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# Unified Judicial System



## FY2015 Budget Hearing

February 11, 2014

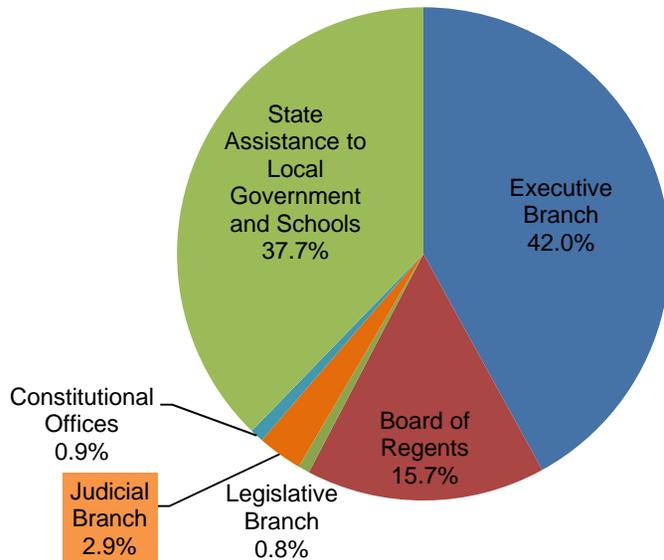
David Gilbertson - Chief Justice of the Supreme Court

Greg Sattizahn - State Court Administrator

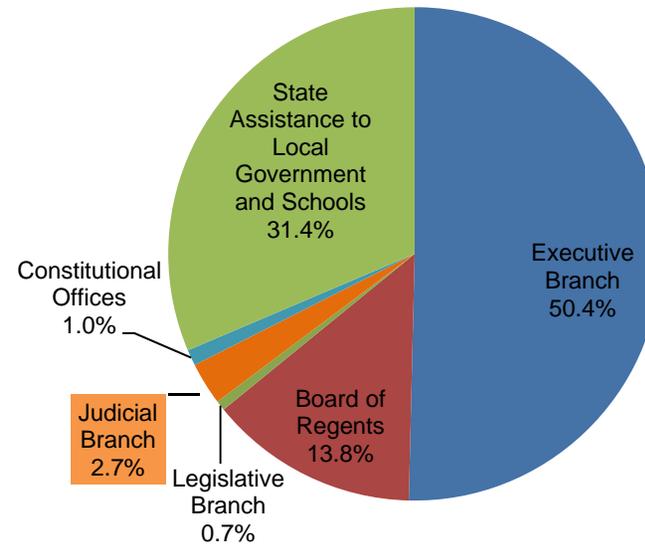
Janet Borchard - Director of Budget & Finance

# Growth of General Funds - FY04 to FY14

**FY 2004\***  
**\$903,761,508**



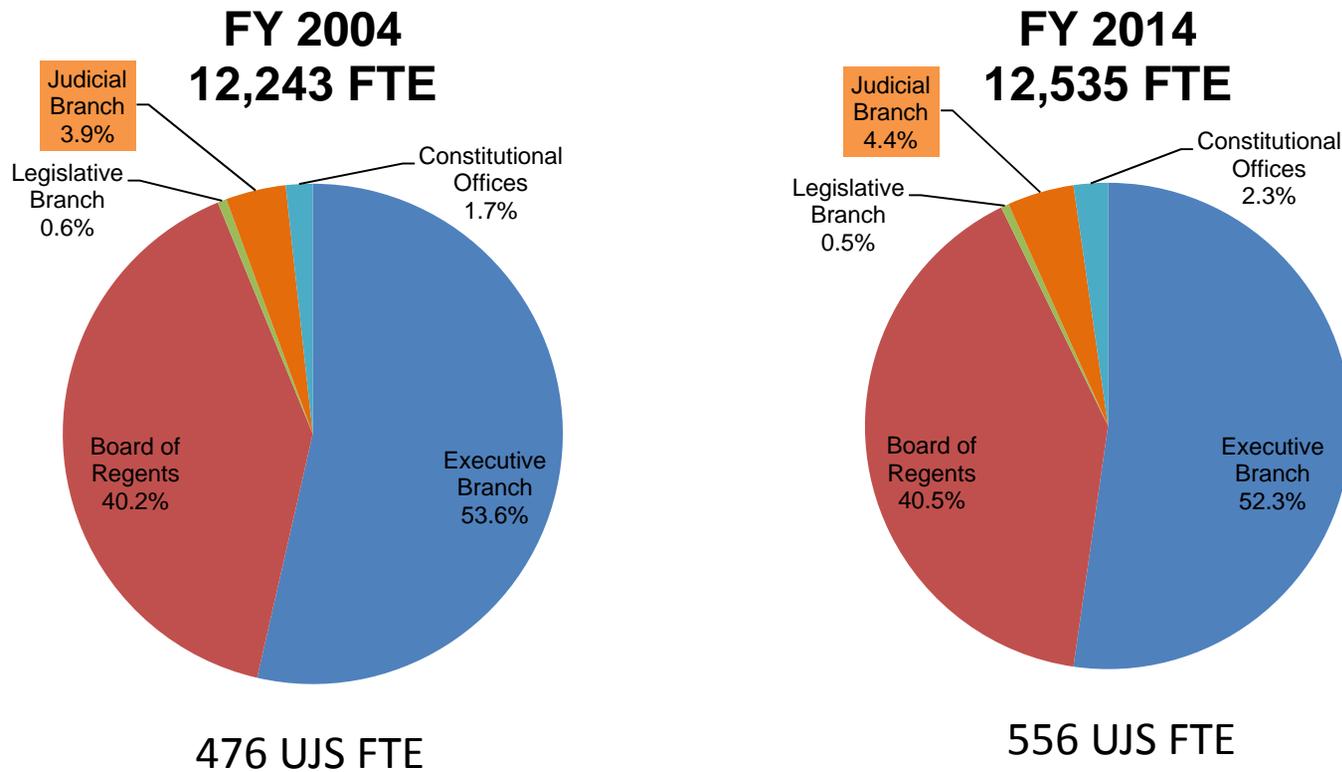
**FY 2014\*\***  
**\$1,312,583,507**



\*FY2004 = Budgeted

\*\*FY2014 = 2015 Governor's Budget Book excluding informational budgets

# Change in FTE - from FY04 to FY14



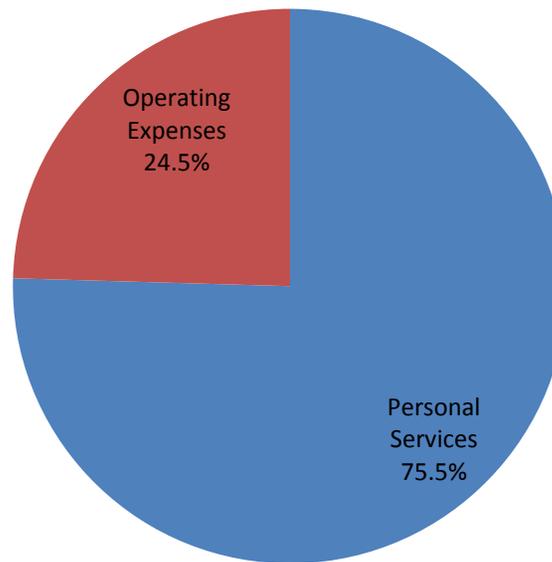
\*FY2004 = Budgeted

\*\*FY2014 = 2015 Governor's Budget Book excluding informational budgets

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# FY2014 Funding Level - \$48,001,865

## Personal Services vs. Operating Expenses



(Does not include State Bar Informational Budget)

# Who Pays for What...

## ■ Counties pay for:

- ❑ Courthouse facilities
- ❑ Court transcripts
- ❑ Indigent defense costs
- ❑ Jury expenses
- ❑ Interpreters- criminal cases
- ❑ Witness fees
- ❑ Law library costs (supported by fees)

## ■ State pays for:

- ❑ Judge/employee salaries and benefits
- ❑ Training & education
- ❑ Operating expenses
  - ❑ Travel
  - ❑ Contractual services
  - ❑ Supplies & materials
  - ❑ Capital assets
- ❑ Automation/Technology

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# The Judicial Branch Budget Includes...

**SUPREME  
COURT**  
  
Budget Brief p. 9

**JUDICIAL  
QUAL  
COMM**  
  
Budget Brief p. 10

**STATE  
COURT  
ADMIN  
OFFICE**  
  
Budget Brief p. 11

**TRAINING**  
  
Budget Brief p. 13

**CIRCUIT  
COURT**  
  
Budget Brief p. 14

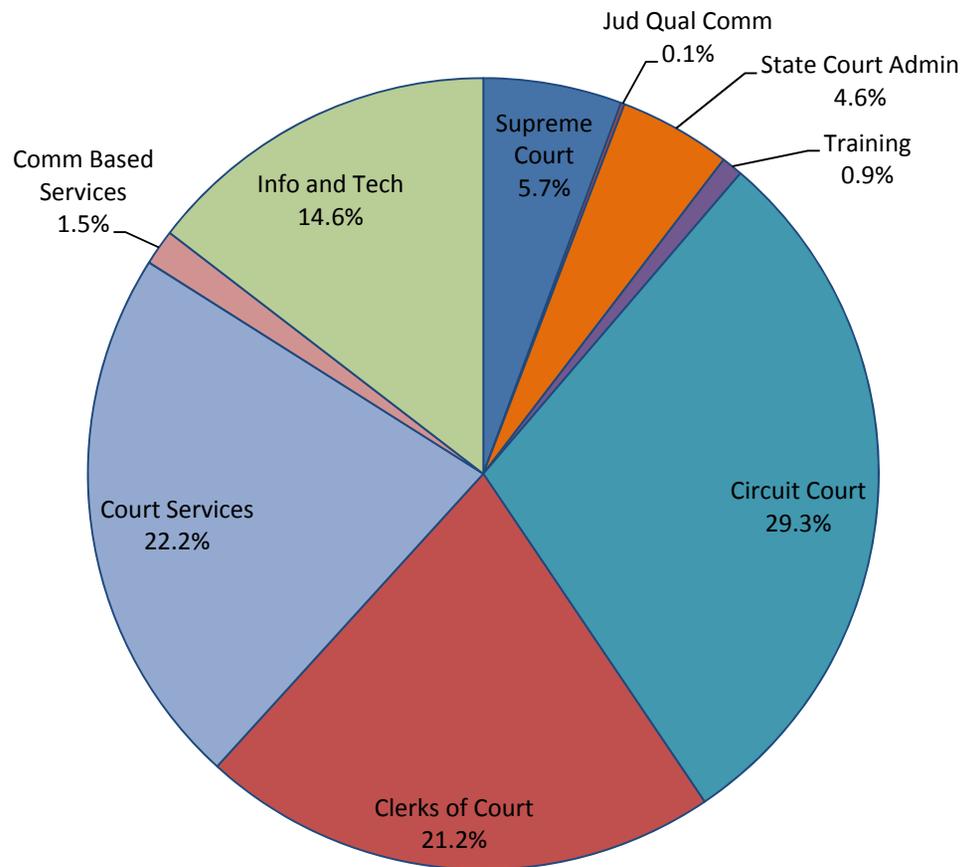
**CLERKS OF  
COURT**  
  
Budget Brief p. 16

**COURT  
SERVICES**  
includes  
Drug/DUI Court  
  
Budget Brief p. 18

**COMMUNITY  
BASED  
SERVICES**  
  
Budget Brief p. 20

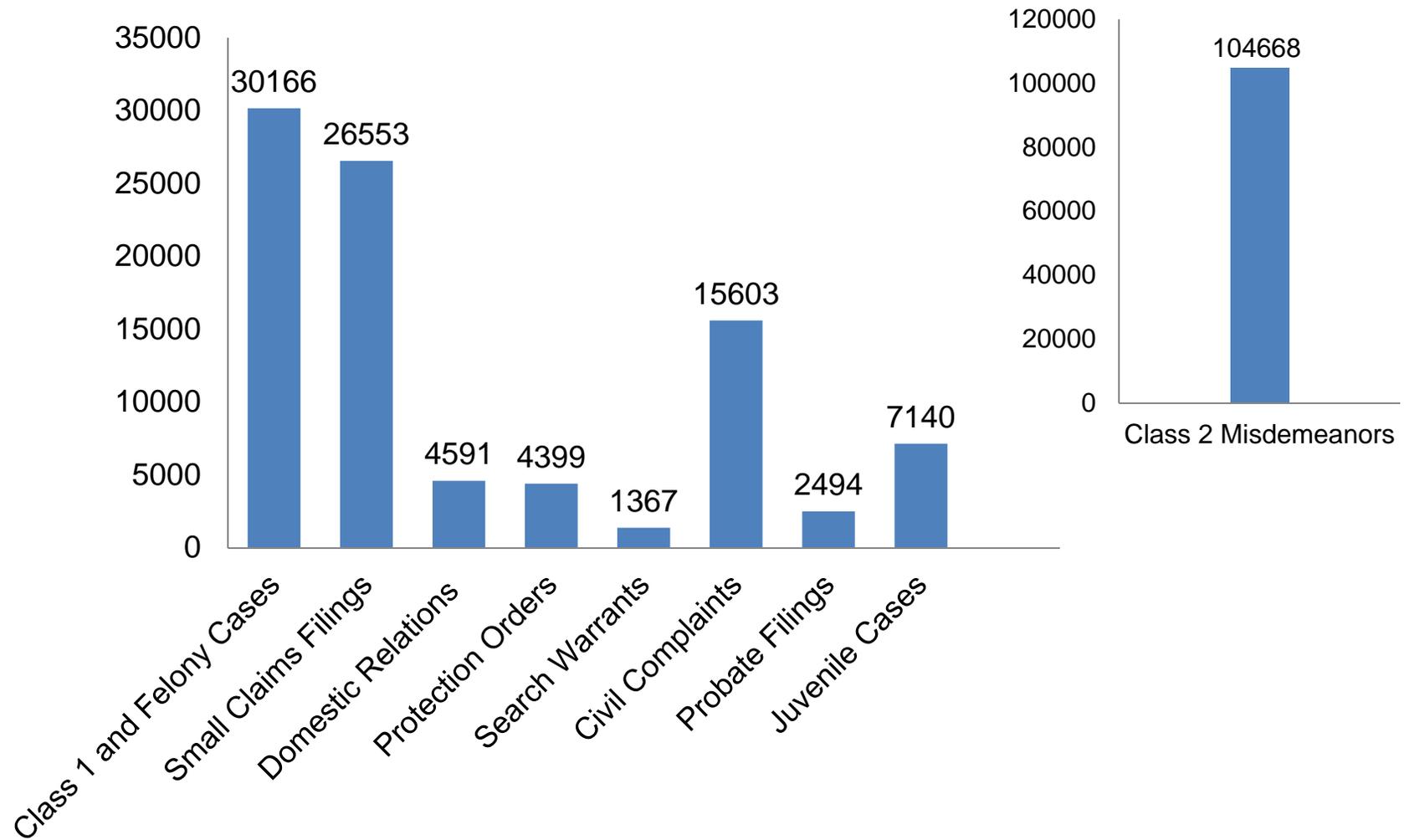
**INFO &  
TECH**  
  
Budget Brief p. 21

# FY2014 Budget Breakdown by Program



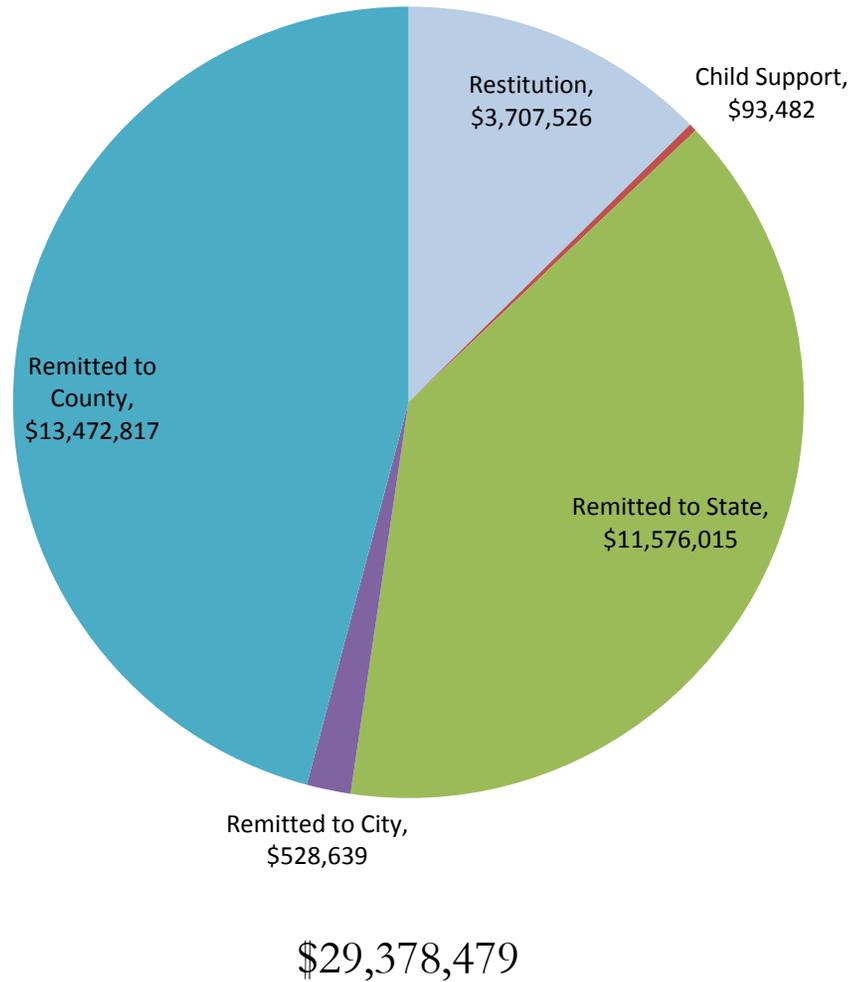
(Does not include State Bar Informational Budget)

# Business of the Circuit Courts FY13



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# FY2013 UJS Selected Disbursements



# Court Automation Fund (CAF)

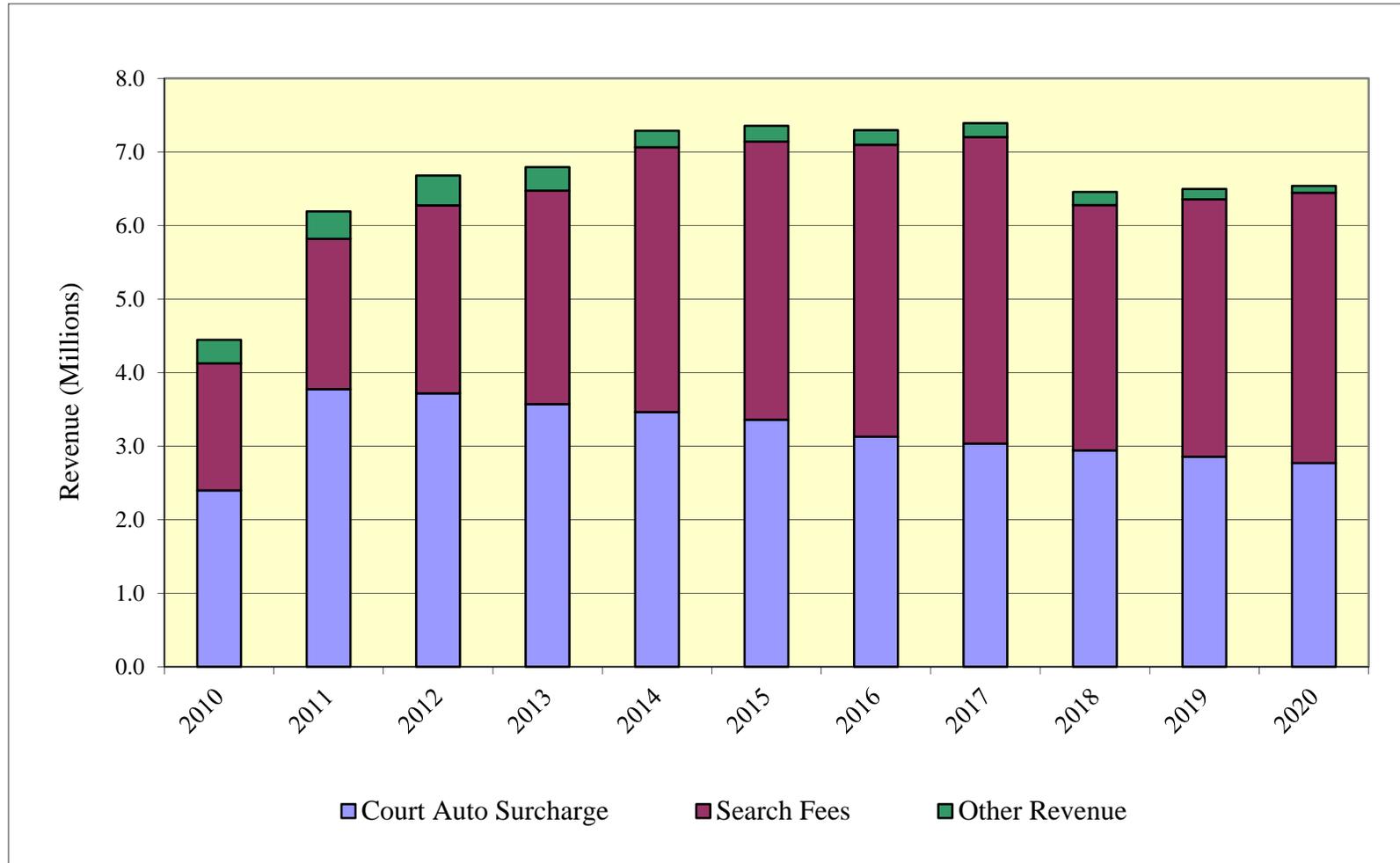
## Revenues

- Circuit Court Surcharge
- Search Fees
- Judgment Searches
- Interest Earned
- Information Requests
- Nonresident Attorney Fees
- Victims Comp 3% Admin Fee
- Supreme Court Surcharge
- Fax Filing Fees
- CD Transcripts
- Miscellaneous

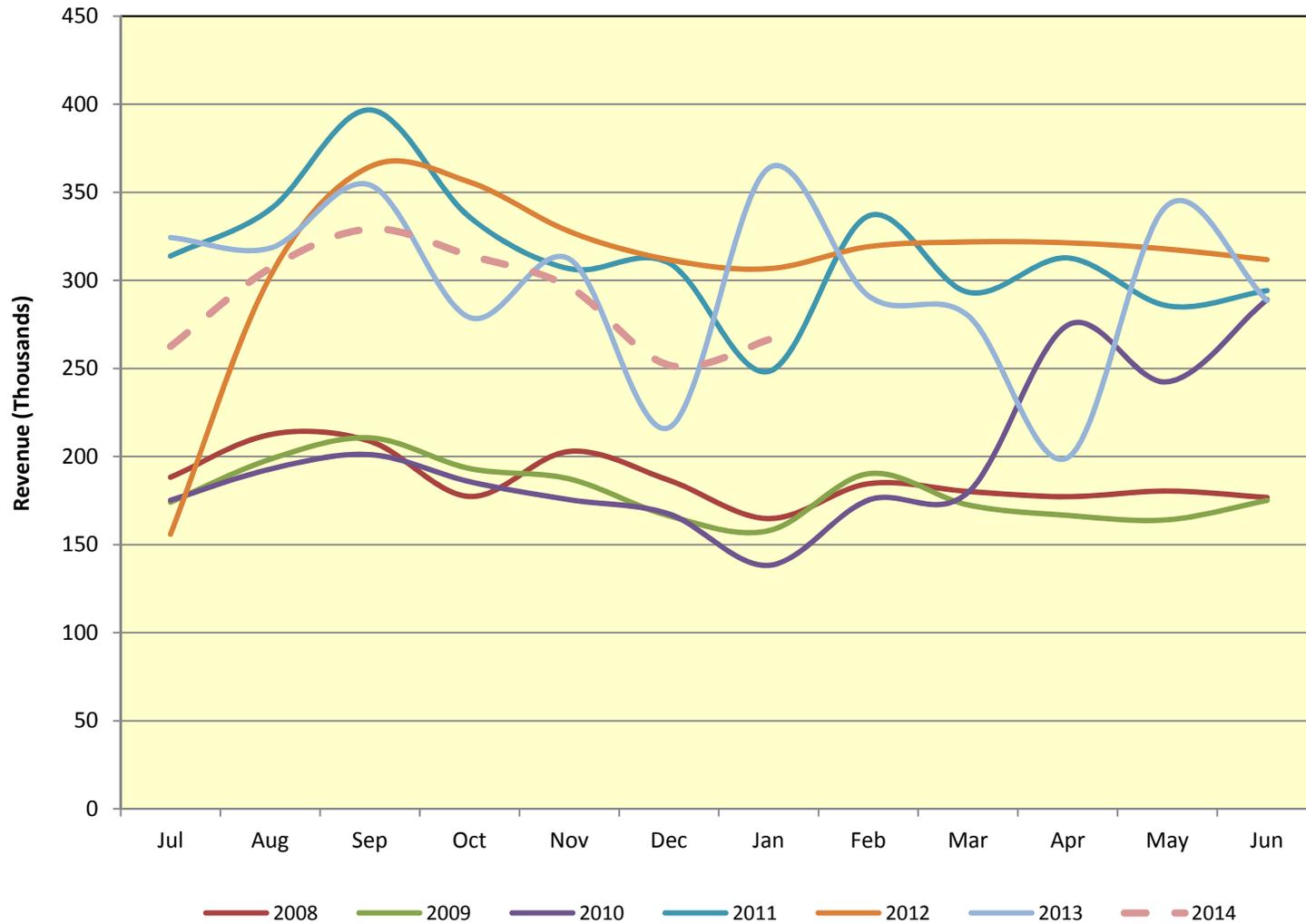
## Expenses

- Information & Technology
  - FTE's, Consulting, Hardware, Software, Maintenance, BIT Charges, Programming, Support
- Support Services
  - Contract Judges, Committee Meetings, Microfilm, Bank and Credit Card Fees, Clerk Audits
- Capital Assets
- Miscellaneous
  - Telecommunications, Equip Maintenance, Westlaw , PEPL Insurance

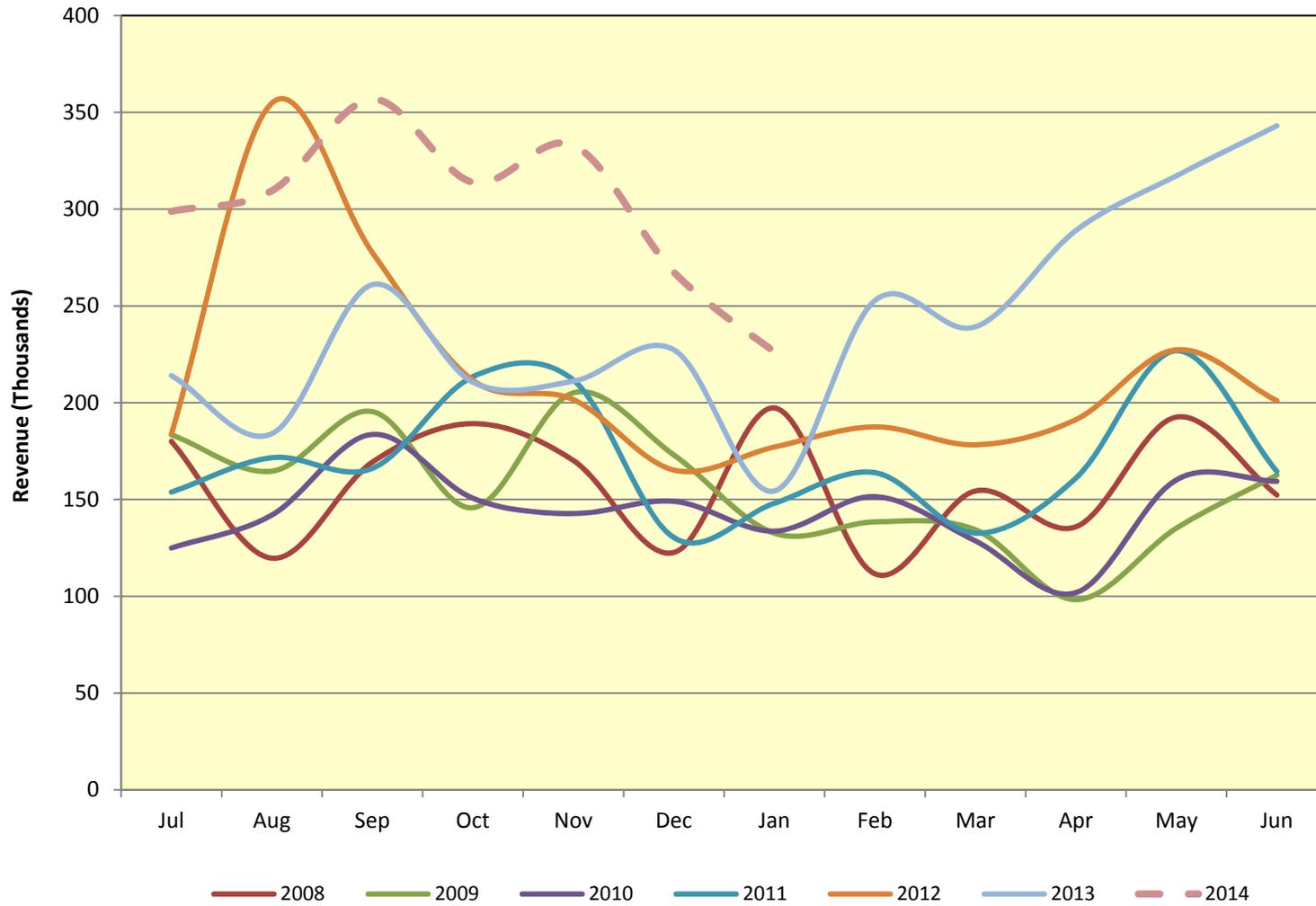
# CAF Projected Revenue by Type



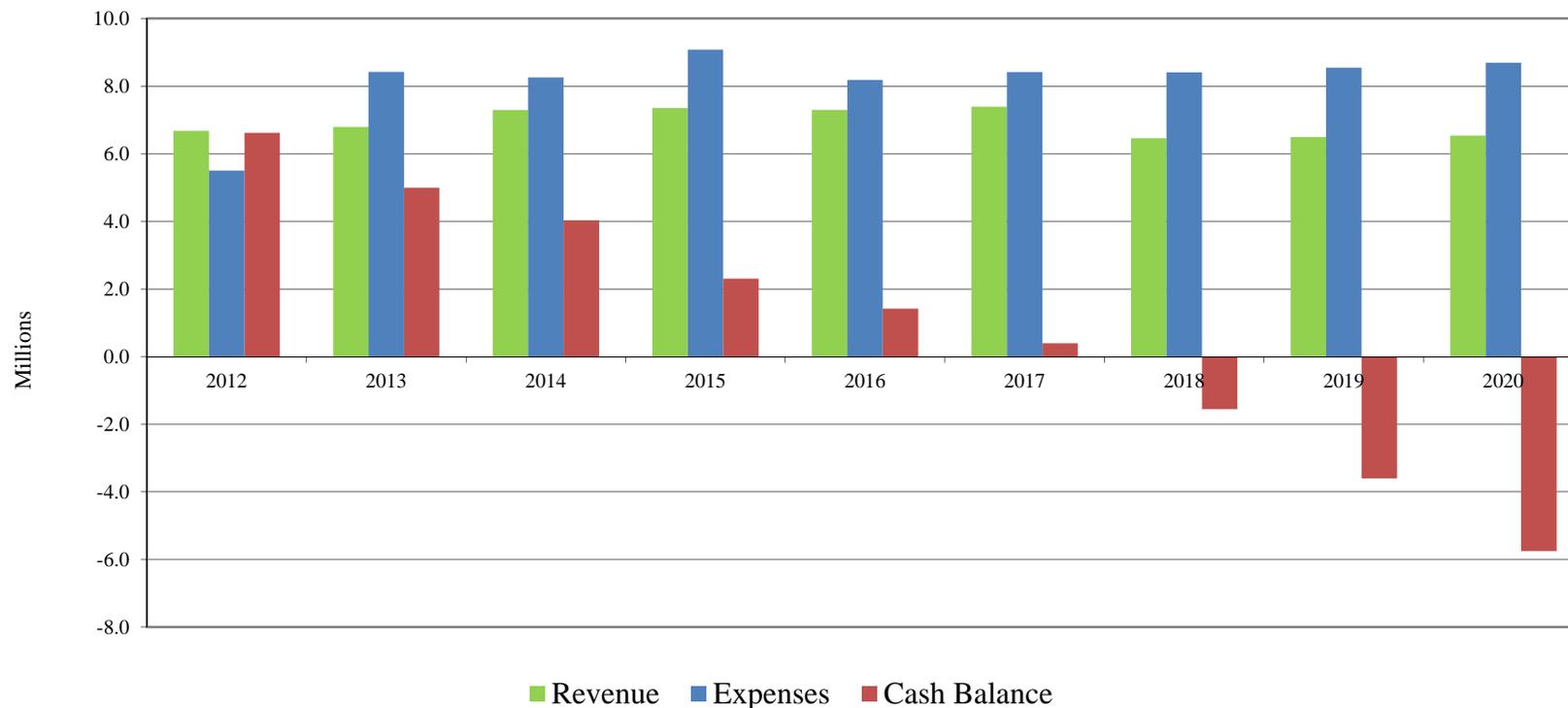
# CAF Surcharge Revenue by Month



# CAF Search Fee Revenue by Month



# CAF Projected Revenue and Expenses



FY16 – Sunset of increased surcharge on small claims cases

FY18 – Sunset of increased fee for criminal background checks

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## Milestones in FY13

- Odyssey Implementation Statewide
- Public Safety Improvement Act (SB 70) Implementation Progress
- Drug Court Advisory Council Established
- DUI Court Added in Brown County
- Drug Court Added in Yankton County
- Rural Attorney Recruitment Program Development



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# Public Safety Improvement Act

- HB 1060 One-Time Costs - \$844,000
  - Evidence Based Practices/Training - \$106,000
    - Expended \$45,239 as of 12-31-13
  - HOPE PILOTS - \$438,000
  - Restitution System - \$300,000
  - HB 1039 to extend funding until 2017
- Ongoing Costs - \$1,208,758
  - 6.5 FTE Drug/DUI Court - \$350,871
  - Operating Expenses - \$384,210
  - 9.0 FTE for implementation of PSIA - \$462,677
  - Training Costs - \$11,000

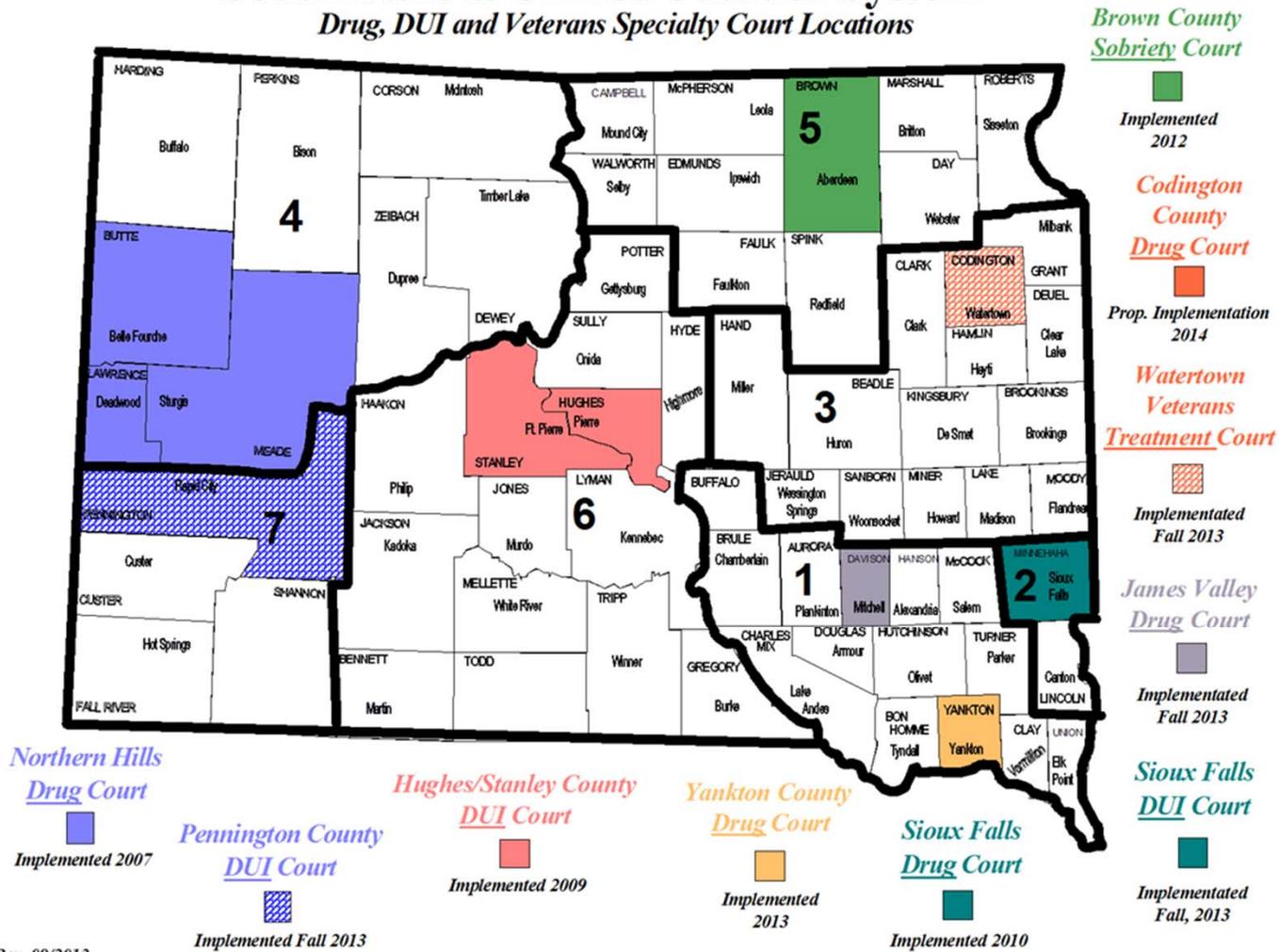
# PSIA Continued...



The screenshot shows a web browser window with the URL <http://psia.sd.gov/>. The page features a dark header with a gavel icon and the text "South Dakota Public Safety Improvement Act". Below the header is a "Welcome" section with the text "Check back for updates and implementation efforts on the Public Safety Improvement Act." A large photograph shows a group of men in suits signing a document in a grand hall. A caption below the photo reads "Signing of Public Safety Improvement Act (Senate Bill 70)". A left-hand navigation menu lists various sections: General Information, Oversight Council, Overview Presentation, Criminal Justice Initiative Work Group, Implementation Progress (updated 11/25/2013), Senate Bill 70 - 2013 Legislative Session, Training, Pew Briefing Summary, Funding, Supreme Court Rules, and Justice Reinvestment Initiative State Assessment Report. A footer contains links to Home, SD.gov, Governor Dennis Daugaard, UJS.sd.gov, Office of the Attorney General, Dept. of Corrections, and Dept. of Social Services.

# Drug/DUI Courts

## South Dakota Unified Judicial System Drug, DUI and Veterans Specialty Court Locations



Rev. 09/2013

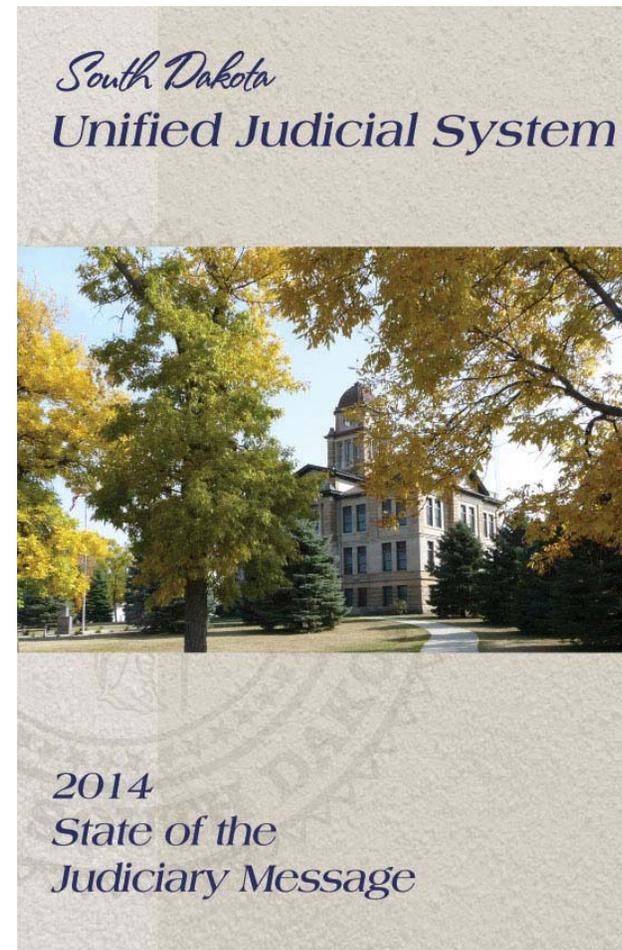
# Rural Attorney Program

- Pilot Program
- 5 Year Commitment
- Annual Incentive of \$12,513
- Funding
  - State – 50%                      \$475,000
  - County – 35%                     \$332,000
  - State Bar – 15%                  \$142,000
- One participant enrolled in Douglas County
- 1<sup>st</sup> payment to be made in November 2014



# Focus for FY15

- Public Safety Improvement Act Implementation
- Drug/DUI Courts and Veterans Courts Expansion
- Juvenile Detention Alternative Initiative
- Rural Attorney Recruitment Program Expansion
- Judicial Elections
- E-everything:
  - E-filing; E-citations; E-documents; E-access; E-payments



# FY15 Major Items

	FTE	General Funds	Federal Funds	Other Funds	Total Funds	Comments
1. Employee Salaries and Benefits						
New Positions	1.0	70,108			70,108	JDAI Coordinator
	0.5	62,391			62,391	Magistrate Judge - Pennington
	1.5	53,894			53,894	Deputy Court Clerk - Butte, Lincoln
	1.0	38,352			38,352	Court Services Secretary - Lincoln
	1.0	58,426			58,426	Court Services Officer - Drug Court - Codington
	1.0	44,185			44,185	Drug/DUI Court Specialist - Codington
	1.0	58,426			58,426	Court Services Officer - DUI Court - Minnehaha
	1.0	58,426			58,426	Court Services Officer - DUI Court - Pennington
2. Drug/DUI Courts		36,036		2,000	38,036	Operating expenses for Codington County Drug Court
		(3,190)	13,336	(2,000)	8,146	Misc. travel, contractual and supply items
		4,551	1,154		5,705	1.6% provider rate increase per BFM
		81,073			81,073	Treatment services for the new Codington Drug Court and the Pennington and Minnehaha DUI Court expansions.
3. Community Based Services		11,176			11,176	1.6% provider rate increase per BFM
4. Capital Assets				79,536	79,536	Statewide capital assets for all programs except IT
5. Provider Inflation from 1.6% to 3.0%		13,761	1,010		14,771	Amount needed to increase by 1.4%.
6. Bureau Billings		5,376		4,013	9,389	
<b>TOTAL INCREASE/(DECREASE)</b>	<b>8.0</b>	<b>592,991</b>	<b>15,500</b>	<b>83,549</b>	<b>692,040</b>	
<b>% INCREASE</b>	1.4%	1.6%	2.2%	0.7%	1.4%	
<b>TOTAL FY 2014 BUDGET</b>	555.9	36,629,110	717,467	11,207,051	48,553,628	(Includes State Bar Informational Budget)
<b>TOTAL FY 2015 BUDGET</b>	563.9	37,222,101	732,967	11,290,600	49,245,668	

# FY2015 Budget Request

FY2014 Total Budget	\$48,553,628
FTE's	555.9
Requested Increase without Salary Policy	\$692,040
FTE's	8.0
FY2015 Total Budget	\$49,245,668
FTE's	563.9
Total Increase without Salary Policy	1.4%

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# FY15 Budget Request/Major Items

- New FTE's Budget Brief p. 4
  - JDAI Coordinator, Magistrate Judge, Deputy Court Clerks, Court Services Secretary
- Drug/DUI Courts
  - New Drug Court in Codington County
    - Court Services Officer; Court Specialist and Operating Expenses
  - Expansion of DUI Courts in Minnehaha and Pennington
    - Two Court Services Officers and Operating Expenses
- Treatment Provider 3% Inflationary Increase
- Capital Assets
- Bureau Billings

# Juvenile Detention Alternative Initiative

## ■ Purpose of JDAI

- ❑ Protect Public Safety
- ❑ Serve Youth in the Least Restrictive Setting
- ❑ Utilize Objective Risk Factors and Data
- ❑ Develop Pre-Adjudication Alternatives to Secured Detention

## ■ Taking JDAI to Scale

## ■ JDAI Coordinator (1.0 FTE)

- ❑ Grant funded through June 30, 2014

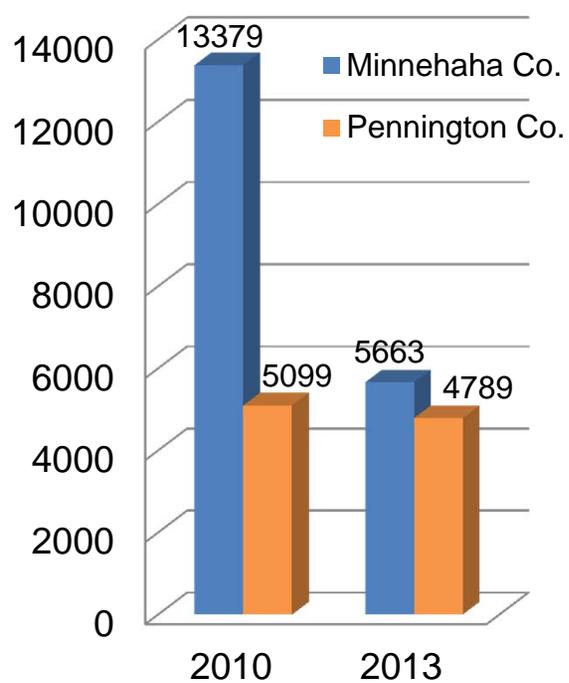
## ■ Statewide Steering Committee

## ■ Experiences in Pilot Locations

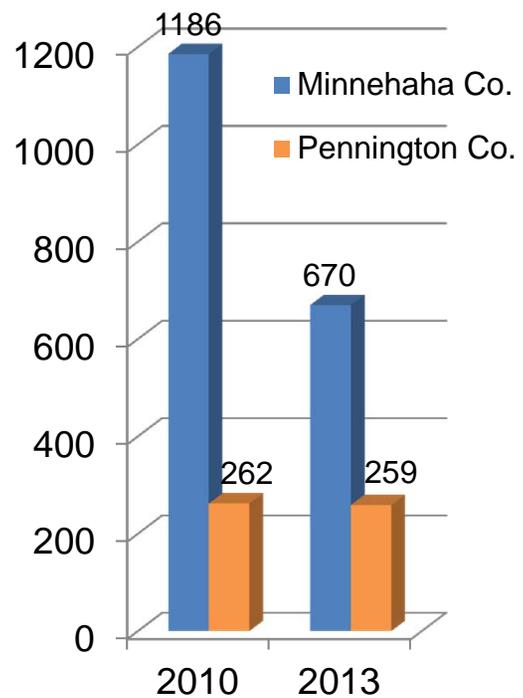
- ❑ Improved Outcomes for Our Youth

# JDAI continued...

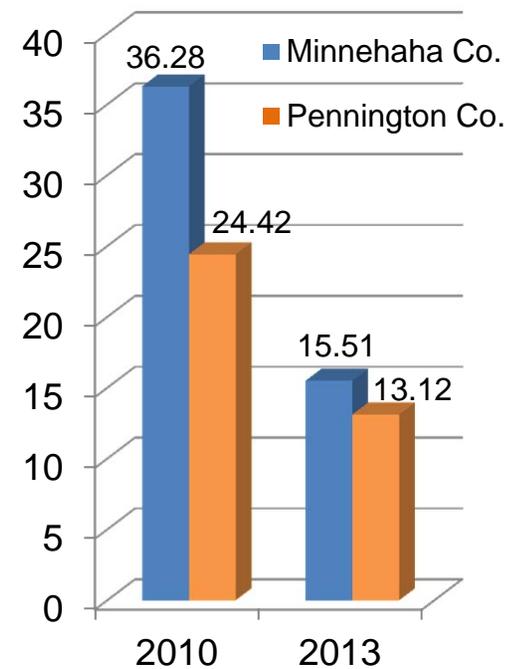
### Bed Days



### Admissions

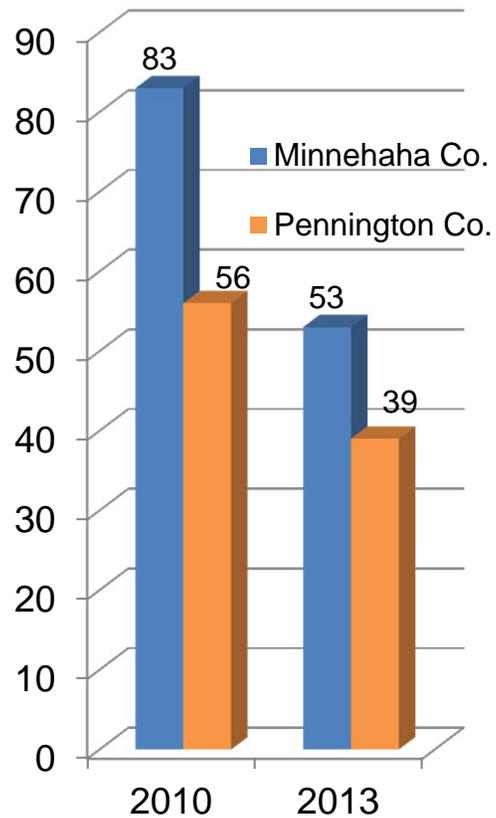


### Average Daily Population

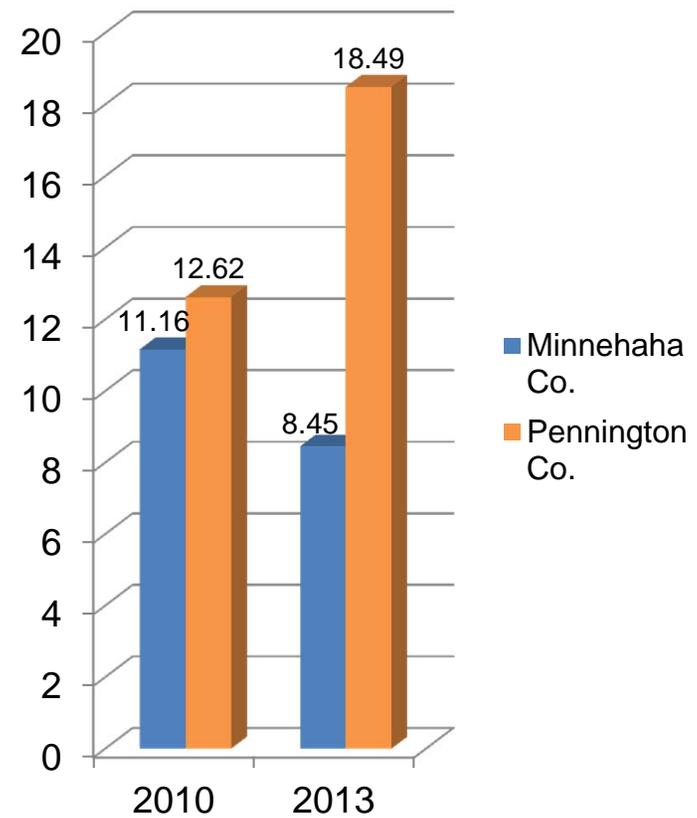


# JDAI continued...

## New DOC Commitments



## Average Length of Stay



# FTE Requests

- Magistrate Judge [Budget Brief p. 15](#)  
Pennington (.5 FTE)
  - Misdemeanor Criminal Cases and Civil Actions under \$12,000
  - Expansion of DUI Court in Pennington
  - 45 Participants by End of FY 15
  
- Court Services Officer-DUI Court  
Minnehaha (1.0 FTE) [Budget Brief pp. 18-19](#)
  - Court Expansion
  
- Court Services Officer-DUI Court  
Pennington (1.0 FTE)
  - Court Expansion
  
- Court Services Officer-Drug Court  
Codington (1.0 FTE)
  - New Court
  
- Drug Court Specialist-Drug Court  
Codington (1.0 FTE)
  - New Court
  
- Court Services Secretary  
Lincoln (1.0 FTE)
  - Support CSOs
  
- Deputy Court Clerks [Budget Brief pp. 16-17](#)  
Butte, Lincoln (1.5 FTE)
  - Butte County (1.0 FTE)
  - Lincoln County (.5 FTE)

# Performance Indicators

## NCSC CourTool Metrics



### Case Clearance Rate

The case clearance rate measures whether the court is keeping up with its incoming caseload. Clearance rate is a percentage of outgoing cases based on the volume of incoming cases. Incoming cases are defined as new filings in the court, cases reactivated to the court's docket, or reopened cases. Outgoing cases are defined as cases with an original entry of judgment entered, cases placed on inactive status, or disposition of a reopened judgment. A clearance rate of 100% means the court is disposing of as many cases as are being filed.



### Age of Pending Cases

The age of pending cases is a measure of the aging of the active cases on the court's docket. The age is calculated by totaling each day the case was active, excluding any inactive days. The measure is a point in time metric. The age of the pending cases for an annual report will reflect the age of the pending caseload on final day of the year.



### Time to Disposition

The time to disposition measures the average number of days in which cases are disposed or resolved during a given time period. The number of days is calculated by counting the number of days from case filing to entry of a judgment. These measures allow the court to compare its performance against time standards developed by the American Bar Association (ABA); the Conference of State Court Administrators (COSCA) and other national guidelines. The goal for time to disposition is to maintain the percentage of cases disposed within established time standards.



### Trial Date Certainty

The Trial Date Certainty metric measures the number of times cases disposed by trial are scheduled for trial. This metric is intended to assess the ability of a court to hold trials on the first date that they are scheduled to be heard. This measure includes jury trials, bench trials and adjudicatory hearings in juvenile cases.



### Collection of Monetary Penalties

The Collection of Monetary Penalties metric measures the payments collected and distributed within established timelines, expressed as a percentage of total monetary penalties ordered in specific cases. This metric is focused on the extent to which a court takes responsibility for the enforcement of orders requiring payment of monetary penalties.

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# Conclusion

## Q&A