

Judicial Branch

OREGON JUDICIAL DEPARTMENT

| | 1999-2001 Actuals | 2001-03 Legislatively Adopted at Close of Session | 2001-03 Legislatively Approved through Fifth Special Session | 2003-05 Chief Justice's Requested* |
|----------------------------|----------------------|--|--|--|
| General Fund | \$360,249,206 | \$406,232,382 | \$366,085,841 | \$298,377,126 |
| Lottery Funds | 0 | 0 | 0 | 0 |
| Other Funds | 7,323,387 | 19,709,047 | 21,065,552 | 22,756,426 |
| Federal Funds | 599,100 | 871,495 | 2,105,926 | 1,556,977 |
| Other Funds (Nonlimited) | 0 | 0 | 0 | 5,949,864 |
| Federal Funds (Nonlimited) | 0 | 0 | 0 | 0 |
| Total Funds | \$368,171,693 | \$426,812,924 | \$389,257,319 | \$328,640,393 |
| Positions | 2,030 | 2,039 | 1,980 | 2,191 |
| Full-time Equivalent | 1,769.23 | 1,824.24 | 1766.19 | 1,965.66 |

*The Governor's balanced budget is \$238,277,723 General Fund, \$22,756,426 Other Funds, \$5,949,864 Other Funds Nonlimited, and \$1,556,977 Federal Funds for a total funds budget of \$268,540,990. Both the Governor's balanced budget and the Chief Justice's recommended budget assume transfer of the Indigent Defense Program to Public Defense Services Commission effective July 1, 2003.

Overview

The Judicial Department's budget contains the resources necessary to operate a majority of the Judicial Branch of Oregon state government. Effective January 1983, the Legislature created a unified, state-funded court system. Municipal courts and justice courts remain outside the state-funded system. The Chief Justice of the Supreme Court is the administrative head of the Department with authority over the unified state court system operations, programs, and functions. The Chief Justice appoints the State Court Administrator who is responsible for assisting in administration and coordination. At the local judicial district level, the Chief Justice appoints presiding judges who also appoint Trial Court administrators to assist in administering the daily operations of the individual courts.

The Judicial Department includes:

- Operations of the Oregon Supreme Court, Court of Appeals, and the Tax Court.
- Operations of the 36 circuit courts located in 27 judicial districts statewide. These are general jurisdiction trial courts located in every county that rule on a wide range of criminal, civil, juvenile, domestic relations cases, and other matters.
- Administration of the Indigent Defense program, which transfers to the Public Defense Services Commission effective October 1, 2003 under current law, and citizen review boards. The Indigent Defense program pays costs for eligible persons entitled to legal representation and related expenses who cannot pay the costs themselves in criminal, juvenile, mental health, and certain civil proceedings. The citizen review boards review

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permanency plans for children in out-of-home placements and make recommendations to the Circuit Court judges on the feasibility and progress of these plans.

- Administration of mandated payments for the cost of jurors, transcript costs for certain indigents in civil appeals, Americans with Disabilities Act compliance, and interpreters for non-English-speaking and hearing-impaired persons in the courts.
- Administration of centralized support functions such as technological information systems, budget and finance, legal counsel, education and training, internal auditing, inter-branch and interagency relations, court operations program review, and personnel systems.

Chief Justice's Requested Budget

The Chief Justice's agency request budget is \$328,640,393 total funds. This supports all programs and all policy packages submitted for legislative consideration. The agency request budget is 15.5 percent less than the 2001-03 Legislatively Approved Budget through the Fifth Special Session, with transfer of the Indigent Defense program to the new Public Defense Services Commission.

The budget adds \$11.1 million General Fund, \$1.5 million Other Funds (\$250,000 is Nonlimited), and \$1.3 million Federal Funds in policy packages. This includes funding for new judgeships and their staff, judges and staff compensation and benefits adjustments, funding for the Integrated Family/Drug Courts, staff interpreters, and additional staff to address critical workload needs in Appellate and Administration programs and the Trial Courts. Funding is included for four legislative concepts dealing with retirement for judges, Plan B health benefits, juror per diem, and stalking legislation.

Revenue

Most of the Judicial Department's budget is General Fund. The Department generates revenue for the General Fund from filing fees, license sanctions, trial and hearing fees, and copy sales. Other Fund revenues come from fines, assessments, and indigent defense recoveries. Federal Fund revenues are from an entitlement grant from the U.S. Department of Health and Human Services for juvenile court improvements and U.S. Department of Justice drug court implementation and enhancement grants.