

# Table of Contents

## District Courts

Agency Profile.....	1
Expenditures Overview (REVISED).....	3
Financing by Fund (REVISED).....	4
Change Item: Maintain Core Justice Operations.....	6
Change Item: Mandated Services Deficit.....	8
Change Item: New Judge Units.....	10
Change Item: Treatment Courts Sustainability.....	12
Change Item: Transfer of funding responsibility for Judicial Appeal Panel expenses from DHS to MJB (REVISED).....	14
Federal Funds Summary.....	15

[www.mncourts.gov/](http://www.mncourts.gov/)

**AT A GLANCE**

- Each year about 1.3 million cases are filed in District Courts.
- District Court proceedings are held in 104 locations throughout all 87 Minnesota counties.
- District Courts are organized into ten judicial districts for administrative purposes.
- There are 290 judges at the District Court level.
- District courts serve all Minnesota citizens.

**PURPOSE**

District Courts are the backbone of the state’s court system, processing roughly 1.3 million case filings every year.

District Courts provide access to the justice system across the state, with courthouses located in all 87 counties. For administrative purposes, district courts are divided between ten judicial districts.

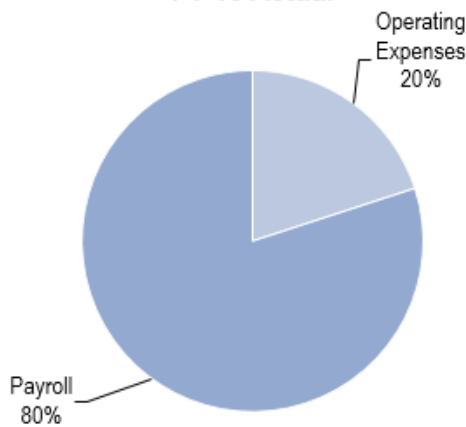
District Court judges hear everything from traffic tickets, to civil and family conflicts, to first degree murder trials. Some District Courts may have separate divisions, such as criminal, civil, probate, family, and juvenile courts.

A chief judge serves as the administrative head in each judicial district. Judicial District Administrators assist the Chief Judge in carrying out his/her responsibilities. Court administration staff at the county level manage scheduling, case flow, finance, personnel and juries.

The work of the District Courts promotes **strong and stable families and communities**, helps to insure **people in Minnesota are safe** and provides **efficient and accountable government services**.

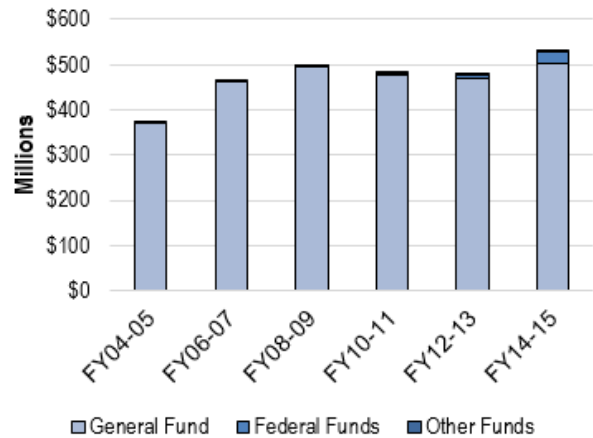
**BUDGET**

**Spending by Category  
FY 15 Actual**



Source: SWIFT

**Historical Spending**



Source: Consolidated Fund Statement

The District Courts spent \$283 million in FY 2015. Of this amount, \$266 million (94%) was from state general fund appropriations, with the remaining \$17 million (6%) funded from various sources such as federal and local government grants, and foundations.

## STRATEGIES

The mission of the Judicial Branch is “*To provide justice through a system that assures equal access for the fair and timely resolution of cases and controversies.*” The District Court conducts its functions in support of three strategic goals to deliver its mission and to support the statewide outcomes of promoting strong families and communities, insuring people in Minnesota are safe and providing efficient and accountable government services:

1. Access to Justice – Ensuring the justice system is open, affordable, effective and accountable to the people it serves.
2. Administration of Justice for Effective Results – Working across branches of government and with other justice system stakeholders to improve outcomes for and the delivery of services for children, families, and alcohol and other addicted offenders who come to its courts.
3. Public Trust, Accountability, and Impartiality – Through education, outreach to diverse communities and a commitment to effective and efficient customer service and accountability, improving citizens’ understanding of and confidence in the Third Branch of government.

To further the Judicial Branch’s mission, many District Courts operate or partner in drug court programs, such as Adult Substance Abuse Courts, DWI Courts, Mental Health Courts, and Veterans Courts.

## RESULTS

District Courts conduct frequent assessments to ensure efficient court operations. It is the policy of the Minnesota Judicial Branch to establish core performance goals and to monitor key results that measure progress toward meeting these goals in order to ensure accountability of the Branch, improve overall operations of the court and enhance the public’s trust and confidence in the Judiciary. Throughout the year the District Courts are directed to review performance measure results. This review is shared with the Judicial Council (the Branch’s governing body) twice a year. An important goal is whether courts handle cases in a timely manner.

<b>Type of Measure</b>	<b>Name of Measure</b>	<b>Previous</b>	<b>Current</b>	<b>Dates</b>
Results	Statewide Clearance Rate – The Clearance Rate measures whether courts are disposing of as many cases as are filed in the same year.	94%	96%	2010 and 2014
Results	Statewide Time to Disposition - Time to Disposition assesses the length of time it takes a court to process cases.	98% disposed of within Judicial Branch time limits.	97% disposed of within Judicial Branch time limits.	2010 and 2014

Data are from the *Judicial Branch 2015 Performance Measures – Key Results and Measures Annual Report* and the *Judicial Branch 2011 Performance Measures – Key Results and Measures Annual Report*. The reports can be found at [www.mncourts.gov/](http://www.mncourts.gov/).

The Minnesota Constitution, Article VI provides the legal authority for the District Court: [https://www.revisor.mn.gov/constitution/#article\\_6](https://www.revisor.mn.gov/constitution/#article_6).

**Expenditures By Fund**

	Actual FY14	Actual FY15	Actual FY16	Estimate FY17	Forecasted Base		Governor's Recommendation	
					FY18	FY19	FY18	FY19
1000 - General	237,615	266,120	254,370	290,969	278,694	278,694	296,153	306,315
2000 - Restrict Misc Special Revenue	1,366	1,276	1,631	2,343	2,223	2,256	2,223	2,256
2403 - Gift	125	142	168	197	110	94	110	94
3000 - Federal	8,539	15,141	12,333	11,793	11,797	11,821	11,797	11,821
6000 - Miscellaneous Agency	1,709	4,760	3,606	8,092	7,598	7,598	7,598	7,598
<b>Total</b>	<b>249,354</b>	<b>287,439</b>	<b>272,107</b>	<b>313,393</b>	<b>300,421</b>	<b>300,462</b>	<b>317,880</b>	<b>328,083</b>
<i>Biennial Change</i>				48,708		15,383		60,463
<i>Biennial % Change</i>				9		3		10
<i>Governor's Change from Base</i>								45,080
<i>Governor's % Change from Base</i>								8

**Expenditures by Program**

Program: Trial Courts	249,354	287,439	272,107	313,393	300,421	300,462	317,880	328,083
<b>Total</b>	<b>249,354</b>	<b>287,439</b>	<b>272,107</b>	<b>313,393</b>	<b>300,421</b>	<b>300,462</b>	<b>317,880</b>	<b>328,083</b>

**Expenditures by Category**

Compensation	211,746	228,970	230,366	246,038	244,848	244,877	258,628	268,819
Operating Expenses	33,859	44,998	34,945	54,560	44,268	44,280	47,947	47,959
Other Financial Transactions	3,313	11,639	5,818	11,336	9,845	9,845	9,845	9,845
Grants, Aids and Subsidies	66	307	192	177	177	177	177	177
Capital Outlay-Real Property	369	1,525	787	1,282	1,282	1,282	1,282	1,282
<b>Total</b>	<b>249,354</b>	<b>287,439</b>	<b>272,107</b>	<b>313,393</b>	<b>300,421</b>	<b>300,462</b>	<b>317,880</b>	<b>328,083</b>
<b>Full-Time Equivalents</b>	<b>2,213.6</b>	<b>2,286.9</b>	<b>2,315.4</b>	<b>2,315.4</b>	<b>2,315.4</b>	<b>2,315.4</b>	<b>2,321.4</b>	<b>2,321.4</b>

**1000 - General**

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY14	FY15	FY16	FY17	FY18	FY19	FY18	FY19
Balance Forward In	0	10,466	0	12,275	0	0	0	0
Direct Appropriation	247,459	256,622	266,645	278,694	278,694	278,694	296,153	306,315
Net Transfers	0	(900)	0	0	0	0	0	0
Cancellations	0	68	0	0	0	0	0	0
<b>Expenditures</b>	<b>237,615</b>	<b>266,120</b>	<b>254,370</b>	<b>290,969</b>	<b>278,694</b>	<b>278,694</b>	<b>296,153</b>	<b>306,315</b>
Balance Forward Out	9,843	0	12,275	0	0	0	0	0
<i>Biennial Change in Expenditures</i>				41,603		12,050		57,130
<i>Biennial % Change in Expenditures</i>				8		2		10
<i>Gov's Exp Change from Base</i>								45,080
<i>Gov's Exp % Change from Base</i>								8
Full-Time Equivalents	2,168.7	2,220.7	2,281.3	2,281.3	2,281.3	2,281.3	2,287.3	2,287.3

**2000 - Restrict Misc Special Revenue**

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY14	FY15	FY16	FY17	FY18	FY19	FY18	FY19
Balance Forward In	897	998	1,192	1,433	998	685	998	685
Receipts	1,297	1,338	1,746	1,796	1,796	1,796	1,796	1,796
Net Transfers	169	129	125	115	115	115	115	115
<b>Expenditures</b>	<b>1,366</b>	<b>1,276</b>	<b>1,631</b>	<b>2,343</b>	<b>2,223</b>	<b>2,256</b>	<b>2,223</b>	<b>2,256</b>
Balance Forward Out	998	1,189	1,433	998	685	339	685	339
<i>Biennial Change in Expenditures</i>				1,331		506		506
<i>Biennial % Change in Expenditures</i>				50		13		13
<i>Gov's Exp Change from Base</i>								0
<i>Gov's Exp % Change from Base</i>								0
Full-Time Equivalents	4.1	3.3	4.3	4.3	4.3	4.3	4.3	4.3

**2403 - Gift**

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY14	FY15	FY16	FY17	FY18	FY19	FY18	FY19
Balance Forward In	192	229	208	184	66	37	66	37
Receipts	161	119	144	81	81	81	81	81
Net Transfers	0	0	0	0	0	0	0	0
<b>Expenditures</b>	<b>125</b>	<b>142</b>	<b>168</b>	<b>197</b>	<b>110</b>	<b>94</b>	<b>110</b>	<b>94</b>
Balance Forward Out	229	206	184	66	37	24	37	24

**2403 - Gift**

<i>Biennial Change in Expenditures</i>				99		(162)		(162)
<i>Biennial % Change in Expenditures</i>				37		(44)		(44)
<i>Gov's Exp Change from Base</i>								0
<i>Gov's Exp % Change from Base</i>								0
Full-Time Equivalents	0.7	1.0	0.9	0.9	0.9	0.9	0.9	0.9

**3000 - Federal**

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY14	FY15	FY16	FY17	FY18	FY19	FY18	FY19
Balance Forward In	9,064	7,132	8,774	6,159	4,864	3,564	4,864	3,564
Receipts	6,349	13,065	9,719	10,498	10,498	10,498	10,498	10,498
<b>Expenditures</b>	<b>8,539</b>	<b>15,141</b>	<b>12,333</b>	<b>11,793</b>	<b>11,797</b>	<b>11,821</b>	<b>11,797</b>	<b>11,821</b>
Balance Forward Out	6,874	5,056	6,159	4,864	3,564	2,240	3,564	2,240
<i>Biennial Change in Expenditures</i>				445		(508)		(508)
<i>Biennial % Change in Expenditures</i>				2		(2)		(2)
<i>Gov's Exp Change from Base</i>								0
<i>Gov's Exp % Change from Base</i>								0
Full-Time Equivalents	40.1	62.0	28.9	28.9	28.9	28.9	28.9	28.9

**6000 - Miscellaneous Agency**

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY14	FY15	FY16	FY17	FY18	FY19	FY18	FY19
Balance Forward In	14,176	17,151	17,156	23,428	22,932	22,932	22,932	22,932
Receipts	4,684	4,765	9,878	7,598	7,598	7,598	7,598	7,598
<b>Expenditures</b>	<b>1,709</b>	<b>4,760</b>	<b>3,606</b>	<b>8,092</b>	<b>7,598</b>	<b>7,598</b>	<b>7,598</b>	<b>7,598</b>
Balance Forward Out	17,151	17,156	23,428	22,932	22,932	22,932	22,932	22,932
<i>Biennial Change in Expenditures</i>				5,229		3,497		3,497
<i>Biennial % Change in Expenditures</i>				81		30		30
<i>Gov's Exp Change from Base</i>								0
<i>Gov's Exp % Change from Base</i>								0

## District Courts

### FY18-19 Biennial Budget Change Item

#### Change Item Title: Maintain Core Justice Operations

Fiscal Impact (\$000s)	FY 2018	FY 2019	FY 2020	FY 2021
General Fund				
Expenditures	12,069	22,297	22,297	22,297
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	12,069	22,297	22,297	22,297
<b>FTEs</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

#### Recommendation:

The Governor recommends funding for this request from the District Courts.

The Judicial Branch seeks \$34,366,000 in the FY2018-19 biennium to increase the compensation of Trial Court judges by 3.5% each year of the biennium, provide a 3.5% compensation pool each year for employees, and to fund unavoidable health insurance premium increases and statutorily mandated employer pension contribution increases. The request represents a 6.2% increase in the Trial Courts biennial base budget.

#### Rationale/Background:

In order for the Judicial Branch to continue driving innovation in our court system and improve services to Minnesotans, the Judicial Branch needs to retain and attract skilled and knowledgeable employees and judges who can maintain and operate a modern, efficient, and technology-based court system. However, the Judicial Branch faces two significant challenges:

- Following a six year salary freeze, which made it possible to preserve essential court functions while managing difficult budget cuts and freezes between FY2008 and FY2013, the Judicial Branch has made concerted efforts to improve the competitiveness of the Judicial Branch salary structure. To ensure the salary structure supports a competent workforce, and to not fall below market in the future, the Branch must continue to keep pace with public-sector market competitors. Retaining a skilled and knowledgeable workforce is important to maintain a technology-based court. Minnesota judges rank in the bottom half nationally in judicial pay. Judges in some counties make significantly less than the county attorneys who appear before them, and, in some cases even less than the assistant county attorneys.
- The second workforce challenge is a significant retirement wave among both employees and judges. Nearly one-third of current Judicial Branch staff will be 65 years old or older in the next 10 years. In the last two years, 36 new judges have been appointed/elected to the Bench—11% of all judges in the state. By 2020, at least 37% of all judges that were on the Bench in 2015 will have either retired, or will have turned 65 years old.

This incredible loss of experience and talent is especially concerning when paired with a salary structure that must remain competitive for the Judicial Branch to compete for workers with the necessary skills.

The Trial Courts also request funding for unavoidable health insurance increases and statutorily mandated employer pension contribution increases. Health insurance premiums are estimated to increase by 8.9% in 2018 and 4.19% in 2019. The Judicial Branch does not negotiate its own insurance agreements – it participates in the general plan negotiated by Minnesota Management and Budget. The Minnesota State Retirement System (MSRS) will be seeking increases in the employer and employee contributions to the General Employees Retirement Plan which would result in a 1.5% increase in the Judicial Branch employer contribution. The Judicial Branch cannot absorb the increased insurance and pension contribution costs and would need to divert funding from court functions to pay for these increases without additional funding.

**Proposal:**

This change level request is not a new initiative. The Judicial Branch's FY2018-19 biennial budget request seeks funding to increase employee and judge salaries, which will help ensure that the Judicial Branch will be ready to respond to this retirement wave, while maintaining the caliber of workforce needed to continue driving innovation within the court system.

In addition, the request for funding unavoidable health insurance increases and the employer pension contribution increase will hold court services harmless from rising insurance costs for Judicial Branch judges and employees.

**Equity and Inclusion:**

- The change level request does not directly impact any Racial and Ethnic groups.
- The change level request is not aimed at reducing or eliminating any disparities for Racial and Ethnic groups.
- There are no potential positive or negative impacts on the identified groups.
- The change level request will enable the Judicial Branch to continue efforts to attract and retain skilled and knowledgeable employees and judges who can maintain and operate a modern, efficient, and technology-based court system. In FY17, the Branch implemented a formal pay-for-performance structure for unrepresented staff, which recognizes exemplary performance and serves as a performance accountability mechanism.

**IT Related Proposals:**

This request contains no information technology recommendation.

**Results:**

This request is sought to support the core mission and services of the Trial Courts and to allow the Courts to continue to undertake initiatives designed to increase efficiency, reduce costs, and improve public services.

Minnesotans bring their most important and complex matters to the courts for resolution. Judges and staff work every day to help the people resolve these disputes. At the same time staff and judges are driving major innovation within the court system. Their innovations are improving service to the public and creating new efficiencies throughout the justice system. It is critically important that the Judicial Branch continue to retain and attract a workforce that builds on this innovation.

**Statutory Change(s):**

The request will not require statutory changes.



## District Courts

### FY18-19 Biennial Budget Change Item

#### Change Item Title: Mandated Services Deficit

Fiscal Impact (\$000s)	FY 2018	FY 2019	FY 2020	FY 2021
General Fund				
Expenditures	1,164	1,164	1,164	1,164
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	1,164	1,164	1,164	1,164
<b>FTEs</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

#### Recommendation:

The Governor recommends funding for this request from the District Courts.

The Judicial Branch seeks \$2,328,000 in the FY2018-19 biennium to fund the Mandated Services budget deficit. The request represents a .4% increase in the Trial Court biennial base budget.

#### Rationale/Background:

The Minnesota Constitution, federal and state laws, and Minnesota Court Rules mandate that certain services be provided to individuals in the court system:

Minnesota Statutes 2015, section 480.182 provides that the courts will pay the court-related costs of examinations under Rule 20 of the Criminal Rules of Procedure and under Minnesota Statutes Chapter 253B, civil commitments, including commitments of persons who are mentally ill and dangerous, persons with sexual psychopathic personalities, and sexually dangerous persons. In 86 counties the state contracts with licensed psychologists, licensed psychiatrists, and licensed medical doctors for these services. Hennepin County relies primarily on staff licensed psychiatrists and psychologists to provide these services. For the past several years the courts have seen substantially increasing costs for psychological examination services, due primarily to an increase in the number of psychological examinations requested in criminal proceedings. Expenditures for psychological services have increased 13% from FY12 to FY16. The biennial request relating to psychological services is \$2,156,000.

Both federal and state law mandate that courts provide interpreter services for individuals who are “handicapped in communication” (Minn. Stat. §§ 546.43 and 611.32). This includes both deaf / hard of hearing and non-English speaking persons. The Judicial Branch contracts with interpreters to provide trial court interpreting services in most counties. The First District, Second District, Third District, Fourth District and 8th District use a combination of staff and contract interpreters to provide the service. The Judicial Branch is finding it increasingly difficult to secure contract interpreters. The hourly payment rate for non-English speaking interpreters has not been increased since the rates were first established in 1999. The hourly payment rate for sign language interpreters was last raised in 2006. The high cost of parking, travel expenses (which are not reimbursed for assignments in Ramsey and Hennepin counties), increased health insurance costs, and agency fees also contribute to the need to increase the contractor hourly payment rate. The biennial request relating to interpreter services is \$172,000 for the biennium.

#### Proposal:

This change item is not a new initiative. It is aimed at addressing a budget deficit in the Mandated Services budget and at meeting statutory and Court Rules mandates to provide psychological services and interpreters to individuals who interact with the Judicial Branch on a daily basis.

**Equity and Inclusion:**

- Non-English speaking and deaf and hard of hearing individuals will be impacted by the proposed change item. Representatives of the spoken language court interpreter community were consulted.
- Increasing the hourly payment rate for interpreters will enable the Judicial Branch to continue to provide interpreters on an as needed basis.

**IT Related Proposals:**

This request contains no information technology recommendation.

**Results:**

This request is sought to comply with statutory and court rule mandates that the Judicial Branch fund court-related costs of examinations under Rule 20 of the Criminal Rules of Procedure and under Minnesota Statutes Chapter 253B, civil commitments, including commitments of persons who are mentally ill and dangerous, persons with sexual psychopathic personalities, and sexually dangerous persons.

This request is sought to comply with federal and state law mandates that courts provide interpreter services for individuals who are “handicapped in communication” (Minn. Stat. § 611.31). This includes both deaf / hard of hearing and non-English speaking persons.

**Statutory Change(s):**

The request will not require statutory changes.

## District Courts

### FY18-19 Biennial Budget Change Item

#### Change Item Title: New Judge Units

Fiscal Impact (\$000s)	FY 2018	FY 2019	FY 2020	FY 2021
General Fund				
Expenditures	884	818	818	818
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	884	818	818	818
<b>FTEs</b>	<b>6.0</b>	<b>6.0</b>	<b>6.0</b>	<b>6.0</b>

#### Recommendation:

The Governor recommends funding for this request from the District Courts.

The Judicial Branch seeks \$1,702,000 in the FY2018-19 biennium to add two new trial court judge units (judge, court reporter, law clerk). The request represents a .3% increase in the Trial Courts biennial base budget.

#### Rationale/Background:

Since FY12 the Judicial Branch has seen an increase in the number of case filings and an increase in the complexity of the cases brought to the trial courts. The most marked increase is in children in need of protection or services (CHIPS) cases and permanency cases with a 56% increase in filings from FY12-FY16. Over the last year major criminal case filings (felonies and gross misdemeanors) rose 12%. Drug related case filings (a sub-category of the Major Criminal group) increased 25% over the last year, and filings have consistently increased since 2013.

Since 1980, the Judicial Branch has used a weighted caseload analysis to estimate judicial resource needs. According to the most current weighted caseload analysis the Judicial Branch is in need of two additional judge units to process the trial court workload in an efficient and effective manner.

#### Proposal:

The change item is not a new initiative.

The addition of two judge units will enable the trial courts to address current caseload pressures, especially in the areas of dependency and neglect cases, permanency cases, and major criminal cases. It is imperative that the trial courts meet federal and state mandates in cases of child abuse and neglect. It is equally imperative that the trial courts carry out its constitutional and legal mandates to protect the rights and safety of all citizens. To do so the courts must be staffed sufficiently to ensure prompt service.

#### Equity and Inclusion:

- All Minnesotans are impacted by the proposed change item. The Minnesota Constitution provides that “every person is entitled to a certain remedy in law for all injuries or wrongs which he may receive...promptly and without delay.”

#### IT Related Proposals:

This request contains no information technology recommendation.

**Results:**

The Trial Courts conduct frequent assessments to ensure efficient court operations. It is the policy of the Minnesota Judicial Branch to establish core performance goals and to monitor key results that measure progress toward meeting these goals in order to ensure accountability of the Branch, improve overall operations of the court, and enhance the public's trust and confidence in the Judiciary. Throughout the year the trial courts are directed to review performance measure results. This review is shared with the Judicial Council (the Branch's governing body) twice a year.

**Statutory Change(s):**

The request will not require statutory changes.

## District Courts

### FY18-19 Biennial Budget Change Item

#### Change Item Title: Treatment Courts Sustainability

Fiscal Impact (\$000s)	FY 2018	FY 2019	FY 2020	FY 2021
General Fund				
Expenditures	1,689	1,689	1,689	1,689
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	1,689	1,689	1,689	1,689
<b>FTEs</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

#### Recommendation:

The Governor recommends funding for this request from the District Courts.

The Judicial Branch seeks \$3,378,000 in the FY2018-19 biennium to fund Treatment Courts 1 sustainability. The request represents a .5% increase in the Trial Courts biennial base budget.

#### Rationale/Background:

The growth in both the number and type of treatment courts operating in Minnesota over the last decade has been significant. This growth is a testament to the sustained popularity of treatment courts nationally and the positive outcomes achieved in treatment courts that adhere to best-practice principles. The current funding mechanism is a complex system primarily supported by the Minnesota Judicial Branch, the Department of Human Services, the Department of Public Safety/Office of Traffic Safety, county government, and federal grants. In addition to cash funding, treatment courts receive a substantial amount of in-kind support in the form of donated staff time and resources from a variety of agencies. The instability of this funding is viewed as a significant problem by the Judicial Branch. Minnesota will soon have 57 operational treatment courts, and there is a need to adopt a long-term funding strategy that addresses the long-term funding needs of treatment courts.

In June 2015, the Judicial Council approved the creation of the Drug Court Funding Workgroup to work in collaboration with the National Center for State Courts to develop recommendations for the long term financial stability of treatment courts. The Workgroup's recommendations, as adopted by the Judicial Council, seek to establish a transparent, equitable, and predictable funding model for treatment courts. This request is based on the Workgroup's recommendations.

#### Proposal:

This change level request is not a new initiative. The request includes money to implement a funding formula for the allocation of treatment court appropriations; provide funding for treatment court sustainability (decrease/discontinuation of grant funding); and to provide additional training and technical assistance to treatment courts.

#### Equity and Inclusion:

- Stable funding for treatment courts will enable all Racial and Ethnic groups, and Lesbian, Gay, Bisexual, and Transgender groups to access treatment courts.

---

<sup>1</sup> Pursuant to Judicial Council Policy 511, the generic term "Drug Courts" was changed to "Treatment Courts," effective January 1, 2017. Policy 511 defines the term "treatment court" to include courts that utilize evidence-based practices and that are treatment-focused such as DWI, Drug, Mental Health, Veterans, and Family Dependency Treatment Court.

**IT Related Proposals:**

This request contains no information technology recommendation.

**Results:**

Implementation of a plan to stabilize funding for treatment courts through the creation of a predictable, equitable funding system will enable the Judicial Branch to continue to offer the services of treatment courts in counties throughout the state.

The Judicial Branch is in the process of developing implementation of a statewide drug court management information system (MIS) to support performance management, program evaluation, and case management.

**Statutory Change(s):**

The request will not require statutory changes.

## District Courts

### FY18-19 Biennial Budget Change Item

#### Change Item Title: Transfer of funding responsibility for Judicial Appeal Panel expenses from DHS to MJB

Fiscal Impact (\$000s)	FY 2018	FY 2019	FY 2020	FY 2021
<b>DHS</b>				
General Fund				
Expenditures	(450)	(450)	(450)	(450)
Revenues	0	0	0	0
<b>Supreme Court</b>				
General Fund				
Expenditures	1,653	1,653	1,653	1,653
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	1,203	1,203	1,203	1,203
<b>FTEs</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>DHS Courts</b>				

#### Recommendation:

The Governor recommends \$3.306 million to the Minnesota Judicial Branch (through the District Courts) to cover the Judicial Appeal Panel expenses for reduction in custody hearings by Minnesota Sex Offender Program clients. Funding for the Department of Human Services would be reduced by the current base amount of \$900,000. The difference, \$2.406 million, is an increase in total funding based on expected expenses for the Panel.

#### Proposal:

This proposal will shift the financial burden for Judicial Appeal Panel (also known as Supreme Court Appeal Panel (SCAP)) expenses from the Department of Human Services (DHS) to the Minnesota Judicial Branch (MJB). The Panel hears and decides reduction in custody petitions for clients civilly committed as Sexually Dangerous Persons or as Sexual Psychopathic Personalities. Currently, DHS is responsible to pay for all compensation and expenses of the judges appointed to the appeal panel as well as allowable costs and fees for the committed person's court-appointed attorney and any court-appointed examiners, court reporters, courtroom security and transportation. Except for transportation of committed persons, all appeal panel expenses will now be the responsibility of the MJB.

#### Rationale/Background:

Petitions for Appeal Panel hearings have been increasing significantly over the past few years. The increase has resulted in significantly more hearings and their associated costs. While the Panel used to be able to manage its caseload by holding hearings once a week by a single three-judge panel, it has had to increase the frequency of hearings such that now three three-judge panels meet each week.

The judicial branch has reached out to DHS to pay for the increased costs; however, these increased costs cannot be absorbed by DHS. Both DHS and MJB agree that DHS should not be responsible to pay the Appeal Panel expenses; however, both agree that the "base" funding should be shifted from DHS to MJB. The MJB has requested that these funds be placed in the District Courts budget.

#### Results:

This change will provide a more efficient process for paying Appeal Panel expenses.

#### Statutory Change(s):

253B.19 Subdivision 1

# FY 2018-19 Federal Funds Summary

(Dollars in Thousands)

Federal Agency and CFDA #	Federal Award Name and Brief Purpose	New Grant	FY2016 Actuals	FY2017 Budget	FY2018 Base	FY2019 Base	Required State Match or MOE?	FTEs
Dept. of Justice 20.608, 20.616 (Funds pass through the Dept. of Public Safety)	<b>Domestic Violence</b> Federal funds to support Drug Courts (DWI, Drug & Family Dependency Treatment Courts)	No	1,912	1,500	1,500	1,500	Yes	6.0
Dept. of Health & Human Services 93.563 (Funds pass through the Department of Human Services)	<b>Expedited Child Support Program</b> Reimbursement for the federal share (66%) of Expedited Child Support.	No	6,917	7,813	7,813	7,813	Yes	17.60
Dept. of Justice 16.021, 16.585	<b>Office of Justice Program – Department of Justice</b> Expenditures for the Drug Court Discretionary Grant Program that provides funds for establishing drug courts.	No	447	662	662	662	Yes	1.50
Dept. of Justice 16.013, 16.745	<b>Adult Drug Court Mental Health Service Expansion</b> Federal funds to support Drug Courts that focus on individuals with drug problems and underlying mental health issues.	No	229	338	338	338	No	2.72
State Justice Institute N/A	<b>State Justice Institute – Self Represented E-Filing and Online Conservator Reporting</b> Expenditures for SJI grants which are awarded to improve the quality of State Courts. These are either project grants or technical assistance grants. Project grants are intended to support innovative education and training projects that will improve the administration of justice in the courts. Technical assistance grants provide State and local courts with funding to diagnose problems and implement needed change.	No	22	15	15	15	Yes	0



Federal Agency and CFDA #	Federal Award Name and Brief Purpose	New Grant	FY2016 Actuals	FY2017 Budget	FY2018 Base	FY2019 Base	Required State Match or MOE?	FTEs
Department of Justice 16.738 (Funds pass through the Dept. of Public Safety)	<b>Justice Assistance Grant</b> Federal funds to support local Drug Courts.	No	192	170	170	170	No	1.05
	<b>Budget Activity Total: Trial Courts</b>		9,719	10,498	10,498	10,498		28.87
	<b>Program Total: Trial Courts</b>		9,719	10,498	10,498	10,498		28.87
	<b>Federal Fund – Agency Total</b>		9,719	10,498	10,498	10,498		28.87

**Narrative:**

In FY18 and FY19 the Trial Courts will receive federal funding for Child Support, Domestic Violence, Adult Drug Court Mental Health Service Expansion, the Justice Assistance Grant (JAG), the State Justice Institute (SJI), and the Office of Justice Program (OJP) Department of Justice. The Domestic Violence, JAG, Adult Drug Court Mental Health Service Expansion, and OJP grants fund the Drug Courts which include DWI, Drug, Family Dependency Treatment and Mental Health. The Expedited Child Support Program receives federal reimbursement at a rate of 66% for eligible expenditures, so less spending with state appropriated dollars would result in a proportionate decrease in federal reimbursement. The Adult Drug Court Mental Health Service Expansion and Justice Assistance Grant do not require a match. The remaining grants require a state spending match of approximately 50%. Estimates were based on past funding. Grants that will be ending did not include revenue projected past the end date.