

## Judicial Branch

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### JUDICIAL BRANCH AGENCIES

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	1999-2001 Actuals	2001-03 Legislatively Adopted	2001-03 Legislatively Approved through Fifth Special Session	2003-05 Agency Request*
General Fund	\$360,518,491	\$412,435,863	\$372,214,155	\$481,474,584
Lottery Funds	\$0	\$0	\$0	\$0
Other Funds	\$7,331,387	\$19,717,047	\$21,216,552	\$23,911,689
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
<b>Total Funds</b>	<b>\$368,448,978</b>	<b>\$433,024,405</b>	<b>\$395,536,633</b>	<b>\$512,893,114</b>
Positions	2,034	2,084	2,025	2,260
Full-time Equivalent	1,770.69	1,861.79	1,803.74	2,029.14

\*The Governor's balanced budget includes \$372,253,489 General Fund, \$22,764,426 Other Funds, \$5,949,864 Other Funds Nonlimited, and \$1,556,977 Federal Funds. These total \$402,524,756 for the Judicial Branch. See discussion below.

### Overview

The mission of the Judicial Branch is to:

- Provide fair and accessible justice services.
- Protect the rights of individuals.
- Preserve community welfare.
- Inspire public confidence.

Four agencies make up the Judicial Branch program unit. These agencies provide policy, program, administrative support, and oversight for Oregon's judicial system.

### Requested Budget

In 2001, the Public Defense Services Commission was created from the Public Defender to merge trial and appellate indigent defense services. Previously, the Public Defender provided only appellate level indigent defense services. Under current law, the Judicial Department will transfer the Indigent Defense Services Division, which provides trial level defense services, to the Public Defense Services Commission on October 1, 2003. The agency

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requested budgets assume that the transfer takes place on July 1, 2003, and the Judicial Department is expected to submit legislation to request the earlier transfer date.

The Chief Justice's requested budget for the Judicial Department:

- Continues the basic operations of the agency, restoring 2002 special session reductions.
- Transfers the Indigent Defense Services Division to the Public Defense Services Commission.
- Funds new judgeships and their staff.
- Increases judges and staff compensation and benefits.
- Includes increased funding for integrated Family/Drug Courts.
- Includes increased funding for staff interpreters.
- Funds additional staff to address critical workload needs in Appellate, Trial Court, and Administration programs.
- Funds four legislative concepts dealing with retirement for judges, Plan B health benefits, juror *per diem*, and stalking legislation.

The Public Defense Services Commission budget request:

- Restores 2002 special session reductions.
- Addresses salary parity for staff attorneys and contracted attorneys.
- Funds the office merger of trial and appellate representation into the Public Defense Services Commission.

The budgets for Council on Court Procedures and the Commission on Judicial Fitness and Disability continue at the agency requested levels.

Overall, the requested Judicial Branch budget is almost 30 percent higher than the 2001-03 Legislatively Approved Budget through the Fifth Special Session. When Nonlimited funds are excluded, the increase is just over 28 percent.

### Governor's Adjustment

The Judicial Branch agencies are a separate and independent branch of state government. The Governor does not have budgetary authority over them. However, the law requires the Governor to submit a balanced budget for the state. For this reason, the Governor's balanced budget reduces the Judicial Branch's requested General Fund budget to \$372,253,489. This is equal to the 2001-03 Legislatively Approved Budget through the Fifth Special Session for the Judicial Department and Public Defense Services Commission. It equals agency request level for the Council on Court Procedures as well as the Commission on Judicial Fitness and Disability. The balanced budget also includes a \$35 million special purpose appropriation to the Emergency Fund for anticipated indigent defense expenses.

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This adjustment is not a recommendation on the specific elements of the Judicial Branch's budget. The full budget requests are shown in each agency's narrative in this document. These are the requests that the 2001 Legislature will consider. Agencies in the Legislative Branch were treated similarly.