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Supreme Court

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AT A GLANCE

The Supreme Court, consisting of seven members, is the highest court in Minnesota, serving as the final guardian of the Minnesota Constitution and interpreting/applying the United States Constitution.

- In 2017, 108 direct appeals and 635 petitions for further review were filed with the Supreme Court.
- The Chief Justice is the administrative head of the Judicial Branch, which includes 320 justices and judges and 2,500 employees.
- The Supreme Court serves all Minnesota citizens.

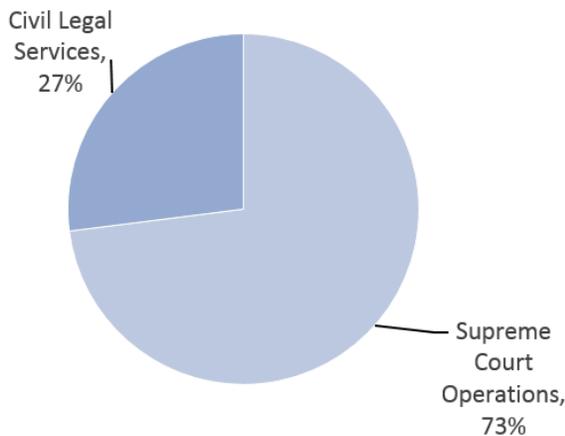
PURPOSE

The Supreme Court has original jurisdiction in remedial cases as prescribed by law, appellate jurisdiction over all cases, and supervisory jurisdiction over all courts in the state. Election contests and appeals for first-degree murder cases are automatically appealed to the Supreme Court. The Supreme Court is solely responsible for the regulation of the practice of law and for judicial and lawyer discipline. The Court also promulgates rules of practice and procedure for the legal system in the state. The Chief Justice is responsible for supervising administrative operations of the state court system.

Supreme Court responsibilities contribute to **strong and stable families and communities**, and the administration of the state’s court system ensures the **people in Minnesota are safe** and provides **efficient and accountable government services**.

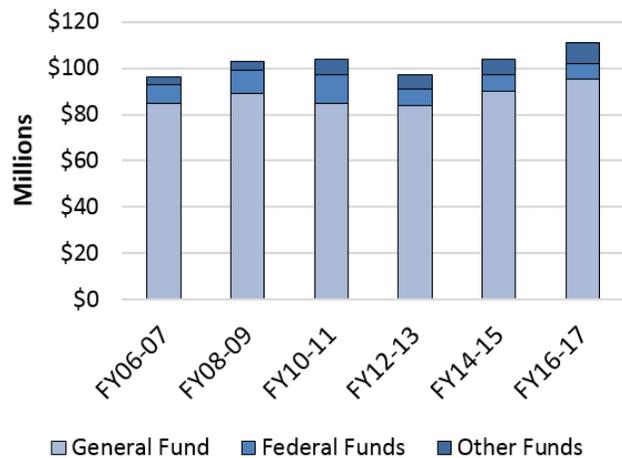
BUDGET

**Spending by Program
FY 17 Actual**



Source: BPAS

Historical Spending



Source: Consolidated Fund Statement

The Supreme Court expended \$58 million in FY 2017. Of this amount, \$50 million (86%) was from state general fund appropriations, with the remaining \$8 million (14%) being funded through various sources such as federal and local government grants, Interest on Lawyers Trust Accounts, and fees.

STRATEGIES

As the state's highest court, the Supreme Court hears oral arguments in the State Capitol Courtroom and the Minnesota Judicial Center. The Supreme Court reviews matters on certiorari, meaning it reviews cases to set precedent, to clarify legal issues, to resolve statutory conflicts, and to answer constitutional questions. The Supreme Court considers appeals from judgments from the Court of Appeals, the Workers Compensation Court of Appeals, and the Tax Court. It hears special term matters, motions, and petitions for extraordinary relief. The Supreme Court also hears mandatory cases, including first degree murder convictions and election contests. The Court promulgates rules of practice and procedure for the legal system in the state.

In addition to hearing appeals, the Supreme Court is responsible for regulating the practice of law, and making recommendations for improvement of the judicial system.

The Chief Justice is responsible for supervising administrative operations of the state court system. The Chief Justice is assisted by the State Court Administrator's Office, which provides the administrative infrastructure for the Judicial Branch, including providing finance, human resources, technology, education, communications, research/evaluation, caseload management and cross-district judicial assignments. The Chief Justice serves as chair of the Judicial Council, the policy-making entity for the Judicial Branch.

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 Supreme Court conducts its administrative 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.

The Judicial Council conducts a rigorous strategic planning process that guides the work of the State Court Administrator's Office in support of the Judicial Branch's three strategic goals. The strategic plan is reviewed and updated biennially.

In recent years, as part of the Judicial Council's strategic planning, 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.

The Minnesota Constitution, Article VI, https://www.revisor.mn.gov/constitution/#article_6, provides the legal authority for the Supreme Court. M.S. 2.724 provides legal authority for the chief justice's administrative responsibilities: <https://www.revisor.mn.gov/statutes/cite/2.724>. M.S. 480.05 provides legal authority for the Supreme Court's rule making authority: <https://www.revisor.mn.gov/statutes/cite/480.05>. M.S. 480.13-17 provide legal authority for the position and duties of the state court administrator: <https://www.revisor.mn.gov/statutes/cite/480.13>, <https://www.revisor.mn.gov/statutes/cite/480.14>, <https://www.revisor.mn.gov/statutes/cite/480.15>, <https://www.revisor.mn.gov/statutes/cite/480.16>, <https://www.revisor.mn.gov/statutes/cite/480.17>.

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base		Governor's Recommendation	
					FY20	FY21	FY20	FY21
<u>Expenditures by Fund</u>								
1000 - General	45,429	49,606	50,153	55,382	53,583	53,583	59,088	61,481
2000 - Restrict Misc Special Revenue	4,171	3,785	4,987	3,369	3,240	3,238	3,240	3,238
2403 - Gift	131	708	1,065	1,498	1,028	1,028	1,028	1,028
3000 - Federal	3,555	3,375	4,110	4,631	4,446	4,179	4,446	4,179
6000 - Miscellaneous Agency		14	18	45	45	45	45	45
Total	53,287	57,488	60,333	64,925	62,342	62,073	67,847	69,971
Biennial Change				14,483		(843)		12,560
Biennial % Change				13		(1)		10
Governor's Change from Base								13,403
Governor's % Change from Base								11

Expenditures by Program

Supreme Court Operations	38,114	42,247	44,548	48,913	46,345	46,078	50,204	51,408
Civil Legal Services	15,172	15,241	15,785	16,012	15,997	15,995	17,643	18,563
Total	53,287	57,488	60,333	64,925	62,342	62,073	67,847	69,971

Expenditures by Category

Compensation	27,225	28,648	30,669	32,674	32,734	32,734	34,672	36,143
Operating Expenses	8,549	9,730	9,119	12,152	10,786	10,519	12,707	12,440
Grants, Aids and Subsidies	16,663	17,150	19,506	18,109	17,552	17,550	19,198	20,118
Capital Outlay-Real Property	43	159	184					
Other Financial Transaction	806	1,801	855	1,990	1,270	1,270	1,270	1,270
Total	53,287	57,488	60,333	64,925	62,342	62,073	67,847	69,971

Full-Time Equivalent

	249.57	251.47	260.49	260.49	257.49	253.39	265.99	265.99
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Supreme Court

Agency Financing by Fund

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base		Governor's Recommendation	
					FY20	FY21	FY20	FY21
1000 - General								
Balance Forward In		1,595	1,000	1,883				
Direct Appropriation	46,796	49,011	51,036	53,499	53,583	53,583	59,088	61,481
Transfers In		536		179	1,163	1,163	1,163	1,163
Transfers Out		536		179	1,163	1,163	1,163	1,163
Cancellations		0						
Balance Forward Out	1,367	1,000	1,883					
Expenditures	45,429	49,606	50,153	55,382	53,583	53,583	59,088	61,481
Biennial Change in Expenditures				10,500		1,631		15,034
Biennial % Change in Expenditures				11		2		14
Governor's Change from Base								13,403
Governor's % Change from Base								13
Full-Time Equivalents	221.64	223.26	228.88	229.83	226.83	222.73	235.33	235.33

2000 - Restrict Misc Special Revenue

Balance Forward In	1,957	1,773	1,738	1,089	612	305	612	305
Receipts	3,123	2,909	3,534	2,892	2,933	2,933	2,933	2,933
Transfers In	820	808	804					
Transfers Out	0							
Balance Forward Out	1,729	1,705	1,089	612	305		305	
Expenditures	4,171	3,785	4,987	3,369	3,240	3,238	3,240	3,238
Biennial Change in Expenditures				400		(1,878)		(1,878)
Biennial % Change in Expenditures				5		(22)		(22)
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents	4.30	4.68	5.45	4.50	4.50	4.50	4.50	4.50

2403 - Gift

Balance Forward In	478	4,919	4,417	3,551	2,054	1,027	2,054	1,027
Receipts	4,552	142	198	1	1	1	1	1
Balance Forward Out	4,899	4,352	3,550	2,054	1,027		1,027	
Expenditures	131	708	1,065	1,498	1,028	1,028	1,028	1,028
Biennial Change in Expenditures				1,724		(507)		(507)
Biennial % Change in Expenditures				205		(20)		(20)

Supreme Court

Agency Financing by Fund

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY16	FY17	FY18	FY19	FY20	FY21	FY20	FY21
Governor's Change from Base								0
Governor's % Change from Base								0

3000 - Federal

Balance Forward In	980	1,149	1,364	1,040	467	100	467	100
Receipts	3,715	3,595	3,787	4,058	4,079	4,079	4,079	4,079
Balance Forward Out	1,140	1,369	1,041	467	100		100	
Expenditures	3,555	3,375	4,110	4,631	4,446	4,179	4,446	4,179
Biennial Change in Expenditures				1,810		(116)		(116)
Biennial % Change in Expenditures				26		(1)		(1)
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents	23.63	23.53	26.16	26.16	26.16	26.16	26.16	26.16

6000 - Miscellaneous Agency

Balance Forward In	55	74	78	81	54	27	54	27
Receipts	18	18	20	18	18	18	18	18
Balance Forward Out	74	78	81	54	27		27	
Expenditures		14	18	45	45	45	45	45
Biennial Change in Expenditures				49		27		27
Biennial % Change in Expenditures						44		44
Governor's Change from Base								0
Governor's % Change from Base								0

(Dollars in Thousands)

	FY19	FY20	FY21	Biennium 2020-21
Direct				
Fund: 1000 - General				
FY2019 Appropriations	53,499	53,499	53,499	106,998
Base Adjustments				
Pension Allocation		84	84	168
Forecast Base	53,499	53,583	53,583	107,166
Change Items				
Maintain Core Justice Operations		1,359	2,830	4,189
Cyber Security Program		2,500	2,500	5,000
Civil Legal Services		1,646	2,568	4,214
Total Governor's Recommendations	53,499	59,088	61,481	120,569
Dedicated				
Fund: 2000 - Restrict Misc Special Revenue				
Planned Spending	3,369	3,240	3,238	6,478
Forecast Base	3,369	3,240	3,238	6,478
Total Governor's Recommendations	3,369	3,240	3,238	6,478
Fund: 2403 - Gift				
Planned Spending	1,498	1,028	1,028	2,056
Forecast Base	1,498	1,028	1,028	2,056
Total Governor's Recommendations	1,498	1,028	1,028	2,056
Fund: 3000 - Federal				
Planned Spending	4,631	4,446	4,179	8,625
Forecast Base	4,631	4,446	4,179	8,625
Total Governor's Recommendations	4,631	4,446	4,179	8,625
Fund: 6000 - Miscellaneous Agency				
Planned Spending	45	45	45	90
Forecast Base	45	45	45	90
Total Governor's Recommendations	45	45	45	90
Revenue Change Summary				
Dedicated				
Fund: 2000 - Restrict Misc Special Revenue				
Forecast Revenues	2,892	2,933	2,933	5,866
Total Governor's Recommendations	2,892	2,933	2,933	5,866

(Dollars in Thousands)

	FY19	FY20	FY21	Biennium 2020-21
Fund: 2403 - Gift				
Forecast Revenues	1	1	1	2
Total Governor's Recommendations	1	1	1	2
Fund: 3000 - Federal				
Forecast Revenues	4,058	4,079	4,079	8,158
Total Governor's Recommendations	4,058	4,079	4,079	8,158
Fund: 6000 - Miscellaneous Agency				
Forecast Revenues	18	18	18	36
Total Governor's Recommendations	18	18	18	36
Non-Dedicated				
Fund: 1000 - General				
Forecast Revenues	497	497	497	994
Total Governor's Recommendations	497	497	497	994

Supreme Court

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	1,359	2,830	2,830	2,830
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	1,359	2,830	2,830	2,830
Maintain FTEs	3.0	7.1	7.1	7.1

Recommendation:

The Governor recommends funding for this request from the Supreme Court.

The Judicial Branch seeks \$4,189,000 in the FY2020-21 biennium to increase the compensation of Supreme Court justices by 3.5% each year of the biennium, provide a 3.5% each year compensation pool for employees, and fund unavoidable health insurance premium increases. The request represents a 5.4% increase in the Supreme Court 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 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 Supreme Court also requests 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 insurance contribution cost and would need to divert funding from court functions to pay for the increases 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 Supreme Court and to allow the Court 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.

Supreme Court

FY 2020-21 Biennial Budget Change Item

Change Item Title: Cyber Security Program

Fiscal Impact (\$000s)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund				
Expenditures	2,500	2,500	2,500	2,500
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	2,500	2,500	2,500	2,500
FTEs	5.5	5.5	5.5	5.5

Recommendation:

The Governor recommends funding for this request from the Supreme Court.

The Judicial Branch seeks \$5,000,000 in the FY2020-21 biennium to continue development of the Judicial Branch Cyber Security Program. The request represents a 6.4% increase in the Supreme Court biennial base budget.

Rationale/Background:

The Judicial Branch launched its cyber security program in FY2017. This request seeks to enhance and further the program. The Branch's Cyber Security Program is aimed at mitigating the Branch's risk of major data breaches, data corruption, system outages, document/data loss, and cyber-attacks. The Judicial Branch recently transitioned to statewide electronic filing of court cases, electronic case records and online sharing of court records. This has resulted in increased dependence on the Branch's technology infrastructure. The Branch recognizes that as an organization's dependence on technology increases, there are ever increasing risks – major outages and cyber security incidents become more common and more costly. The strength and security of the Judicial Branch technology infrastructure is one of the Branch's highest priorities. The request addresses necessary staff, training, hardware, and software needs to strengthen this effort.

The Judicial Branch is responsible for and committed to the safety and security of a magnitude of public, private, and sealed information regarding Minnesotans involved in the judicial system. The Cyber Security Program maintains and ensures the confidentiality, integrity, and availability of information through a carefully coordinated protection network, which provides the Judicial Branch the necessary flexibility to protect against increasingly sophisticated cyber-attacks.

Proposal:

The Judicial Branch Cyber Security Program seeks funds to continue to make forward progress to respond to the ever-changing cyber-threat landscape. In the first two years of operation the Branch formed a dedicated team and launched critical tools and policies to increase the Branch's ability to secure sensitive data, identify vulnerabilities, and mitigate threats. The Judicial Branch is seeking funding for the resources and tools needed to continue these efforts.

Equity and Inclusion:

All Minnesotans are impacted by the proposed change item. Data breaches, data corruption, system outages, document/data loss, and cyber-attacks have a direct impact on the ability of Minnesotans to access the judicial system. Protection of Judicial Branch data and technology infrastructures is critical to the public trust and confidence placed in the Judicial Branch.

Results:

The Judicial Branch has promulgated policies and procedures to measure specific program performance measures as part of the Cyber Security Program implementation, including the following:

- **Quantity:** Have adequate policies and procedures been developed and are court staff and judicial officers sufficiently trained?
- **Quality:** Are all technology systems adequately secure?
- **Result:** The risk of data breaches, data corruption, system outages, document/data loss, and cyber-attacks is greatly reduced.

Periodic reports are provided to the Judicial Council. Internal policies and procedures are monitored for compliance.

Supreme Court

FY 2020-21 Biennial Budget Change Item

Change Item Title: Civil Legal Services

Fiscal Impact (\$000s)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund				
Expenditures	1,646	2,568	2,568	2,568
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	1,646	2,568	2,568	2,568
FTEs	0	0	0	0

Recommendation:

The Governor recommends funding this request from Civil Legal Services submitted through the Supreme Court.

Civil Legal Services (CLS), a core function of the justice system, requests an increase of \$1,646,000 to its base funding in both years of the 2020-2021 biennium, along with an additional \$922,000 increase in the second year of the 2020-2021 biennium. This increase will continue the improvement of legal outcomes and enhance services to Minnesotans who have low incomes or disabilities, or are elderly, and who need civil legal help to meet their basic human needs. The increase will be used for compensation enhancement for CLS attorneys, whose salaries are significantly less than their other public sector counterparts, and to defray the network's increases in health insurance costs. CLS programs' total collective budget, including the appropriation, is \$39,551,657. The requested increase would be 4% of all CLS funding in FY 2020 and 6.1% of all CLS funding in FY 2021.

Rationale/Background:

CLS opens the doors of the justice system to the most vulnerable in our community. It creates strong and stable families and communities by helping people find solutions to civil legal disputes. It helps victims of domestic violence achieve safety, preserves housing stability and prevents homelessness caused by improper eviction and foreclosure, protects vulnerable Minnesotans from financial exploitation, and maximizes the ability of people who are elderly or have disabilities to live safely and independently in their communities. CLS also increases efficiency in the justice system by redirecting cases that are without merit or can be resolved in another manner, and by ensuring efficient use of the courts when CLS clients come before a judge. CLS increases public access to easily understood legal resources by developing, and continuously expanding, the website www.LawHelpMN.org. In addition, the return on investment (ROI) in CLS is high. The most recent Economic Impact Study conducted by the Minnesota Legal Services Coalition demonstrates a \$3.94 ROI in CLS, with CLS generating \$133 million in revenue for Minnesota in 2014. Additionally, in 2017, CLS used legal representation to protect or to recover more than \$22 million dollars in child support, household financial support, and public benefits for Minnesotans.

Inadequate resources for CLS to provide legal representation to meet the demand for its services and to address critical human needs has been persistent. Presently, CLS is forced to turn away 60% (3 out of 5) eligible clients seeking its services due to lack of resources. The lack of resources also results in a CLS compensation deficit, when CLS is compared to other public interest employers in the justice system. Presently, the average starting salary for CLS attorneys is \$47,983. To illustrate the CLS compensation deficit, this is 87% of the current starting salary for public defenders. This compensation deficit widens as CLS attorneys and public defenders become more experienced. For example, CLS attorneys with 7-10 years of experience have annual salaries less than 80% of similarly experienced public defenders. Increased general fund support to address the CLS compensation

deficit and to cover increased health insurance costs will help CLS to recruit and retain skilled staff, to improve returns on CLS investments in personnel, and – as a result – to be more effective and efficient in helping vulnerable Minnesotans to meet their basic human needs.

Proposal:

The funding requested will support the existing CLS program, which provides legal help to vulnerable Minnesotans in all 87 counties. From 2015 to 2017, CLS increased by nearly 9% the number of its clients facing foreclosure or eviction who remained housed; increased by over 6% the number of seniors and people with disabilities it served who continue to live safely and independently in the community; and held steady in the overall number of Minnesotans helped who successfully resolved critical legal problems. CLS achieved these outcomes in spite of widespread staff turnover due to the CLS compensation deficit. The intended result of the requested increase is additional improved outcomes for Minnesotans with low incomes needing legal representation or advice to meet their need for safety, shelter, food, health care, and basic income. CLS partners with the courts, public libraries, domestic violence shelters, social service systems, and volunteers to achieve these results. CLS has an active working group focused on maximizing coordination in CLS intake and referral processes within the existing CLS infrastructure in Minnesota, while also partnering with the Judicial Branch in the Justice for All project, now in its implementation phase with support from the National Center for State Courts. These collaborative, system-improvement-focused efforts will result in improved and increased access to justice to meet basic needs for elder Minnesotans, Minnesotans with disabilities, or Minnesotans with low incomes. Here is how CLS will invest the requested increase in CLS funding and how the CLS system will benefit as a result:

- \$964,000 of the request will go to salary improvement. This will enable a 2-6% increase in CLS staff salaries. This level of increase would allow CLS to bring its starting attorney salary up to approximately 90% of the current starting salary for public defenders and to take modest steps to address the wider gaps between CLS and public defender salaries at higher experience levels.
- \$435,100 of the request will go to offset anticipated increases in health insurance and other benefits costs in the range of 7-17%.
- CLS continues to innovate and to refine its use of the newest and best technological platforms to facilitate the efficient and effective triaging, intake, and referral processes throughout the statewide CLS system, wherever Minnesotans go for legal help, to ensure that there is no wrong door for accessing CLS. CLS also continues to expand direct outreach to underserved communities in Minnesota to meet people where they live and work, facilitating access to justice at locations of identifiable community need. Increasing CLS competitiveness in compensation with other public sector legal employers will help CLS providers retain key staff to facilitate these important system-improvement activities. Without the increase, CLS will continue to experience the effects of both the CLS compensation deficit and rising health care costs on CLS providers' budgets, staffing, and services.

Equity and Inclusion:

CLS provides access to the justice system for people of color, people with disabilities, the elderly, LGBTQ people, and veterans. These populations have disproportionate numbers of people with low incomes who qualify for CLS services. While most CLS providers serve all of these populations and target outreach to them, CLS has specific programs to address the unique legal needs of people with disabilities and the elderly.

In 2017, 50% of clients served by CLS were non-white (28% Black, 14% Hispanic, 4% Native American, and 4% Asian).

Equity and Inclusion efforts are sustainable because equity is a core value of CLS and central to our mission.

Results:

Type of Measure	Name of Measure	Previous	Current	Dates
Results	Percentage of families and individuals served who successfully resolved critical legal problems.	89% of 46,881	89% of 46,521	2015 and 2017
Results	Number of children and women who are victims of domestic violence who achieved safety.	3,910	3,342	2015 and 2017
Results	Number of families and individuals faced with foreclosure or eviction who remained housed.	4,211	4,583	2015 and 2017
Results	Number of seniors and people with disabilities who continue to live safely and independently in the community.	3,500	3,722	2015 and 2017
Quantity	Number of people obtaining education and self-help resources about legal rights and responsibilities through technological innovation.	448,842	319,764 ⁱ	2015 and 2017

ⁱ Google Analytics changed its methodology for counting page views, accounting for the reduced number in 2017.

Program: Supreme Court Operations

mncourts.gov/

AT A GLANCE

- In 2017, 108 direct appeals and 635 petitions for further review were filed with the Supreme Court.
- The Chief Justice is the administrative head of the Judicial Branch, which includes 320 justices and judges and 2,500 employees.
- The Supreme Court publicly disciplined 41 Minnesota lawyers in 2017.

PURPOSE & CONTEXT

The Supreme Court is the highest court in Minnesota, serving as the final guardian of the Minnesota Constitution and interpreting/applying the United States Constitution.

The Supreme Court is solely responsible for the regulation of the practice of law and for judicial and lawyer discipline.

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 Supreme Court conducts its adjudicative and administrative functions in support of three strategic goals to deliver its mission and to support the statewide outcome of strong families and communities:

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.

The Supreme Court serves all Minnesota citizens. The administrative and adjudicative functions of the Supreme Court support the following statewide outcomes:

- Strong and stable families and communities;
- People in Minnesota are safe; and
- Efficient and accountable government services.

SERVICES PROVIDED

The Minnesota Supreme Court considers appeals from judgments from the Court of Appeals, the Workers Compensation Court of Appeals, and the Tax Court. It hears special term matters, motions, and petitions for extraordinary relief. The Supreme Court also hears mandatory cases, including first degree murder convictions and election contests. The Court promulgates rules of practice and procedure for the legal system in the state. The Court oversees the practice of law, including admission to the Bar, lawyer and judge discipline, and continuing legal education.

The Chief Justice is responsible for supervising administrative operations of the state court system. The Chief Justice serves as the chair of the Judicial Council, the policy making body for the Judicial Branch.

The Chief Justice is assisted by the State Court Administrator’s Office, which provides the administrative infrastructure for the Judicial Branch. The State Court Administrator’s Office is responsible for providing Judicial

Branch finance, human resources, technology, education, communications, research/evaluation, caseload management and cross-district judicial assignments.

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 Supreme Court reviews performance measure results. This review is shared with the Judicial Council (the Branch’s governing body) twice a year.

The Supreme Court timing objectives identify the Court’s performance based on the case type: Mandatory/Original Cases (e.g. First Degree Murder cases and Election Contests); Discretionary Cases (e.g. appeals from judgments from the Court of Appeals, the Workers Compensation Court of Appeals, and the Tax Court); and Expedited Cases (Appeals in termination of parental rights and adoption cases).

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>FY2016</i>		<i>FY2017</i>	
		<i>Number of Cases</i>	<i>Percent that met Timing Objective</i>	<i>Number of Cases</i>	<i>Percent that met Timing Objective</i>
Quality	Mandatory/Original Cases Ninety five percent of the cases will be disposed of within 180 days of submission to the Supreme Court.	28	88%	28	88%
Quality	Discretionary Cases Ninety five percent of petitions for further review should be disposed of within sixty days of the filing of the request for review.	537	86%	551	89%
Quality	Expedited Cases Ninety five percent of expedited appeals (termination of parental rights, adoptions) should be disposed of within 25 days of filing the appeal.	20	100%	19	100%

Data are from the Judicial Branch 2016 & 2017 Performance Measures – Key Results and Measures Annual Report. The report can be found at mncourts.gov/.

The Minnesota State Constitution, Article VI, provides the legal authority for the Supreme Court. M.S. 2.724 <https://www.revisor.mn.gov/statutes/?id=2.724> provides the legal authority for the chief justice’s administrative responsibilities. M.S. 480.05 <https://www.revisor.mn.gov/statutes/?id=480.05> provides legal authority for the Supreme Court’s rule making authority. M.S. 480.13-.17 <https://www.revisor.mn.gov/statutes/?id=480> provides legal authority for the position and duties of the state court administrator.

Supreme Court Operations

Program Expenditure Overview

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base		Governor's Recommendation	
					FY20	FY21	FY20	FY21
<u>Expenditures by Fund</u>								
1000 - General	32,284	36,433	36,448	41,647	39,863	39,863	43,722	45,193
2000 - Restrict Misc Special Revenue	2,144	1,717	2,907	1,092	963	963	963	963
2403 - Gift	131	708	1,065	1,498	1,028	1,028	1,028	1,028
3000 - Federal	3,555	3,375	4,110	4,631	4,446	4,179	4,446	4,179
6000 - Miscellaneous Agency		14	18	45	45	45	45	45
Total	38,114	42,247	44,548	48,913	46,345	46,078	50,204	51,408
Biennial Change				13,100		(1,038)		8,151
Biennial % Change				16		(1)		9
Governor's Change from Base								9,189
Governor's % Change from Base								10

Expenditures by Activity

Supreme Court Operations	6,185	7,144	7,365	8,608	7,911	7,911	7,911	7,911
State Court Administration	29,730	32,859	34,896	37,818	35,981	35,714	39,840	41,044
Law Library Operations	2,200	2,244	2,287	2,487	2,453	2,453	2,453	2,453
Total	38,114	42,247	44,548	48,913	46,345	46,078	50,204	51,408

Expenditures by Category

Compensation	27,117	28,534	30,549	32,474	32,534	32,534	34,472	35,943
Operating Expenses	8,523	9,701	9,045	12,152	10,786	10,519	12,707	12,440
Grants, Aids and Subsidies	1,625	2,052	3,916	2,297	1,755	1,755	1,755	1,755
Capital Outlay-Real Property	43	159	184					
Other Financial Transaction	806	1,801	855	1,990	1,270	1,270	1,270	1,270
Total	38,114	42,247	44,548	48,913	46,345	46,078	50,204	51,408

Full-Time Equivalent

	248.57	250.47	259.49	259.49	256.49	252.39	264.99	264.99
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Supreme Court Operations

Program Financing by Fund

(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		1,567	1,000	1,868				
Direct Appropriation	33,651	35,866	37,316	39,779	39,863	39,863	43,722	45,193
Transfers In		536		179	1,163	1,163	1,163	1,163
Transfers Out		536		179	1,163	1,163	1,163	1,163
Balance Forward Out	1,367	1,000	1,868					
Expenditures	32,284	36,433	36,448	41,647	39,863	39,863	43,722	45,193
Biennial Change in Expenditures				9,378		1,631		10,820
Biennial % Change in Expenditures				14		2		14
Governor's Change from Base								9,189
Governor's % Change from Base								12
Full-Time Equivalents	221.64	223.26	228.88	229.83	226.83	222.73	235.33	235.33

2000 - Restrict Misc Special Revenue

Balance Forward In	1,338	1,159	1,144	560	260	130	260	130
Receipts	1,101	892	1,520	792	833	833	833	833
Transfers In	820	808	804					
Transfers Out	0							
Balance Forward Out	1,116	1,143	561	260	130		130	
Expenditures	2,144	1,717	2,907	1,092	963	963	963	963
Biennial Change in Expenditures				139		(2,073)		(2,073)
Biennial % Change in Expenditures				4		(52)		(52)
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents	3.30	3.68	4.45	3.50	3.50	3.50	3.50	3.50

2403 - Gift

Balance Forward In	478	4,919	4,417	3,551	2,054	1,027	2,054	1,027
Receipts	4,552	142	198	1	1	1	1	1
Balance Forward Out	4,899	4,352	3,550	2,054	1,027		1,027	
Expenditures	131	708	1,065	1,498	1,028	1,028	1,028	1,028
Biennial Change in Expenditures				1,724		(507)		(507)
Biennial % Change in Expenditures				205		(20)		(20)
Governor's Change from Base								0

Supreme Court Operations

Program Financing by Fund

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY16	FY17	FY18	FY19	FY20	FY21	FY20	FY21
Governor's % Change from Base								0

3000 - Federal

Balance Forward In	980	1,149	1,364	1,040	467	100	467	100
Receipts	3,715	3,595	3,787	4,058	4,079	4,079	4,079	4,079
Balance Forward Out	1,140	1,369	1,041	467	100		100	
Expenditures	3,555	3,375	4,110	4,631	4,446	4,179	4,446	4,179
Biennial Change in Expenditures				1,810		(116)		(116)
Biennial % Change in Expenditures				26		(1)		(1)
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents	23.63	23.53	26.16	26.16	26.16	26.16	26.16	26.16

6000 - Miscellaneous Agency

Balance Forward In	55	74	78	81	54	27	54	27
Receipts	18	18	20	18	18	18	18	18
Balance Forward Out	74	78	81	54	27		27	
Expenditures		14	18	45	45	45	45	45
Biennial Change in Expenditures				49		27		27
Biennial % Change in Expenditures						44		44
Governor's Change from Base								0
Governor's % Change from Base								0

Program: Civil and Family Legal Servicesmncourts.gov/**AT A GLANCE**

- In 2017, Civil Legal Services (CLS) served 46,521 households consisting of more than 112,000 people throughout all 87 Minnesota counties.
- There is one Civil Legal Services attorney for every 6,058 eligible clients, compared with one practicing attorney for every 324 Minnesotans.
- 18% of clients represented are seniors, 19% are people with disabilities, and 65% are women.

PURPOSE & CONTEXT

The Supreme Court administers CLS funding. There are three sources of Court-administered funding: general fund, Interest on Lawyers Trust Accounts (IOLTA), and attorney registration fees. The Court administers these funds through its Legal Services Advisory Committee. By statute, 85% of the general fund support is distributed on a poverty population basis to the Minnesota Legal Services Coalition, six regional CLS organizations that provide a full range of civil legal help in all 87 counties. The remaining 15% of general fund support is awarded on a competitive basis to CLS organizations. CLS also receives funding from federal and local government grants, foundations, the United Way, law firms, corporations, and individual private donors.

The statewide civil legal services network is a core function of the justice system. It ensures access to justice for vulnerable Minnesotans and increases efficiency in the justice system. CLS focuses on resolving civil legal matters that directly affect the basic human needs for safety, shelter, and household sustenance. All CLS clients have low incomes, disabilities, or are elderly. Network innovations to increase efficiency include expanded public access to services through technology, controlled cost through shared service coordination, and leveraging of volunteer resources.

SERVICES PROVIDED

CLS opens the doors of the justice system to the most vulnerable in our community. It creates strong and stable families and communities by helping people find solutions to civil legal disputes. In addition to the services noted in the “At a Glance” box above, CLS provided education and self-help services to nearly 319,764 additional people. CLS attorneys and advocates work from offices throughout the state, giving direct service to people in all 87 Minnesota counties. CLS also developed, and is continuously expanding, a public internet resource, www.LawHelpMN.org. This website has dozens of self-help resources including easy-to-use legal forms, and is used by the court system, public libraries, social service agencies, and the general public. It is preparing to launch an improved referral system and an online triage system to improve the efficiency and effectiveness of guiding potential clients to the best resource to address their legal issues.

CLS priorities include [1] helping victims of domestic violence achieve safety; [2] preserving housing stability and preventing homelessness due to improper eviction or foreclosure; [3] protecting vulnerable Minnesotans from financial exploitation; and [4] maximizing the ability of people who are elderly or have disabilities to live safely and independently in their community. An essential part of the state’s domestic violence intervention system, CLS gives legal help to women and children served by the state’s network of domestic violence shelters and support programs. CLS has a similar relationship with social service systems that address homelessness or independent living for seniors or people with disabilities. The CLS partnership with the justice system is also critical. CLS creates efficiencies in the justice system by redirecting cases that are without merit or can be resolved in another manner, and by ensuring efficient use of the courts when CLS clients come before a judge.

CLS also creates efficiency by providing essential infrastructure to leverage and support volunteer attorneys through training, mentoring, www.ProJusticeMN.org, and a new volunteer program Minnesota Legal Advice Online (MLAO). Finally and critically, CLS has an active working group focused on maximizing coordination in CLS intake and referral processes, while also partnering with the Judicial Branch in the Justice for All project, now in its implementation phase with support from the National Center for State Courts.

CLS in Minnesota is forced to turn away 60 percent (3 out of 5) of eligible clients seeking its services due to lack of resources. The inability of CLS to meet the demand for its services to meet critical human needs has been persistent. CLS continues to create efficiencies through technological innovations, coordination, and leveraging volunteers to serve more eligible families and individuals, but the need for services far exceeds the capacity of CLS.

RESULTS

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Previous</i>	<i>Current</i>	<i>Dates</i>
Results	Percentage of families and individuals served who successfully resolved critical legal problems.	89% of 46,881	89% of 46,521	2015 and 2017
Results	Number of children and women who are victims of domestic violence who achieved safety.	3,910	3,342	2015 and 2017
Results	Number of families and individuals faced with foreclosure or eviction who remained housed.	4,211	4,583	2015 and 2017
Results	Number of seniors and people with disabilities who continue to live safely and independently in the community.	3,500	3,722	2015 and 2017
Quantity	Number of people obtaining education and self-help resources about legal rights and responsibilities through technological innovation.	448,842	319,764 ⁱ	2015 and 2017

M.S. 480.24 to 480.244 provides the legal authority for Civil and Family Legal Services.

(<https://www.revisor.mn.gov/statutes/cite/480.24>) (<https://www.revisor.mn.gov/statutes/cite/480.242>)

(<https://www.revisor.mn.gov/statutes/cite/480.243>) (<https://www.revisor.mn.gov/statutes/cite/480.244>)

ⁱ Google analytics changed its methodology for counting page views, accounting for the reduced number in 2017.

Civil Legal Services

Program Expenditure Overview

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base		Governor's Recommendation	
					FY20	FY21	FY20	FY21
<u>Expenditures by Fund</u>								
1000 - General	13,145	13,173	13,705	13,735	13,720	13,720	15,366	16,288
2000 - Restrict Misc Special Revenue	2,027	2,068	2,080	2,277	2,277	2,275	2,277	2,275
Total	15,172	15,241	15,785	16,012	15,997	15,995	17,643	18,563
Biennial Change				1,383		195		4,409
Biennial % Change				5		1		14
Governor's Change from Base								4,214
Governor's % Change from Base								13

Expenditures by Activity

Legal Services	15,172	15,241	15,785	16,012	15,997	15,995	17,643	18,563
Total	15,172	15,241	15,785	16,012	15,997	15,995	17,643	18,563

Expenditures by Category

Compensation	108	114	120	200	200	200	200	200
Operating Expenses	26	29	75					
Grants, Aids and Subsidies	15,038	15,098	15,590	15,812	15,797	15,795	17,443	18,363
Total	15,172	15,241	15,785	16,012	15,997	15,995	17,643	18,563

Full-Time Equivalents

1.00								
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Civil Legal Services

Program Financing by Fund

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base		Governor's Recommendation	
					FY20	FY21	FY20	FY21
1000 - General								
Balance Forward In		28	0	15				
Direct Appropriation	13,145	13,145	13,720	13,720	13,720	13,720	15,366	16,288
Cancellations		0						
Balance Forward Out	0		15					
Expenditures	13,145	13,173	13,705	13,735	13,720	13,720	15,366	16,288
Biennial Change in Expenditures				1,122		0		4,214
Biennial % Change in Expenditures				4		0		15
Governor's Change from Base								4,214
Governor's % Change from Base								15

2000 - Restrict Misc Special Revenue

Balance Forward In	619	614	594	529	352	175	352	175
Receipts	2,022	2,017	2,014	2,100	2,100	2,100	2,100	2,100
Balance Forward Out	614	562	529	352	175		175	
Expenditures	2,027	2,068	2,080	2,277	2,277	2,275	2,277	2,275
Biennial Change in Expenditures				261		195		195
Biennial % Change in Expenditures				6		4		4
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00

(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 16.588 (Funds pass through the Dept. of Public Safety)	Point of Contact Position Federal funds to support a position advising the SCAO on topics of domestic and sexual violence. Funds pass through the Dept. of Public Safety for distribution.	No	103	87	87	87	Yes	1.0
	Budget Activity Total: Supreme Court		103	87	87	87		10.
Dept. of Health & Human Services 93.563 (Funds pass through the Department of Human Services)	Expedited Child Support Program Payments for the federal share (66%) of Expedited Child Support. Expenditures include costs for personnel, magistrates, and operations.	No	3,610	4,241	4,056	3,789	Yes	22.93
Dept. of Health & Human Services 93.586	Court Improvement Program Expenditures for the Children Justice Initiative Grant. These grants are awarded to the state from the Federal Department of Human Services Administration for Children and Families.	No	398	288	288	288	No	2.23
Dept. of Justice N/A	State Justice Institute – Technology Enhanced Learning 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	0	15	15	15	N/A	0
	Budget Activity Total: State Court Administration		4,008	4,544	4,359	4,092		25.16
	Program Total: Supreme Court Operations		4,111	4,631	4,446	4,179		26.16
	Federal Fund – Agency Total		4,111	4,631	4,446	4,179		26.16

Narrative

In FY20 and FY21 the Supreme Court will continue to receive federal funding for Child Support and the Court Improvement Program. The Order for Protection database grant ended in FY14 and was replaced by the Stop Violence Against Women Act for a Point of Contact position grant. This grant has a state match of approximately 30%. The Expedited Child Support Program funds magistrates, personnel, and operating costs. 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 Court Improvement Program improves the processing of child protection cases and the outcomes for abused and neglected children. Estimates were based on past funding. Grants that will be ending did not include revenue projected past the end date.