60,864	69,533	82,286
First Circuit	26,361,056	27,828,751	27,225,113
Second Circuit	3,455,075	3,585,363	3,678,058
Third Circuit	4,185,476	4,314,146	4,289,524
Fifth Circuit	1,607,326	1,785,661	1,794,739
Administration	<u>79,569</u>	<u>51,450</u>	<u>105,726</u>
Sub-total	35,749,366	37,634,904	37,175,446
Special Fund	<u>10,669,836</u>	<u>11,096,427</u>	<u>10,695,187</u>
TOTAL	<u>46,419,202</u>	<u>48,731,331</u>	<u>47,870,633</u>

REVENUES BY SOURCE - GENERAL FUND

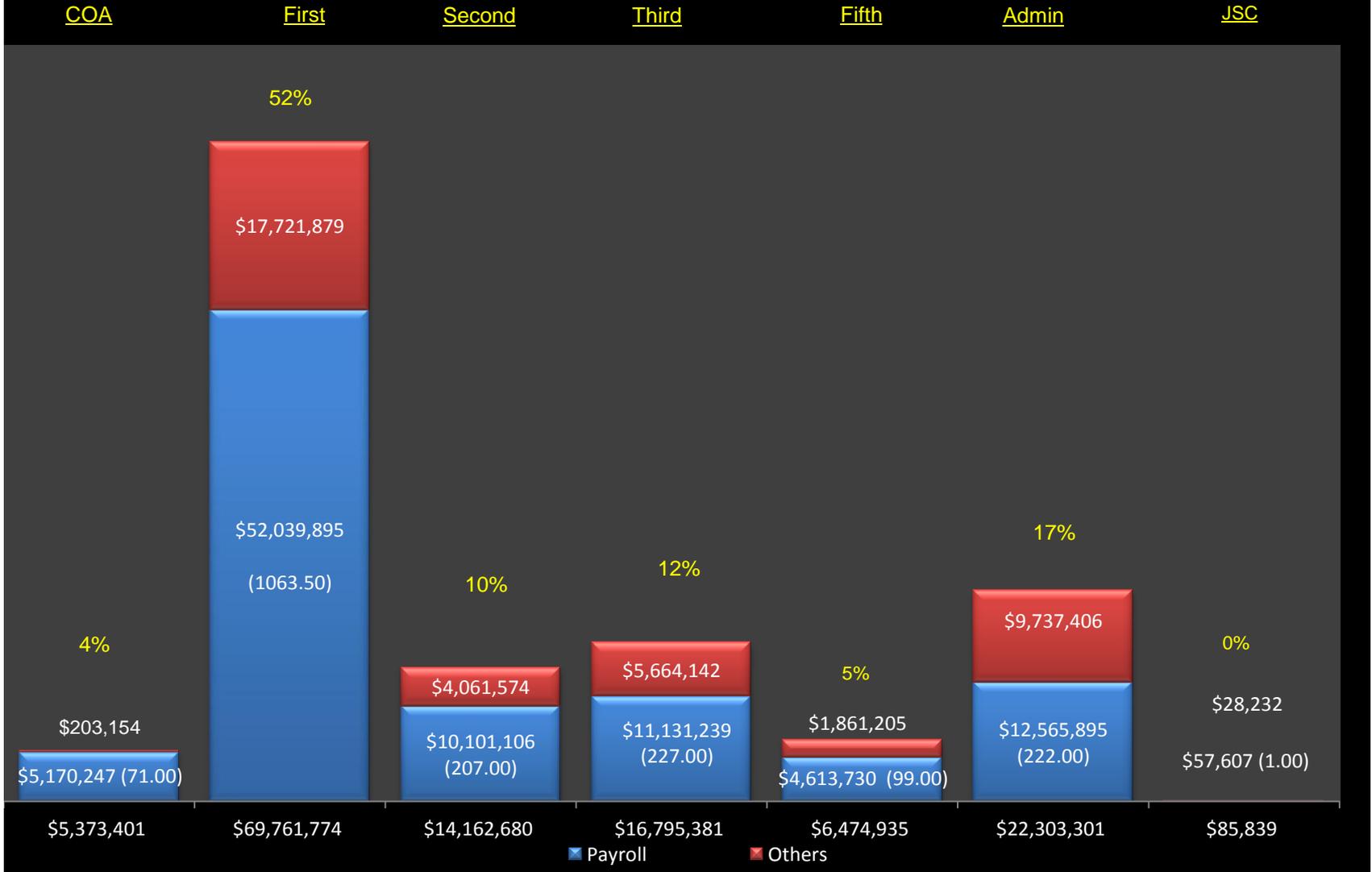
	FY 2010	FY 2011	FY 2012
Traffic Fines	20,690,935	20,913,649	20,454,044
Fees - Certified Copies/Extracts/Abstracts	2,051,636	4,410,173	4,075,841
Administrative Cost Fees to Process Traffic	4,141,400	4,341,115	4,264,909
Court Costs - District Court	2,709,275	2,248,627	2,150,537
Court Costs - Circuit Court	2,134,974	2,029,795	2,483,979
Criminal Fines - District Court	693,178	676,033	649,605
Miscellaneous Income	536,853	437,847	406,010
Bail/Bond Forfeitures	1,092,998	1,049,726	1,121,529
Other	1,698,117	1,527,939	1,568,992
	35,749,366	37,634,904	37,175,446
TOTAL			

Judiciary General Fund Appropriations
(including collective bargaining, specific appropriations, grants-in-aid)

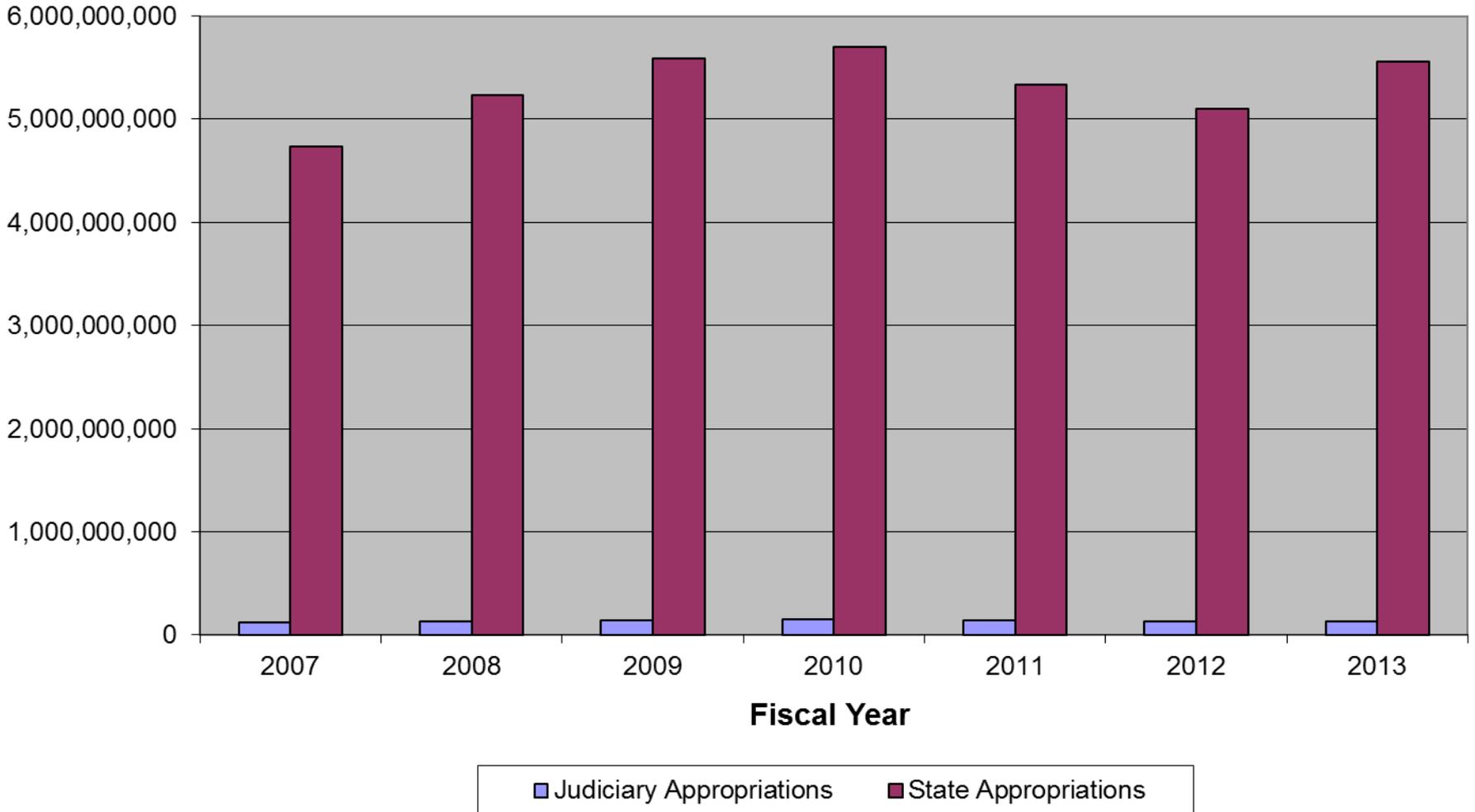




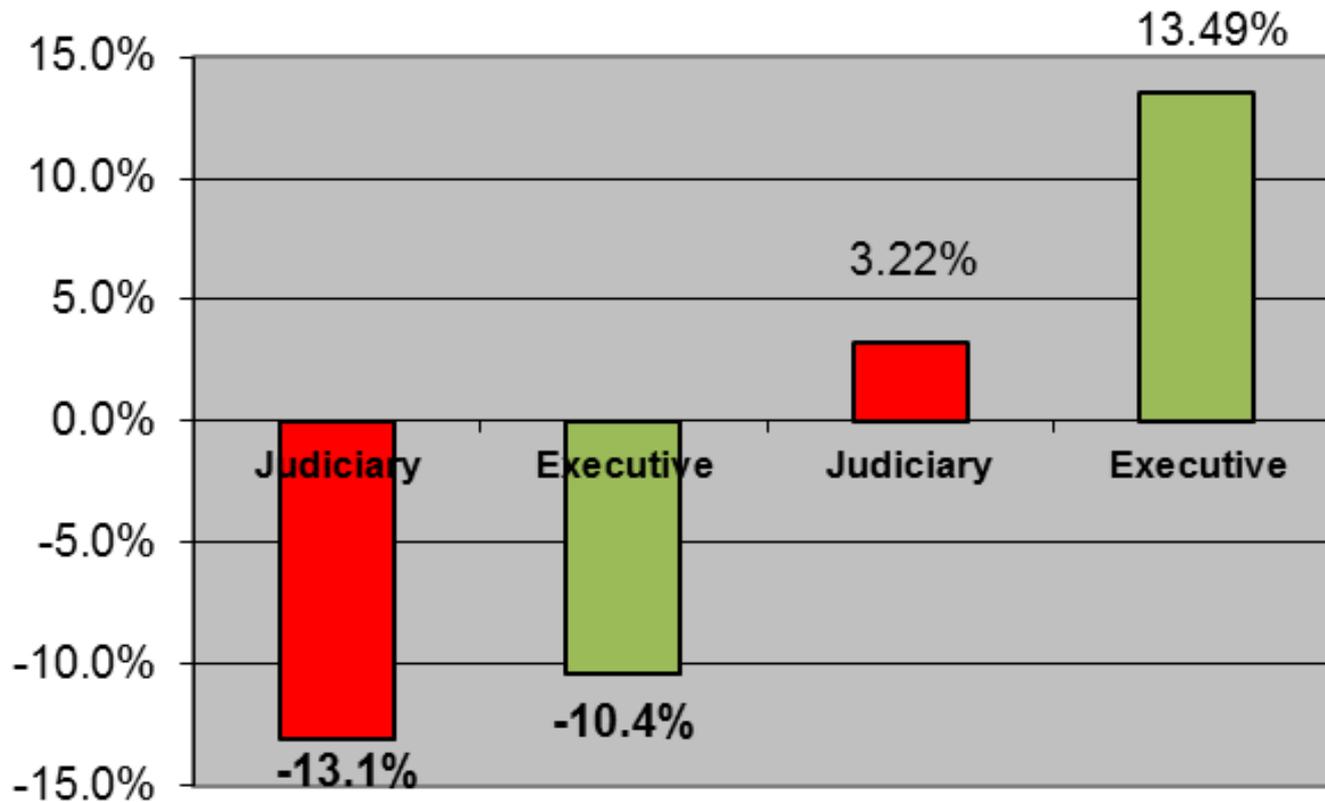
FY 2013 JUDICIARY BUDGET AND STAFFING GENERAL FUNDS BY PROGRAM \$134,957,311 (1,890.50 FTE)



Judiciary General Fund Appropriations Compared to State General Fund Appropriations

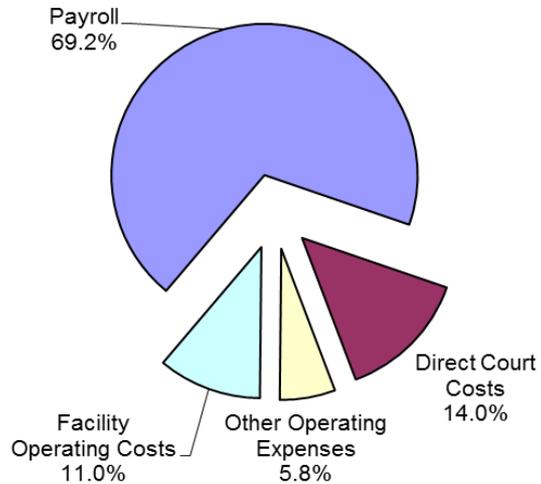


Comparing **Judiciary vs. **Executive** FY 11 to FY 09 Percentage Cuts
and FY 13 to FY 11 Percentage Increases
(including collective bargaining and specific appropriations)**

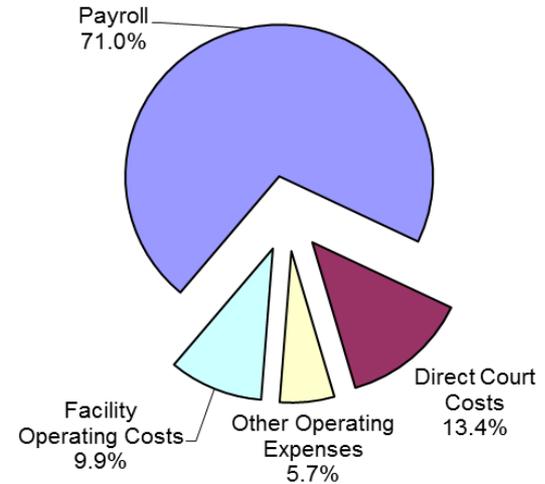


Expenditure of Judiciary's Base Appropriation

How the Judiciary's Base Appropriation is Expended
FY 2011 - Total Appropriation: \$130,743,104



How the Judiciary's Base Appropriation is Expended
FY 2013 - Total Appropriation: \$134,957,311



Selected Expenditures (in thousands)

	<u>FY 2009</u>	<u>FY 2012</u>	Percent (Decrease) Increase
Regular Pay	96,433	89,244	(7%)
Overtime*	1,000	1,042	4%
Vacation Payout	889	1,289	45%
Per Diem Judges	1,147	1,005	(12%)
Office Supplies	1,046	836	(20%)
Telephone	741	387	(48%)
Transportation	535	289	(46%)
Utilities	3,991	6,734	69%
Repair and Maintenance	4,102	2,851	(30%)
Public Assistance	11,656	8,558	(27%)
Services on a Fee	12,273	10,719	(13%)
Rental of Land, Building	3,640	1,997	(45%)

*Includes night shift and holiday pay

Examples of POS Reductions

<u>Service and Provider</u>	<u>Expenditures</u>		<u>Percent Decrease</u>
	<u>FY 2009</u>	<u>FY 2012</u>	
Domestic Violence:			
DVAC	1,900,836	1,290,668	32%
Child and Family Services	784,165	505,499	36%
YWCA Kauai	203,612	133,657	34%
Substance Abuse Treatment:			
YMCA Honolulu - Juveniles	225,000	175,668	22%
Aloha House - Adults	305,204	44,332	85%
Maui Youth, Family Svcs - Juveniles	164,865	41,889	75%
Juvenile Client and Family Svcs - PACT	954,750	648,275	32%
Residential and Shelter - Salvation Army	525,728	273,750	48%
Mediation - Mediation Ctrs of Hawaii	485,000	403,000	17%
In-Community Service/Alt. Ed - Palama Settlement	245,520	159,179	35%

Specialty Court Costs

<u>Specialty Court</u>	<u>Expenditure</u>		<u>Percent Change in Expenditure</u>	<u>Active Clients</u>	<u>Annual Cost per Active Client</u>	<u>Cost per Day per Active Client</u>
	<u>FY 10</u>	<u>FY 12</u>				
Girls Court	325,824	262,943	-19.3%	27 *	9,739	26.68
Oahu Drug Court	877,305	699,091	-20.3%	144	4,855	13.30
Oahu Family Drug Court	535,382	325,724	-39.2%	31 **	10,507	28.79
Oahu Juvenile Drug Court	753,072	637,542	-15.3%	50	12,751	34.93
Oahu Mental Health Court	175,000	150,000	-14.3%	41	3,659	10.02
Maui Drug Court	1,136,289	1,020,491	-10.2%	184	5,546	15.19
Maui Family Drug Court	340,040	278,777	-18.0%	16	17,424	47.74
Big Island Drug Court	711,468	641,370	-9.9%	149	4,304	11.79
Kauai Drug Court	340,790	287,102	-15.8%	49	5,859	16.05

* 27 Girls, 60 Family Members

** 31 Families (Average Family Size 5)

**FY 2013 - 15
BIENNIUM BUDGET REQUESTS**

**FY 2013-2015 BIENNIUM BUDGET REQUEST
JUDICIARY SUMMARY
GENERAL FUNDS**

JUDICIARY PROGRAM	REQUEST FY 2014		REQUEST FY 2015	
	POS CT	AMOUNT	POS CT	AMOUNT
Courts of Appeal	1.00	782,058	1.00	782,058
First Circuit	24.00	6,156,706	24.00	6,984,024
Second Circuit	3.00	1,054,506	3.00	1,034,403
Third Circuit	3.00	1,241,467	3.00	1,231,215
Fifth Circuit	1.00	455,206	1.00	450,156
Judicial Selection Commission	0.00	3,018	0.00	3,018
Administration	8.00	1,092,670	8.00	1,064,096
JUDICIARY TOTAL	40.00	10,785,631	40.00	11,548,970

BUDGET HIGHLIGHTS

Pay Restoration

- Judiciary Employees

- Judges

Essential Staffing Requirements

- Courts of Appeal

- First Circuit Specialty Courts

- Project Hope

- Law Clerks – First Circuit

- Court Operations – Third and Fifth Circuits

- JERD, OPG, ITCD

Facilities/Equipment

- Moving, Lease Costs – First Circuit

- X-Ray Machines

- Utility Costs

- Steno Machines

- CIP Specialist

BUDGET HIGHLIGHTS (CONT'D)

Client Services

- POS Funds – First and Third Circuits

- Juvenile Weekend Program

- Hookele

- POS Funds – First and Third Circuits

- Community Service Sentencing Program – Maui

- Urinalysis Program – Maui

- Children's Justice Center

Other Critical Needs

- Jury Pool Expenses

- Detention Home Scheduling System

- Training Funds

Special Fund

- Indigent Legal Assistance Fund Ceiling Increase

PAY RESTORATION

	<u>FY 2014</u>	<u>FY 2015</u>
<u>Judiciary-wide Payroll Cut Restoration</u>		
All Employees (Except Justices/Judges) - Restoration to June 30, 2009 Salary Levels	\$ 4,134,343	\$ 4,134,343
Justices/Judges -- Restoration to Levels Set by the 2006 Commission on Salaries	\$ 4,465,777	\$ 4,465,777
	<hr/>	<hr/>
Totals	<u><u>\$ 8,600,120</u></u>	<u><u>\$ 8,600,120</u></u>

ESSENTIAL STAFFING REQUIREMENTS

	FY 2014	FY 2015
<u>Courts of Appeal</u>		
Convert Unfunded Fiscal Office Clerk to Permanent Position	\$ 28,836	\$ 28,836
<u>First Circuit</u>		
Convert Seven Girls Ct. Temporary Positions to Permanent	\$ -	\$ -
Convert Two Mental Health Ct. Temporary Positions to Permanent	\$ -	\$ -
Convert Eight Project Hope Positions to Permanent	\$ 71,944	\$ 71,944
Convert Three Family Court Law Clerk Temporary Positions to Permanent	\$ -	\$ -
<u>Third Circuit</u>		
Two Court Bailiff Positions	\$ 78,064	\$ 67,812
Convert One TVB Clerk Position to Permanent	\$ -	\$ -

ESSENTIAL STAFFING REQUIREMENTS (CONT'D)

	FY 2014	FY 2015
<u>Fifth Circuit</u>		
One Judicial Clerk Position for Legal Documents	1.00 \$ 35,236	1.00 \$ 30,186
<u>Administration</u>		
One Judicial Education Specialist Position for JERD	1.00 \$ 56,139	1.00 \$ 51,462
One Social Worker V Supervisory Position - OPG	1.00 \$ 55,177	1.00 \$ 51,312
One IT Specialist V Position	1.00 \$ 51,312	1.00 \$ 51,312
Totals	28.00 \$ 376,708	28.00 \$ 352,864

FACILITIES/EQUIPMENT

	FY 2014	FY 2015
<u>First Circuit</u>		
Moving to and Lease Costs in Kapolei for Juvenile Client Services Branch	\$ -	\$ 1,095,225
Increased Utility Costs	\$ 200,000	\$ 200,000
Six Replacement X-Ray Machines for Security (two for Honolulu District Court, one each for the four rural courts)	\$ 194,100	\$ -
Nine Steno Machines for Court Reporters	\$ 48,807	\$ -
<u>Administration</u>		
One Capital Improvement Specialist V Position	1.00 \$ 56,034	1.00 \$ 51,462
Totals	\$ 498,941	\$ 1,346,687

CLIENT SERVICES

	<u>FY 2014</u>	<u>FY 2015</u>
<u>First Circuit</u>		
Partial Restoration of POS Funds for Juvenile and Adult Client Services	\$ 536,172	\$ 536,172
	2.00	2.00
Two Social Worker Positions for Juvenile Weekend & Restitution Prgm	\$ 101,002	\$ 91,152
	2.00	2.00
Two Positions for Hookele	\$ 75,166	\$ 69,516
<u>Second Circuit</u>		
	2.00	2.00
Two Social Worker Positions for Community Service Sentencing Pgrm	\$ 75,940	\$ 62,574
	1.00	1.00
One Position for Randomized Urinalysis Program	\$ 42,576	\$ 35,839
<u>Third Circuit</u>		
Restoration of POS Funds Drug Court	\$ 75,032	\$ 75,032
<u>Administration</u>		
	4.00	4.00
Four Forensic Interview Specialists for Children's Justice Center	\$ 205,564	\$ 190,104
Totals	\$ 1,111,452	\$ 1,060,389

OTHER CRITICAL NEEDS

	FY 2014	FY 2015
<u>First Circuit</u>		
Increased Jury Pool Expenses	\$ 130,000	\$ 130,000
Electronic Scheduling, Time, Attendance System -- Detention Home	\$ 18,517	\$ 9,017
<u>Administration</u>		
Training Funds for Judiciary Employees	\$ 49,893	\$ 49,893
Totals	\$ 198,410	\$ 188,910
 <u>Special Fund</u>		
Increase Indigent Legal Assistance Special Fund Ceiling by \$1 million	\$ 1,000,000	\$ 1,000,000

**JUDICIARY SUMMARY
CIP REQUESTS FOR FISCAL YEARS 2014 AND 2015**

Program	Description	FY 2014	FY 2015
3rd Cir	Kona Judiciary Complex - Construction	0	90,000,000
1st Cir	Wahiawa Court Facility - Design/Construction	2,700,000	35,000,000
1st Cir	Kaahumanu Hale Renovations - Design	2,800,000	
1st Cir	Alder Street Redevelopment - Environmental Assessment	250,000	
2nd Cir	Hoapili Hale Structural Repairs and Coating	300,000	1,800,000
2nd Cir	Hoapili Hale Replace/Upgrade Carbon Monoxide Monitoring/Ducting	75,000	600,000
Totals		<u>6,125,000</u>	<u>127,400,000</u>