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**AT A GLANCE**

- Each year about 1.3 million cases are filed in district court.
- District court proceedings are held in 106 locations throughout all 87 Minnesota counties.
- District courts are organized into ten judicial districts for administrative purposes.
- There are 294 judges at the District Court level.
- District courts serve all Minnesota citizens.

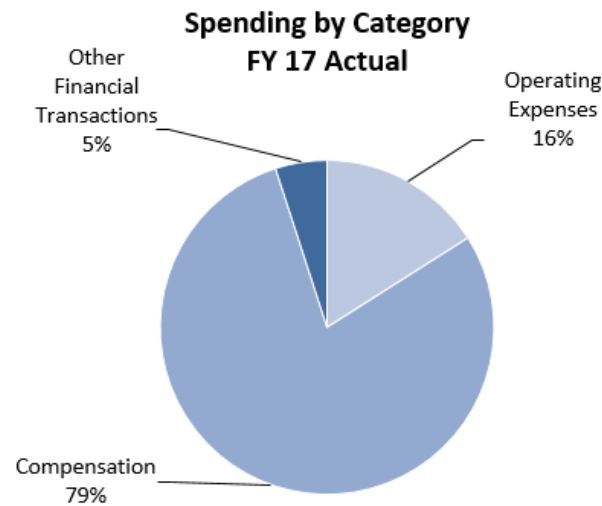
**PURPOSE**

District courts are the backbone of the state’s court system. 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. 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.

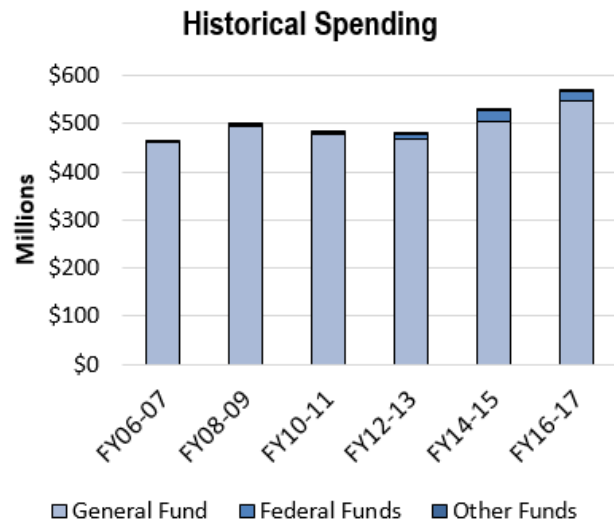
District Court judges hear everything from traffic tickets, to civil and family conflicts, to first degree murder trials. Some district courts may have separate divisions, such as criminal, civil, probate, family, and juvenile courts.

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**



Source: Budget Planning & Analysis System (BPAS)



Source: Consolidated Fund Statement

The District Courts spent \$306 million in FY 2017. Of this amount, \$291 million (95%) was from state general fund appropriations, with the remaining \$15 million (5%) 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.

In recent years, the Judicial Branch has begun implementing an ambitious reform agenda involving the use of technology and the re-engineering of business practices in a system-wide effort to expand services and ensure equal access to justice. The centerpiece of this effort – the eCourtMN Initiative – transformed Minnesota’s courts from a paper-based environment to an electronic information environment that will ensure convenient, timely, and appropriate access to case information for all stakeholders, and result in more timely and efficient processing of cases. Electronic filing of cases, at both the trial and appellate levels, became mandatory on July 1, 2106. Current efforts focus on leveraging technology to provide high-quality, consistent, and convenient court administration services anywhere in the state.

## RESULTS

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.

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Previous</i>	<i>Current</i>	<i>Dates</i>
Results	Statewide Clearance Rate – The Clearance Rate measures whether courts are disposing of as many cases as are filed in the same year.	96%	99%	FY2016 and FY2017
Results	Statewide Time to Disposition - Time to Disposition assesses the length of time it takes a court to process cases.	97% disposed of within Judicial Branch time limits.	94% disposed of within Judicial Branch time limits.	FY2016 and FY2017
Results	Statewide Pending Rate for Juvenile Delinquency Cases – Assesses the number of cases that have not been disposed of during the timing objective	8.4% of cases are pending after 6 months.	6.3% of cases are pending after 6 months.	FY2016 and FY2017

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Previous</i>	<i>Current</i>	<i>Dates</i>
	standard of 99% disposition within 6 months.			

Data are from the *Judicial Branch 2016 and 2017 Performance Measures – Key Results and Measures Annual Reports*. The reports can be found at [www.mncourts.gov](http://www.mncourts.gov).

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The Minnesota Constitution, Article VI; [https://www.revisor.mn.gov/constitution/#article\\_6](https://www.revisor.mn.gov/constitution/#article_6), provides the authority for the District Court. Minn. Stat Chapters 484, 485, 486, 491, 491A, 492, and 493; <https://www.revisor.mn.gov/statutes/part/JUDICIARY>, provide the legal authority for district court operations.

# District Courts

# Agency Expenditure Overview

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base		Governor's Recommendation	
					FY20	FY21	FY20	FY21
<b><u>Expenditures by Fund</u></b>								
1000 - General	254,370	291,364	278,531	311,799	299,716	299,716	311,808	322,294
2000 - Restrict Misc Special Revenue	1,631	2,123	2,194	3,085	2,406	2,405	2,406	2,405
2403 - Gift	168	154	56	350	138	138	138	138
3000 - Federal	12,333	9,079	9,659	11,731	11,429	9,361	11,429	9,361
6000 - Miscellaneous Agency	3,606	3,963	2,269	9,574	9,570	9,165	9,570	9,165
<b>Total</b>	<b>272,107</b>	<b>306,682</b>	<b>292,709</b>	<b>336,539</b>	<b>323,259</b>	<b>320,785</b>	<b>335,351</b>	<b>343,363</b>
Biennial Change				50,458		14,796		49,466
Biennial % Change				9		2		8
Governor's Change from Base								34,670
Governor's % Change from Base								5

## **Expenditures by Program**

District Courts	272,107	306,682	292,709	336,539	323,259	320,785	335,351	343,363
<b>Total</b>	<b>272,107</b>	<b>306,682</b>	<b>292,709</b>	<b>336,539</b>	<b>323,259</b>	<b>320,785</b>	<b>335,351</b>	<b>343,363</b>

## **Expenditures by Category**

Compensation	230,366	241,601	247,834	264,132	264,470	264,470	275,120	285,672
Operating Expenses	34,945	48,302	39,629	54,390	44,842	42,773	46,284	44,149
Grants, Aids and Subsidies	192	211	694	758	715	715	715	715
Capital Outlay-Real Property	787	1,942	89	1,092	1,092	1,092	1,092	1,092
Other Financial Transaction	5,818	14,626	4,462	16,167	12,140	11,735	12,140	11,735
<b>Total</b>	<b>272,107</b>	<b>306,682</b>	<b>292,709</b>	<b>336,539</b>	<b>323,259</b>	<b>320,785</b>	<b>335,351</b>	<b>343,363</b>

## **Full-Time Equivalent**

	2,543.46	2,573.47	2,588.52	2,588.21	2,548.17	2,493.97	2,596.17	2,596.17
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# District Courts

# Agency Financing by Fund

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base		Governor's Recommendation	
					FY20	FY21	FY20	FY21
<b>1000 - General</b>								
Balance Forward In		12,670		12,457				
Direct Appropriation	266,645	278,694	290,987	299,342	299,716	299,716	311,808	322,294
Transfers In	1,554	4,124	4,496	2,853	3,671	3,671	3,671	3,671
Transfers Out	1,554	4,124	4,496	2,853	3,671	3,671	3,671	3,671
Cancellations		0						
Balance Forward Out	12,275		12,456					
<b>Expenditures</b>	<b>254,370</b>	<b>291,364</b>	<b>278,531</b>	<b>311,799</b>	<b>299,716</b>	<b>299,716</b>	<b>311,808</b>	<b>322,294</b>
Biennial Change in Expenditures				44,596		9,102		43,772
Biennial % Change in Expenditures				8		2		7
Governor's Change from Base								34,670
Governor's % Change from Base								6
Full-Time Equivalents	2,509.39	2,530.63	2,553.27	2,553.27	2,513.27	2,459.07	2,561.27	2,561.27

## 2000 - Restrict Misc Special Revenue

Balance Forward In	1,192	1,433	1,467	1,541	584	311	584	311
Receipts	1,746	2,019	2,151	2,008	2,013	2,013	2,013	2,013
Transfers In	125	132	119	120	120	120	120	120
Balance Forward Out	1,433	1,461	1,544	584	311	39	311	39
<b>Expenditures</b>	<b>1,631</b>	<b>2,123</b>	<b>2,194</b>	<b>3,085</b>	<b>2,406</b>	<b>2,405</b>	<b>2,406</b>	<b>2,405</b>
Biennial Change in Expenditures				1,525		(468)		(468)
Biennial % Change in Expenditures				41		(9)		(9)
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents	4.30	7.25	7.21	6.90	6.86	6.86	6.86	6.86

## 2403 - Gift

Balance Forward In	208	148	199	217				
Receipts	144	203	73	133	138	138	138	138
Transfers In	0							
Transfers Out	0							
Balance Forward Out	184	198	217					
<b>Expenditures</b>	<b>168</b>	<b>154</b>	<b>56</b>	<b>350</b>	<b>138</b>	<b>138</b>	<b>138</b>	<b>138</b>
Biennial Change in Expenditures				85		(130)		(130)

# District Courts

# Agency Financing by Fund

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY16	FY17	FY18	FY19	FY20	FY21	FY20	FY21
Biennial % Change in Expenditures				26		(32)		(32)
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents	0.90	0.89	0.70	0.70	0.70	0.70	0.70	0.70

## 3000 - Federal

Balance Forward In	8,774	6,568	8,212	8,050	4,476	1,204	4,476	1,204
Receipts	9,719	10,421	9,497	8,157	8,157	8,157	8,157	8,157
Balance Forward Out	6,159	7,910	8,050	4,476	1,204		1,204	
<b>Expenditures</b>	<b>12,333</b>	<b>9,079</b>	<b>9,659</b>	<b>11,731</b>	<b>11,429</b>	<b>9,361</b>	<b>11,429</b>	<b>9,361</b>
Biennial Change in Expenditures				(22)		(600)		(600)
Biennial % Change in Expenditures				(0)		(3)		(3)
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents	28.87	34.70	27.34	27.34	27.34	27.34	27.34	27.34

## 6000 - Miscellaneous Agency

Balance Forward In	17,156	23,413	15,831	32,397	5,595	2,595	5,595	2,595
Receipts	9,878	(3,620)	18,837	(17,228)	6,570	6,570	6,570	6,570
Balance Forward Out	23,428	15,831	32,399	5,595	2,595		2,595	
<b>Expenditures</b>	<b>3,606</b>	<b>3,963</b>	<b>2,269</b>	<b>9,574</b>	<b>9,570</b>	<b>9,165</b>	<b>9,570</b>	<b>9,165</b>
Biennial Change in Expenditures				4,274		6,892		6,892
Biennial % Change in Expenditures				56		58		58
Governor's Change from Base								0
Governor's % Change from Base								0

# District Courts

# Agency Change Summary

(Dollars in Thousands)

	FY19	FY20	FY21	Biennium 2020-21
<b>Direct</b>				
<b>Fund: 1000 - General</b>				
FY2019 Appropriations	299,342	299,342	299,342	598,684
Base Adjustments				
Pension Allocation		374	374	748
<b>Forecast Base</b>	<b>299,342</b>	<b>299,716</b>	<b>299,716</b>	<b>599,432</b>
<b>Change Items</b>				
Maintain Core Justice Operations		9,642	20,194	29,836
New Judge Units		912	846	1,758
Mandated Psychological Services		1,070	1,070	2,140
Treatment Courts Sustainability		306	306	612
Gun Violence Prevention		162	162	324
<b>Total Governor's Recommendations</b>	<b>299,342</b>	<b>311,808</b>	<b>322,294</b>	<b>634,102</b>
<b>Dedicated</b>				
<b>Fund: 2000 - Restrict Misc Special Revenue</b>				
Planned Spending	3,085	2,406	2,405	4,811
Forecast Base	3,085	2,406	2,405	4,811
<b>Total Governor's Recommendations</b>	<b>3,085</b>	<b>2,406</b>	<b>2,405</b>	<b>4,811</b>
<b>Fund: 2403 - Gift</b>				
Planned Spending	350	138	138	276
Forecast Base	350	138	138	276
<b>Total Governor's Recommendations</b>	<b>350</b>	<b>138</b>	<b>138</b>	<b>276</b>
<b>Fund: 3000 - Federal</b>				
Planned Spending	11,731	11,429	9,361	20,790
Forecast Base	11,731	11,429	9,361	20,790
<b>Total Governor's Recommendations</b>	<b>11,731</b>	<b>11,429</b>	<b>9,361</b>	<b>20,790</b>
<b>Fund: 6000 - Miscellaneous Agency</b>				
Planned Spending	9,574	9,570	9,165	18,735
Forecast Base	9,574	9,570	9,165	18,735
<b>Total Governor's Recommendations</b>	<b>9,574</b>	<b>9,570</b>	<b>9,165</b>	<b>18,735</b>
<b>Revenue Change Summary</b>				
<b>Dedicated</b>				
<b>Fund: 2000 - Restrict Misc Special Revenue</b>				



# District Courts

# Agency Change Summary

(Dollars in Thousands)

	FY19	FY20	FY21	Biennium 2020-21
Forecast Revenues	2,008	2,013	2,013	4,026
<b>Total Governor's Recommendations</b>	<b>2,008</b>	<b>2,013</b>	<b>2,013</b>	<b>4,026</b>
<b>Fund: 2403 - Gift</b>				
Forecast Revenues	133	138	138	276
<b>Total Governor's Recommendations</b>	<b>133</b>	<b>138</b>	<b>138</b>	<b>276</b>
<b>Fund: 3000 - Federal</b>				
Forecast Revenues	8,157	8,157	8,157	16,314
<b>Total Governor's Recommendations</b>	<b>8,157</b>	<b>8,157</b>	<b>8,157</b>	<b>16,314</b>
<b>Fund: 6000 - Miscellaneous Agency</b>				
Forecast Revenues	(17,228)	6,570	6,570	13,140
<b>Total Governor's Recommendations</b>	<b>(17,228)</b>	<b>6,570</b>	<b>6,570</b>	<b>13,140</b>
<b>Non-Dedicated</b>				
<b>Fund: 1000 - General</b>				
Forecast Revenues	19,709	19,501	19,501	39,002
<b>Total Governor's Recommendations</b>	<b>19,709</b>	<b>19,501</b>	<b>19,501</b>	<b>39,002</b>

## District Courts

### FY 2020-21 Biennial Budget Change Item

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

Fiscal Impact (\$000s)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund				
Expenditures	9,642	20,194	20,194	20,194
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	9,642	20,194	20,194	20,194
<b>Maintain FTEs</b>	<b>40.0</b>	<b>94.2</b>	<b>94.2</b>	<b>94.2</b>

#### Recommendation:

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

The Judicial Branch seeks \$29,836,000 in the FY2020-21 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. The request represents a 5.0% increase in the Trial Courts biennial base budget. The request maintains the current complement of employees.

#### 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. Judges in some counties make 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, 49 judge positions have been subject to the appointment/election process —15% of all judges in the state. By 2020, at least 40% 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. Health insurance premiums are estimated to increase by 5.63% in 2020 and 5.62% in 2021. The Judicial Branch does not negotiate its own insurance agreements – it participates in the general plan negotiated by Minnesota Management and Budget.

The Judicial Branch cannot absorb the increased employer insurance contribution costs and would need to divert funding from court functions to pay for this increase without additional funding.

**Proposal:**

This change level request is not a new initiative. The Judicial Branch’s FY2020-21 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 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 and prioritized pay-for-performance in collective bargaining, ensuring that all employee increases are based on performance. These pay-for-performance structures recognize exemplary performance and serve as performance accountability mechanisms.

**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 service.

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.

## District Courts

### FY 2020-21 Biennial Budget Change Item

#### Change Item Title: New Judge Units

Fiscal Impact (\$000s)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund				
Expenditures	912	846	846	846
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	912	846	846	846
<b>FTEs</b>	<b>6.0</b>	<b>6.0</b>	<b>6.0</b>	<b>6.0</b>

#### Recommendation:

The Governor recommends funding this request from the District Courts.

The Judicial Branch seeks \$1,758,000 in the FY2020-21 biennium to add 2 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 FY14 the Judicial Branch has seen an increase in the number of complex cases brought to the Trial Courts. The most marked increases are in children in need of protection or services (CHIPS) cases with a 42% increase in filings and permanency cases with a 69% increase in filings from FY14-FY18. Over the last five years major criminal case filings (felonies and gross misdemeanors) rose 22%. The other major drivers in the criminal area include drug possession related case filings (a sub-category of the Major Criminal group) with a 36% increase, felony domestic assault filings with a 24% increase, and gross misdemeanor DWI filings with a 23% increase.

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 at least 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 2 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.”

**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. The annual Performance Measures Report is posted on the Judicial Branch public web site each September.

## District Courts

### FY 2020-21 Biennial Budget Change Item

#### Change Item Title: Mandated Psychological Services

Fiscal Impact (\$000s)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund				
Expenditures	1,070	1,070	1,070	1,070
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	1,070	1,070	1,070	1,070
<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 \$2,140,000 in the FY2020-21 biennium to fund the Mandated Psychological Examiner Services budget deficit. The request represents a .4% increase in the Trial Courts biennial base budget.

#### Rationale/Background:

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 civil commitments under Minnesota Statutes Chapter 253B, 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 psychologists to provide these services. For the past several years the courts have seen substantial increased costs for psychological examination services, due primarily to an increase in the number of psychological examinations requested in criminal proceedings.

Expenditures for mandated psychological services have increased 48% from FY14 (\$4,230,825) to FY18 (\$6,271,595). Between FY17 and FY18:

- Criminal Rule 20 examinations increased by 11.5%
- Cost per case rose by approximately 12%

#### Proposal:

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

#### 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.

This proposal will benefit individuals who interact with the Trial Courts and are in need of mandated psychological examiner services.

**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.

## Trial Courts

### FY 2020-21 Biennial Budget Change Item

#### Change Item Title: Treatment Courts Sustainability

Fiscal Impact (\$000s)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund				
Expenditures	306	306	306	306
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	306	306	306	306
FTEs	0	0	0	0

#### Recommendation:

The Governor recommends funding this request from the District Courts.

The Judicial Branch seeks \$612,000 in the FY2020-21 biennium to fund Treatment Courts sustainability. The request represents a .1% increase in the Trial Courts biennial base budget.

#### Rationale/Background:

In 2017, with the support of the Legislature, the Judicial Branch secured funds to establish a stable funding source for existing treatment courts, through implementation of a funding formula. Under the funding formula a jurisdiction which seeks to establish a treatment court must seek approval by the Judicial Council and take advantage of the training provided by the federal government and start-up funding provided by state and federal grants and/or local or state (non-Judicial Branch) secured funding. When the funding expires, the treatment court may apply for Judicial Branch funding. The criteria for funding includes a minimum number of participants and a 30% justice partner cash or in-kind match.

Over the next biennium five treatment courts will apply for Judicial Branch funding, as the grant funding for these courts is set to expire. The funds sought will enable the five treatment courts to continue operation.

#### Proposal:

This change level request is not a new initiative. The request will provide funding for five treatment courts facing a discontinuation of grant funding.

#### Equity and Inclusion:

Sustainability funding will enable Minnesotans throughout the state to have access to treatment courts.

#### IT Related Proposals:

This request contains no information technology recommendation.

#### Results:

The Judicial Branch will continue to offer the services of treatment courts in counties throughout the state.

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

#### Statutory Change(s):

This proposal requires no statutory changes.



## District Courts

### FY 2020-21 Biennial Budget Change Item

#### Change Item Title: Gun Violence Prevention

Fiscal Impact (\$000s)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund				
Expenditures (Public Safety)	188	38	38	38
Expenditures (District Courts)	162	162	162	162
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	350	200	200	200
<b>FTEs (District Courts)</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>

#### Recommendation:

The Governor recommends general funds totaling \$350,000 in the FY20 and \$200,000 each year ongoing for measures to prevent gun violence. Of this amount, \$188,000 in FY20 and \$38,000 ongoing is for the Department of Public Safety to modify and maintain the Gun Permit Background Check system and \$162,000 each year is for two FTEs in the District Courts to process anticipated petitions for extreme risk protection orders.

#### Rationale/Background:

The increasing number of deaths and injuries to individuals from firearms can and must be reduced. Current law requires individuals to pass a background check before buying a firearm at licensed firearm dealer. However, criminal background checks are not required for private sales, including online and at gun shows. Expansion of the application of existing background checks for disqualifying offenses is one method to use to keep firearms away from individuals who are legally prohibited from having them.

As of January 2019, 13 states have passed laws that allow a court petition process as a tool to prevent firearm violence. This prevention method provides a means where concerned family members or law enforcement can petition a court to remove firearms from an individual's possession if there is evidence that the person presents a significant danger of bodily injury to themselves or others. These orders can prevent gun violence acts of suicide, domestic violence, and mass shootings by allowing informed and concerned individuals to present warning signs to a neutral arbitrator who then determines whether the risk is serious enough to warrant the individual's firearms be removed from their possession.

#### Proposal:

The funding included in the budget provides resources to implement two proposals currently introduced in the legislature. First, the governor recommends a proposal to create a new requirement for background checks when private parties transfer any firearm. With the exception of immediate family members, private parties must obtain a transferee permit and all transfers will be subject to a background check. Private parties who are unable to produce the record of the transfer may be subject to criminal charges.

Second, the funding is to support a proposal that creates an Extreme Risk Protection Order (ERPO) process in statute. The ERPO process allows a family member, household member, a guardian, a law enforcement agency, or city or county attorney to petition a court to have an individual's firearms withheld for a fixed period. To obtain the order, the court must agree that the individual poses a significant danger of bodily injury to themselves or other persons. A hearing is provided as well as an emergency petition process to be used when there is an

immediate and present danger of bodily injury. Under this proposal, new offenses are created for providing false information in a petition or with an intent to harass, abuse or threaten another or for violating an extreme risk protection order.

**IT-Related Proposals:**

Not applicable.

**Results:**

None.

**Statutory Change(s):**

Minnesota Statutes 624.7131, 624.713

## District Courts

## Federal Funds Summary

(Dollars in Thousands)

Federal Agency and CFDA #	Federal Award Name and Brief Purpose	New Grant	FY2018 Actuals	FY2019 Budget	FY2020 Base	FY2021 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 Treatment Courts (DWI, Drug & Family Dependency Treatment Courts)	No	1,922	754	500	500	Yes	6.25
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	6,639	10,104	10,104	8,036	Yes	16.57
Dept. of Health & Human Services 93.243	<b>Second Judicial District Treatment Court Unit Expansion and Enhancement</b> Federal funds to expand substance abuse treatment capacity in adult treatment drug courts and adult tribal healing wellness courts.	Yes	256	52	25	25	No	0
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 treatment courts. This also funds expenditures for the Domestic Violence Courts.	No	765	550	650	650	Yes	4.52
Dept. of Justice 16.029	<b>Office of Justice Program – Department of Justice</b> Federal funds to support mentoring of Domestic Violence Courts.	No	26	121	0	0	No	0
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	50	150	150	150	Yes	0
	<b>Budget Activity Total: District Courts</b>		<b>9,658</b>	<b>11,731</b>	<b>11,429</b>	<b>9,361</b>		<b>27.34</b>
	<b>Program Total: District Courts</b>		<b>9,658</b>	<b>11,731</b>	<b>11,429</b>	<b>9,361</b>		<b>27.34</b>

Federal Agency and CFDA #	Federal Award Name and Brief Purpose	New Grant	FY2018 Actuals	FY2019 Budget	FY2020 Base	FY2021 Base	Required State Match or MOE?	FTEs
	Federal Fund – Agency Total		9,658	11,731	11,429	9,361		27.34

### Narrative

In FY20 and FY21 the Trial Courts will receive federal funding for Child Support, Domestic Violence, the State Justice Institute (SJI), and the Office of Justice Program (OJP) Department of Justice. In addition, the new Second Judicial District Treatment Court Unit Expansion and Enhancement grant expands substance abuse treatment capacity in adult treatment drug courts and adult tribal healing wellness courts. The Domestic Violence and OJP grants fund the treatment courts which include DWI, Drug, Family Dependency Treatment and Mental Health. The OJP grant also funds mentoring the Domestic Violence Courts. 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 OJP Domestic Violence Court Mentoring and Second Judicial District Treatment Court Unit Expansion and Enhancement grants 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.