



State of Kansas

Office of Judicial Administration

Kansas Judicial Center

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House Appropriations
Judicial Branch FY 2012 Budget

Monday, January 30, 2012

Thank you for the opportunity to discuss the Judicial Branch budget request for FY 2012. Last session, during budget conference committee negotiations, the Judicial Branch budget was reduced to the absolute minimum needed to keep Kansas courts open and operating in FY 2012. This absolute minimum amount discussed required the Judicial Branch to maintain at least 80 vacancies for the second year in a row. The FY 2012 budget amount that was agreed to, \$113.8 million was a combination of State General Fund (\$104.8 million) and Surcharge Fund revenue (\$9 million).

The Legislature wanted to further reduce the State General Fund appropriation, but also wanted to keep the courts open. Therefore, the authority for the surcharge was raised by 25% in an effort to increase the surcharge revenue by \$2 million. A total of \$.8 million was also transferred from the Judicial Performance Fund to the Judicial Branch. These two actions allowed the State General Fund appropriation to be reduced by \$2.8 million to \$102 million, and kept the total available at \$113.8 million.

Increasing the surcharge authority by 25% was estimated to bring in an additional \$2 million if court filings remained unchanged from the previous year. Many people, including some legislators, expressed concern at the time that court filings could decrease from the year before – either because of the surcharge increase, the poor economy, or for some other reason. It was understood that, if court filings decreased, then the extra revenue would not be realized.

Indeed, court filings for the first half of FY 2012 (July 2011 through December 2011), compared to the same time period in FY 2011, are down approximately 10%. These reduced filings have decreased collections of both the surcharge and docket fees. As a result, the Judicial Branch is short \$1.4 million needed to pay employee salaries. This is very recent news, unavailable in September when the Judicial Branch budget was submitted. We intend to include this information in our testimony during the Judicial Branch budget subcommittee hearings, but felt it was important that you be aware of the revenue shortfall at the time you consider the FY 2012 supplemental bill.

While reduced filings and collections also result in a revenue decrease to other funds used for programs, we will request a supplemental appropriation to cover only the amount needed for employee salaries during FY 2012. That means program operating costs will remain underfunded. As recent history demonstrates, the Judicial Branch has no ability to cover the \$1.4 million decrease itself.

I again thank you for this opportunity, and would be happy to stand for any questions.

	Caseload Filings		
	July thru December		
STATEWIDE	2010	2011	
Civil and Criminal			
Chapter 60	14,339	12,722	-11.28%
Domestic	21,475	20,628	-3.94%
Limited Civil	73,897	60,903	-17.58%
Total Civil	109,711	94,253	-14.09%
Felony	9,953	9,453	-5.02%
Misdemeanor	8,983	7,718	-14.08%
Total Criminal	18,936	17,171	-9.32%
Total Civil and Criminal	128,647	111,424	-13.39%
Other Actions			
Adoption	1,036	1,020	-1.54%
Fish and Game	1,301	1,343	3.23%
Juvenile	8,681	8,616	-0.75%
Probate	4,581	4,513	-1.48%
Small Claims	3,914	3,579	-8.56%
Traffic	97,449	88,243	-9.45%
Treatment	1,543	1,528	-0.97%
Total Other Actions	118,505	108,842	-8.15%
Total State Caseload:	247,152	220,266	-10.88%