

Table of Contents
Board on Judicial Standards

<i>Agency Profile</i>	1
<i>Agency Expenditure Overview</i>	3
<i>Agency Financing by Fund</i>	4
<i>Agency Change Summary</i>	5
<u>Change Item(s)</u>	6
<i>Operating Adjustment</i>	6
<i>On-Line Complaint Submission Website Update</i>	7

AT A GLANCE

The Board on Judicial Standards:

- Investigates complaints of judicial misconduct or disability
- Seeks or imposes discipline on judges when appropriate
- Advises and educates judges on proper conduct
- Has jurisdiction over all Minnesota trial and appellate judges (315 positions), retired judges in active service (92), referees, and other judicial officers.

PURPOSE

The mission of the Board on Judicial Standards is to maintain public confidence in the integrity and impartiality of the Minnesota judiciary by enforcing the Minnesota Code of Judicial Conduct and by educating and advising judges how to comply with the Code.

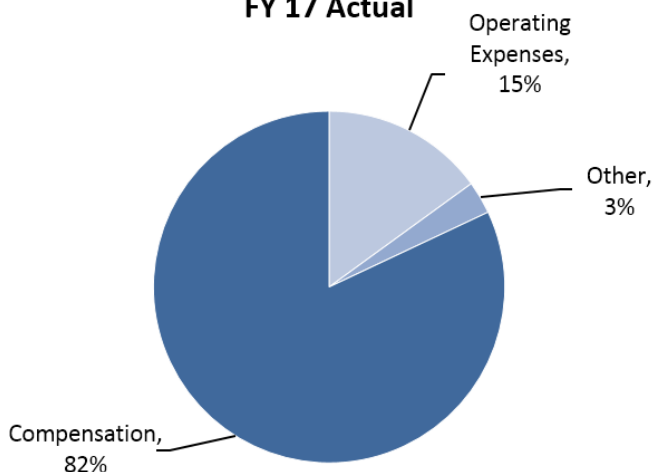
A society cannot function without a fair and effective way to resolve disputes. Acceptance of judicial rulings is based on public recognition that the judiciary and the court system are worthy of respect and trust. Public confidence in our judicial system directly depends on the proper conduct of our judges.

The Minnesota Constitution authorizes the Legislature to provide for the retirement or discipline of any judge who is disabled or guilty of conduct prejudicial to the administration of justice. The Legislature created the Board on Judicial Standards to carry out this task. The Minnesota Supreme Court adopted the Code of Judicial Conduct which sets forth the standards for judges to follow.

The Board has ten members: one judge from the Court of Appeals, three district court judges, two lawyers, and four citizens who are not judges or lawyers. All members are appointed by the Governor and, except for the judges, require confirmation by the Senate. The Board is supported by an Executive Secretary, a Staff Attorney, and an Executive Assistant. The Board on Judicial Standards supports the statewide outcome of efficient and accountable government services.

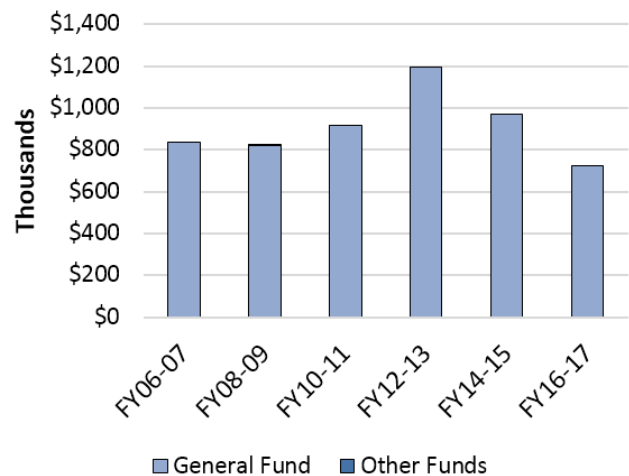
BUDGET

**Spending by Category
FY 17 Actual**



Source: Budget Planning & Analysis System (BPAS)

Historical Spending



Source: Consolidated Fund Statement

STRATEGIES

To accomplish its mission, the Board uses the following strategies:

- The Board promptly reviews complaints alleging judicial misconduct or disability, conducting investigations when necessary.
- The Board uses fair and open procedures that respect the judge’s right to due process.
- If the Board finds serious misconduct, the Board may issue a public reprimand; or, if the misconduct is isolated and non-serious, the Board may issue a private admonition.
- If the Board issues a private admonition, the judge may request a panel to consider the Board’s decision in a private hearing.
- In serious cases, the Board files a formal complaint against the judge, which can result in a public hearing by a panel and a recommendation to the Minnesota Supreme Court for discipline such as censure, suspension, or removal from office.
- The Board and its Executive Secretary advise and educate judges on applications of the Code of Judicial Conduct.
- The Board is not a substitute for the Court of Appeals. The Board does not review judicial decisions for legal error unless the judge acts in bad faith, or otherwise violates a provision of the code.

The Board continues to successfully reduce its expenditures for litigation by increasing its educational activities and through the thorough investigation and preparation of cases before seeking public discipline.

The Board continually strives to become more transparent to the judges, the public, and the Legislature. The board regularly updates its website with greatly revised and supplemented content to display more information about the Board’s activities and to provide better guidance on ethics issues faced by judges.

RESULTS

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Previous</i>	<i>Current</i>	<i>Dates</i>
Quantity	Formal advisory opinions (published)	2	0	2016-2017
Quantity	Informal written advisory opinions to individual judges	140	122	2016-2017
Quantity	Supreme Court discipline	1	0	2016-2017
Quantity	Public reprimands	1	0	2016-2017
Quantity	Private admonitions, letters of caution, deferred dispositions	7	9	2016-2017

Performance Measures Notes:

The data shown is for calendar years 2016 (previous) and 2017 (current). The Board’s activities in previous years are described in the Board’s Annual Reports, available at the Board’s website.

The Minnesota Constitution authorizes the Legislature to “provide for the retirement, removal, or other discipline of any judge who is disabled, incompetent, or guilty of conduct prejudicial to the administration of justice.” Minn. Const. Art. 6, Sec. 9 (https://www.revisor.mn.gov/constitution/#article_6).

The 1971 Legislature created the Board on Judicial Standards to carry out this task. M.S. 490A.01-.03. (<https://www.revisor.mn.gov/statutes/cite/490A/pdf>). The Board operates under the Rules of Board on Judicial Standards adopted by the Minnesota Supreme Court.

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base FY20 FY21		Governor's Recommendation FY20 FY21	
--	----------------	----------------	----------------	------------------	----------------------------	--	---	--

Expenditures by Fund

1000 - General	378	350	418	804	537	489	583	509
2000 - Restrict Misc Special Revenue	0							
Total	378	350	418	804	537	489	583	509
Biennial Change				494		(196)		(130)
Biennial % Change				68		(16)		(11)
Governor's Change from Base								66
Governor's % Change from Base								6

Expenditures by Program

Judicial Standards Board	378	350	418	804	537	489	583	509
Total	378	350	418	804	537	489	583	509

Expenditures by Category

Compensation	280	288	306	325	303	307	321	327
Operating Expenses	98	53	112	478	233	181	261	181
Other Financial Transaction		9		1	1	1	1	1
Total	378	350	418	804	537	489	583	509

Full-Time Equivalents

	2.59	2.54	2.28	2.60	2.27	2.43	2.60	2.60
--	------	------	------	------	------	------	------	------

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base FY20 FY21		Governor's Recommendation FY20 FY21	
1000 - General								
Balance Forward In	95	203	298	366	48		48	
Direct Appropriation	486	486	486	486	489	489	535	509
Cancellations		42						
Balance Forward Out	203	298	366	48				
Expenditures	378	350	418	804	537	489	583	509
Biennial Change in Expenditures				495		(196)		(130)
Biennial % Change in Expenditures				68		(16)		(11)
Governor's Change from Base								66
Governor's % Change from Base								6
Full-Time Equivalent	2.59	2.54	2.28	2.60	2.27	2.43	2.60	2.60

2000 - Restrict Misc Special Revenue

Receipts	0							
Transfers Out	0							
Expenditures	0							
Biennial Change in Expenditures				0		0		0
Biennial % Change in Expenditures								
Governor's Change from Base								0
Governor's % Change from Base								

(Dollars in Thousands)

	FY19	FY20	FY21	Biennium 2020-21
Direct				
Fund: 1000 - General				
FY2019 Appropriations	486	486	486	972
Base Adjustments				
Pension Allocation		3	3	6
Forecast Base	486	489	489	978
Change Items				
Operating Adjustment		41	20	61
On-Line Complaint Submission Website Update		5		5
Total Governor's Recommendations	486	535	509	1,044

Board on Judicial Standards

FY 2020-21 Biennial Budget Change Item

Change Item Title: Operating Adjustment

Fiscal Impact (\$000s)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund				
Expenditures	41	20	20	20
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	41	20	20	20
Maintain FTEs	0.33	0.17	0.17	0.17

Recommendation:

The Governor recommends additional funding of \$61,000 in the FY 2020-2021 biennium to maintain the current level of service delivery at the Board on Judicial Standards.

Rationale/Background:

Each year, the cost of doing business rises—employer-paid health care contributions, FICA and Medicare, along with other salary and compensation-related costs increase. Other operating costs, like rent and lease, fuel and utilities, and IT and legal services also grow. This cost growth puts pressure on agency operating budgets that remain flat from year to year.

Proposal:

The Governor recommends increasing agency operating budgets to maintain the delivery of current services. For the Board on Judicial Standards, this funding will cover known employee compensation growth, pending retirement of board staff, and replacement of staff computers and printers.

This request is for additional funds to maintain the Board's current staffing and service levels. Among the cost drivers are personnel costs resulting from payroll and benefit increases, increased workload, pending retirement of Board staff, and the need to replace staff computers and printers.

Results:

This proposal is intended to allow agencies to continue to provide current levels of service and information to the public.

Board on Judicial Standards

FY 2020-21 Biennial Budget Change Item

Change Item Title: On-Line Complaint Submission Website Update

Fiscal Impact (\$000s)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund				
Expenditures	5	0	0	0
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	5	0	0	0
FTEs	0	0	0	0

Recommendation:

The Governor recommends one-time funding of \$5,000 to for the Board on Judicial Standards to create a website enhancement that allows for complaints to be submitted on-line using a standard web browser. The Board currently requires that complaints regarding Minnesota judges and judicial officers be submitted in writing by postal mail or facsimile.

Rationale/Background:

The Board’s complaint submission process is currently paper-based. The public, board members, and other stakeholders increasingly expect public services to be consistent with the digital age. An on-line complaint submission feature will facilitate the public’s access to the Board and to the process of submitting a complaint.

Proposal:

The Board proposes to use the funds to create an enhancement to the Board’s current website. The enhancement would permit a complaint to be submitted to the Board by entering information into an on-line form using a standard web browser.

Because this is an upgrade to the Board’s current website, the firm that developed and built the website will be most likely to do the programming.

It is expected that this upgrade will be implemented in FY2020.

Equity and Inclusion:

The website upgrade will facilitate exploring options for serving groups for whom English is not a native language. On-line complaint submission forms possibly could be more readily tailored for a variety of languages.

IT Related Proposals:

Category	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Professional/Technical Contracts	5					

Results:

Initial performance data of interest will be the number of complaints submitted on-line.