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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 2019, 95 direct appeals and 620 petitions for further review were filed with the Supreme Court.
- The Chief Justice is the administrative head of the Judicial Branch, which includes 321 justices and judges and 2,500 employees.

The Supreme Court serves all Minnesota citizens.

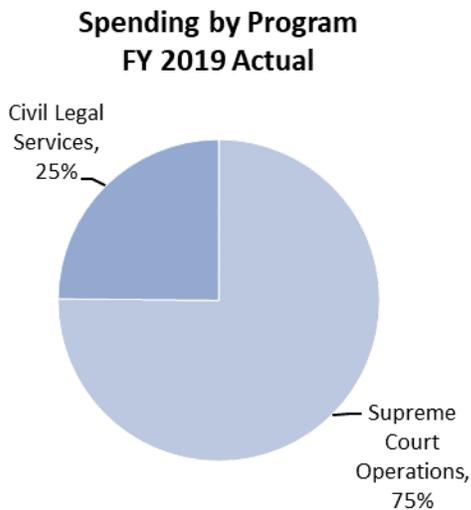
PURPOSE

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.

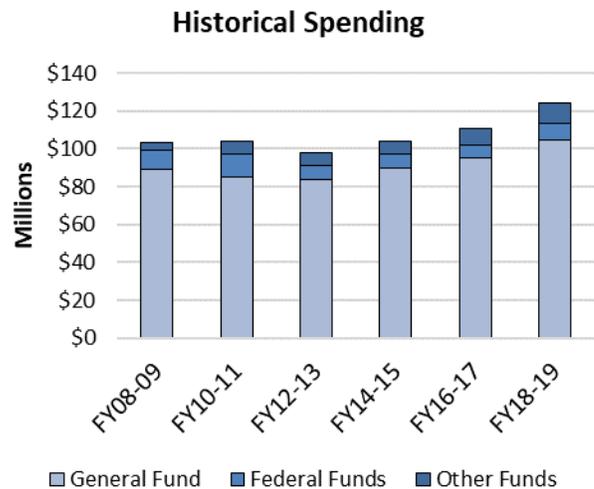
The Supreme Court has original jurisdiction in remedial cases as prescribed by law, appellate jurisdiction over all cases, and supervisory jurisdiction over all courts in the state. Election contests and appeals for first-degree murder cases are automatically appealed to the Supreme Court. The Supreme 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.

BUDGET



Source: Budget Planning & Analysis System (BPAS)



Source: Consolidated Fund Statement

The Supreme Court expended \$64 million in FY 2019. Of this amount, \$55 million (86%) was from state general fund appropriations. The remaining \$9 million (14%) was 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:

1. *Access to Justice – A justice system that is open, affordable, understandable, and provides appropriate levels of service to all users.*
Ensuring access to justice for all is an enduring commitment for Minnesota's court system. It is also an increasingly challenging concern given changing court customer expectations, shifting demographics and increased competition for scarce resources. Ensuring access to justice also requires keeping our courthouses safe. Ensuring the justice system is open, affordable, effective and accountable to the people it serves.
2. *Effective Administration of Justice - A justice system that adopts approaches and processes for the fair and just resolution of all cases.*
Over the last two decades, Minnesota courts have worked diligently to become increasingly efficient and effective. The Judicial Branch is focused on being a well-managed court system that seeks innovative ways to promote justice for individual litigants in individual cases.
3. *Public Trust and Accountability - A justice system that engenders public trust and confidence through impartial decision-making and accountability for the use of public resources.*
The Judicial Branch is accountable to the public. An overwhelming majority of Minnesotans have confidence in the state's judicial branch as an institution. It is critical that the Judicial Branch maintain and continuously improve public trust and accountability. The Judicial Branch must meet this challenge by collaborating with court customers to eliminate disparities in the court system.

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, 2016. 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 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).

Type of Measure	Name of Measure	FY2018		FY2019	
		Number of Cases	Percent that met Timing Objective	Number of Cases	Percent that met Timing Objective
Results	Mandatory/Original Cases Ninety five percent of the cases will be disposed of within 180 days of submission to the Supreme Court.	78	85%	58	87%
Results	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.	556	95%	526	89%
Results	Expedited Cases Ninety five percent of expedited appeals (termination of parental rights, adoptions) should be disposed of within 25 days of filing the appeal.	17	90%	19	95%

Data are from the *Judicial Branch 2018 & 2019 Performance Measures – Key Results and Measures Annual Reports*. The reports can be found at www.mncourts.gov.

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>.

Supreme Court

Agency Expenditure Overview

(Dollars in Thousands)

	Actual FY18	Actual FY19	Actual FY20	Estimate FY21	Forecast Base	
					FY22	FY23
<u>Expenditures by Fund</u>						
1000 - General	50,153	54,875	54,070	59,792	56,502	56,502
2000 - Restrict Misc Special Revenue	4,987	2,959	3,715	4,737	4,290	4,290
2001 - Other Misc Special Revenue				22	22	22
2403 - Gift	1,065	1,253	1,075	1,178	149	148
3000 - Federal	4,110	4,584	4,779	5,782	4,821	4,821
3010 - Coronavirus Relief				3,500		
6000 - Miscellaneous Agency	18	21	19			
Total	60,333	63,691	63,658	75,011	65,784	65,783
Biennial Change				14,645		(7,102)
Biennial % Change				12		(5)

Expenditures by Program

Supreme Court Operations	44,548	47,866	46,819	54,471	48,890	48,889
Civil Legal Services	15,785	15,824	16,839	20,540	16,894	16,894
Total	60,333	63,691	63,658	75,011	65,784	65,783

Expenditures by Category

Compensation	30,669	32,661	35,037	36,838	36,522	36,522
Operating Expenses	9,119	11,314	8,859	13,097	9,437	9,437
Grants, Aids and Subsidies	19,506	17,482	19,079	23,290	18,687	18,686
Capital Outlay-Real Property	184	195	45			
Other Financial Transaction	855	2,040	638	1,786	1,138	1,138
Total	60,333	63,691	63,658	75,011	65,784	65,783

Full-Time Equivalent

	260.49	269.03	276.70	276.66	270.72	265.81
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Supreme Court

Agency Financing by Fund

(Dollars in Thousands)

	Actual FY18	Actual FY19	Actual FY20	Estimate FY21	Forecast Base	
					FY22	FY23
1000 - General						
Balance Forward In	1,000	2,270	0	2,297		
Direct Appropriation	51,036	53,499	56,367	57,495	56,502	56,502
Transfers In		616			750	750
Transfers Out		616			750	750
Cancellations		894				
Balance Forward Out	1,883		2,297			
Expenditures	50,153	54,875	54,070	59,792	56,502	56,502
Biennial Change in Expenditures				8,833		(858)
Biennial % Change in Expenditures				8		(1)
Full-Time Equivalents	228.88	234.64	241.32	241.32	235.38	230.47

2000 - Restrict Misc Special Revenue

Balance Forward In	1,738	1,140	1,913	2,669	1,777	1,332
Receipts	3,534	3,728	4,470	3,845	3,845	3,845
Transfers In	804					
Balance Forward Out	1,089	1,909	2,668	1,777	1,332	887
Expenditures	4,987	2,959	3,715	4,737	4,290	4,290
Biennial Change in Expenditures				507		128
Biennial % Change in Expenditures				6		2
Full-Time Equivalents	5.45	5.47	5.46	5.46	5.46	5.46

2001 - Other Misc Special Revenue

Receipts				22	22	22
Expenditures				22	22	22
Biennial Change in Expenditures				22		22
Biennial % Change in Expenditures						

2403 - Gift

Balance Forward In	4,417	3,553	2,388	1,361	305	228
Receipts	198	73	48	122	72	72
Balance Forward Out	3,550	2,373	1,362	305	228	152
Expenditures	1,065	1,253	1,075	1,178	149	148
Biennial Change in Expenditures				(65)		(1,956)

Supreme Court

Agency Financing by Fund

(Dollars in Thousands)

	Actual FY18	Actual FY19	Actual FY20	Estimate FY21	Forecast Base	
					FY22	FY23
Biennial % Change in Expenditures				(3)		(87)
Full-Time Equivalents		0.11	0.04			

3000 - Federal

Balance Forward In	1,364	1,078	927	961		
Receipts	3,787	4,313	4,814	4,821	4,821	4,821
Balance Forward Out	1,041	807	961			
Expenditures	4,110	4,584	4,779	5,782	4,821	4,821
Biennial Change in Expenditures				1,868		(919)
Biennial % Change in Expenditures				21		(9)
Full-Time Equivalents	26.16	28.81	29.88	29.88	29.88	29.88

3010 - Coronavirus Relief

Direct Appropriation				3,500	0	0
Expenditures				3,500		
Biennial Change in Expenditures				3,500		(3,500)
Biennial % Change in Expenditures						

6000 - Miscellaneous Agency

Balance Forward In	78	82	81			
Receipts	20	20	19			
Transfers Out			81			
Balance Forward Out	81	81				
Expenditures	18	21	19			
Biennial Change in Expenditures				(19)		(19)
Biennial % Change in Expenditures				(50)		

(Dollars in Thousands)

	FY21	FY22	FY23	Biennium 2022-23
Direct				
Fund: 1000 - General				
FY2021 Appropriations	57,495	57,495	57,495	114,990
Base Adjustments				
Program or Agency Sunset		(993)	(993)	(1,986)
Forecast Base	57,495	56,502	56,502	113,004
Fund: 3010 - Coronavirus Relief				
FY2021 Appropriations	3,500	3,500	3,500	7,000
Base Adjustments				
All Other One-Time Appropriations		(3,500)	(3,500)	(7,000)
Forecast Base	3,500	0	0	0
Dedicated				
Fund: 2000 - Restrict Misc Special Revenue				
Planned Spending	4,737	4,290	4,290	8,580
Forecast Base	4,737	4,290	4,290	8,580
Fund: 2001 - Other Misc Special Revenue				
Planned Spending	22	22	22	44
Forecast Base	22	22	22	44
Fund: 2403 - Gift				
Planned Spending	1,178	149	148	297
Forecast Base	1,178	149	148	297
Fund: 3000 - Federal				
Planned Spending	5,782	4,821	4,821	9,642
Forecast Base	5,782	4,821	4,821	9,642
Revenue Change Summary				
Dedicated				
Fund: 2000 - Restrict Misc Special Revenue				
Forecast Revenues	3,845	3,845	3,845	7,690
Fund: 2001 - Other Misc Special Revenue				
Forecast Revenues	22	22	22	44

(Dollars in Thousands)

	FY21	FY22	FY23	Biennium 2022-23
Fund: 2403 - Gift				
Forecast Revenues	122	72	72	144
Fund: 3000 - Federal				
Forecast Revenues	4,821	4,821	4,821	9,642
<i>Non-Dedicated</i>				
Fund: 1000 - General				
Forecast Revenues	476	476	476	952

Program: Supreme Court Operations

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AT A GLANCE

- In 2019, 95 direct appeals and 620 petitions for further review were filed with the Supreme Court.
- The Chief Justice is the administrative head of the Judicial Branch, which includes 321 justices and judges and 2,500 employees.
- The Supreme Court publicly disciplined 35 Minnesota lawyers in 2019, 5 lawyers were disbarred.

PURPOSE AND 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:

1. *Access to Justice – A justice system that is open, affordable, understandable, and provides appropriate levels of service to all users.*
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The Judicial Branch is accountable to the public. An overwhelming majority of Minnesotans have confidence in the state’s judicial branch as an institution. It is critical that the Judicial Branch maintain and continuously improve public trust and accountability. The Judicial Branch must meet this challenge by collaborating with court customers to eliminate disparities in the court system.

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 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.

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.

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RESULTS

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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>FY2018</i>		<i>FY2019</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>
Results	Mandatory/Original Cases Ninety five percent of the cases will be disposed of within 180 days of submission to the Supreme Court.	78	85%	58	87%
Results	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.	556	95%	526	89%
Results	Expedited Cases Ninety five percent of expedited appeals (termination of parental rights, adoptions) should be disposed of within 25 days of filing the appeal.	17	90%	19	95%

Data are from the *Judicial Branch 2018 & 2019 Performance Measures – Key Results and Measures Annual Reports*. The reports can be found at www.mncourts.gov.

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>.

Supreme Court Operations

Program Expenditure Overview

(Dollars in Thousands)

	Actual FY18	Actual FY19	Actual FY20	Estimate FY21	Forecast Base	
					FY22	FY23
<u>Expenditures by Fund</u>						
1000 - General	36,448	41,140	39,350	45,072	41,782	41,782
2000 - Restrict Misc Special Revenue	2,907	869	1,596	2,417	2,116	2,116
2001 - Other Misc Special Revenue				22	22	22
2403 - Gift	1,065	1,253	1,075	1,178	149	148
3000 - Federal	4,110	4,584	4,779	5,782	4,821	4,821
6000 - Miscellaneous Agency	18	21	19			
Total	44,548	47,866	46,819	54,471	48,890	48,889
Biennial Change				8,875		(3,511)
Biennial % Change				10		(3)

Expenditures by Activity

Supreme Court Operations	7,365	8,020	8,744	9,578	8,517	8,516
State Court Administration	34,896	37,389	35,600	42,319	37,811	37,811
Law Library Operations	2,287	2,457	2,475	2,574	2,562	2,562
Total	44,548	47,866	46,819	54,471	48,890	48,889

Expenditures by Category

Compensation	30,549	32,472	34,832	36,618	36,302	36,302
Operating Expenses	9,045	11,302	8,849	13,097	9,437	9,437
Grants, Aids and Subsidies	3,916	1,858	2,454	2,970	2,013	2,012
Capital Outlay-Real Property	184	195	45			
Other Financial Transaction	855	2,040	638	1,786	1,138	1,138
Total	44,548	47,866	46,819	54,471	48,890	48,889

Full-Time Equivalent

	259.49	267.19	274.74	274.70	268.76	263.85
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Supreme Court Operations

Program Financing by Fund

(Dollars in Thousands)

	Actual FY18	Actual FY19	Actual FY20	Estimate FY21	Forecast Base	
					FY22	FY23
1000 - General						
Balance Forward In	1,000	2,255		2,297		
Direct Appropriation	37,316	39,779	41,647	42,775	41,782	41,782
Transfers In		616			750	750
Transfers Out		616			750	750
Cancellations		894				
Balance Forward Out	1,868		2,297			
Expenditures	36,448	41,140	39,350	45,072	41,782	41,782
Biennial Change in Expenditures				6,833		(858)
Biennial % Change in Expenditures				9		(1)
Full-Time Equivalents	228.88	234.64	241.32	241.32	235.38	230.47

2000 - Restrict Misc Special Revenue

Balance Forward In	1,144	603	1,368	2,153	1,481	1,110
Receipts	1,520	1,633	2,380	1,745	1,745	1,745
Transfers In	804					
Balance Forward Out	561	1,366	2,153	1,481	1,110	739
Expenditures	2,907	869	1,596	2,417	2,116	2,116
Biennial Change in Expenditures				236		219
Biennial % Change in Expenditures				6		5
Full-Time Equivalents	4.45	3.63	3.50	3.50	3.50	3.50

2001 - Other Misc Special Revenue

Receipts				22	22	22
Expenditures				22	22	22
Biennial Change in Expenditures				22		22
Biennial % Change in Expenditures						

2403 - Gift

Balance Forward In	4,417	3,553	2,388	1,361	305	228
Receipts	198	73	48	122	72	72
Balance Forward Out	3,550	2,373	1,362	305	228	152
Expenditures	1,065	1,253	1,075	1,178	149	148
Biennial Change in Expenditures				(65)		(1,956)

Supreme Court Operations

Program Financing by Fund

(Dollars in Thousands)

	Actual FY18	Actual FY19	Actual FY20	Estimate FY21	Forecast Base	
					FY22	FY23
Biennial % Change in Expenditures				(3)		(87)
Full-Time Equivalents		0.11	0.04			

3000 - Federal

Balance Forward In	1,364	1,078	927	961		
Receipts	3,787	4,313	4,814	4,821	4,821	4,821
Balance Forward Out	1,041	807	961			
Expenditures	4,110	4,584	4,779	5,782	4,821	4,821
Biennial Change in Expenditures				1,868		(919)
Biennial % Change in Expenditures				21		(9)
Full-Time Equivalents	26.16	28.81	29.88	29.88	29.88	29.88

6000 - Miscellaneous Agency

Balance Forward In	78	82	81			
Receipts	20	20	19			
Transfers Out			81			
Balance Forward Out	81	81				
Expenditures	18	21	19			
Biennial Change in Expenditures				(19)		(19)
Biennial % Change in Expenditures				(50)		

Program: Civil and Family Legal Serviceswww.mncourts.gov**AT A GLANCE**

- In 2019, Civil Legal Services served 44,920 households consisting of more than 112,433 people throughout all 87 Minnesota counties.
- There is one Civil Legal Services attorney for every 5,773 eligible clients, compared with one private practice attorney for every 432 Minnesotans above legal aid income guidelines.
- 60% of clients represented are Black, Indigenous, and People of Color, 11% are seniors, 15% are people with disabilities, and 62% are women.

PURPOSE AND CONTEXT

The Supreme Court administers Civil Legal Services (CLS) funding. There are three sources of Supreme Court-administered CLS funding: the general fund, Interest on Lawyers Trust Accounts, 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 (“the Coalition”), six regional CLS organizations that provide a full range of civil legal help in all 87 Minnesota counties. The remaining 15% of general fund support is awarded on a competitive basis to CLS organizations through a grantmaking process. CLS also receives funding from federal and local government grants, philanthropic foundations, United Way, private law firms, corporations, and individual private donors.

The statewide civil legal services network is a core function of the justice system. The network delivers justice to vulnerable Minnesotans and increases efficiency in the civil legal system. CLS focuses on resolving civil legal matters that directly affect the basic human needs for economic security, personal safety, shelter, and household sustenance. All CLS clients have low incomes, live with disabilities, or are elderly. A disproportionately high number of CLS clients are Black, Indigenous, and People of Color (BIPOC). Network innovations to increase efficiency in serving historically marginalized and rural communities throughout the state 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 people in communities throughout all 87 Minnesota counties. CLS creates strong and stable families and communities by helping people find solutions to civil legal disputes and delivering legal representation and advice. In 2019, CLS provided legal representation and advice to 44,920 households consisting of 112,433 people throughout all 87 Minnesota counties. Sixty percent (60%) of clients represented are BIPOC, 11% are seniors, 15% are people with disabilities, and 62% are women. Additionally, CLS provided education and self-help services to nearly 525,182 people counting unique visitors to the www.LawHelpMN.org website. CLS attorneys and advocates work from offices throughout the state, enabling direct service to people in all 87 Minnesota counties. CLS is continuously innovating and expanding the www.LawHelpMN.org website, most recently re-designing the site to include an online triage portal for people seeking legal help and information. The online triage system has improved the efficiency and effectiveness of the delivering resources to the people of Minnesota, guiding potential clients to the best available resource to address their legal problems. The self-help resources on the website include plain language fact sheets and easy-to-use legal forms. The website is used by the court system, public libraries, social service agencies, and the general public.

CLS priorities include [1] preserving housing stability and preventing homelessness due to improper eviction or foreclosure; [2] helping victims of domestic violence achieve safety; [3] maximizing the ability of people who are elderly or have disabilities to live safely and independently in their community; [4] ensuring that Minnesotans have health care and financial security; and [5] protecting people from financial exploitation. 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 Minnesota Judicial Branch is also critical. CLS creates efficiencies in the state court 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 Minnesota Legal Advice Online (MLAO). Finally, and critically, CLS has been engaged in nearly three years of action planning to maximize coordination in CLS intake and referral processes, driving toward the rollout of centralized phone intake through a 1-800 number, which will direct cases to coordinated intake hubs to open cases.

CLS organizations can operate in a virtual environment and continue to deliver legal representation services during disasters and emergencies, as CLS is presently doing during the COVID-19 pandemic. The Coalition’s expertise in legal advocacy for people in poverty is critical to a meaningful statewide response to address Minnesotans’ civil legal needs in the face of the ongoing, unprecedented public health emergency and economic crisis caused by the COVID-19 pandemic.

There is one CLS attorney for every 5,773 CLS-eligible clients, compared with one practicing attorney for every 432 Minnesotans above CLS income guidelines. 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	Number of families and individuals receiving legal representation.	46,521	44,920	2017 and 2019
Results	Number of children and women who are victims of domestic violence who achieved safety.	3,342	3,416	2017 and 2019
Results	Number of families and individuals faced with foreclosure or eviction who remained housed or have improved housing conditions.	4,583	5,376	2017 and 2019
Results	Number of seniors and people with disabilities receiving legal representation.	16,804	16,906	2017 and 2019
Quantity	Number of people obtaining education and self-help resources about legal rights and responsibilities through technological innovation.	319,764	525,182	2017 and 2019

Minn. Stat. §§ 480.24 to 480.244 provides the legal authority for Civil and Family Legal Services.

Civil Legal Services

Program Expenditure Overview

(Dollars in Thousands)

	Actual FY18	Actual FY19	Actual FY20	Estimate FY21	Forecast Base	
					FY22	FY23
<u>Expenditures by Fund</u>						
1000 - General	13,705	13,735	14,720	14,720	14,720	14,720
2000 - Restrict Misc Special Revenue	2,080	2,089	2,119	2,320	2,174	2,174
3010 - Coronavirus Relief				3,500		
Total	15,785	15,824	16,839	20,540	16,894	16,894
Biennial Change				5,770		(3,591)
Biennial % Change				18		(10)

Expenditures by Activity

Legal Services	15,785	15,824	16,839	20,540	16,894	16,894
Total	15,785	15,824	16,839	20,540	16,894	16,894

Expenditures by Category

Compensation	120	189	204	220	220	220
Operating Expenses	75	12	9			
Grants, Aids and Subsidies	15,590	15,624	16,625	20,320	16,674	16,674
Total	15,785	15,824	16,839	20,540	16,894	16,894

Full-Time Equivalent

	1.00	1.84	1.96	1.96	1.96	1.96
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Civil Legal Services

Program Financing by Fund

(Dollars in Thousands)

	Actual FY18	Actual FY19	Actual FY20	Estimate FY21	Forecast Base	
					FY22	FY23
1000 - General						
Balance Forward In	0	15	0			
Direct Appropriation	13,720	13,720	14,720	14,720	14,720	14,720
Cancellations		0				
Balance Forward Out	15		0			
Expenditures	13,705	13,735	14,720	14,720	14,720	14,720
Biennial Change in Expenditures				2,000		0
Biennial % Change in Expenditures				7		0

2000 - Restrict Misc Special Revenue

Balance Forward In	594	537	545	516	296	222
Receipts	2,014	2,095	2,090	2,100	2,100	2,100
Balance Forward Out	529	543	516	296	222	148
Expenditures	2,080	2,089	2,119	2,320	2,174	2,174
Biennial Change in Expenditures				270		(91)
Biennial % Change in Expenditures				6		(2)
Full-Time Equivalent	1.00	1.84	1.96	1.96	1.96	1.96

3010 - Coronavirus Relief

Direct Appropriation				3,500	0	0
Expenditures				3,500		
Biennial Change in Expenditures				3,500		(3,500)
Biennial % Change in Expenditures						



THE SUPREME COURT OF MINNESOTA
MINNESOTA JUDICIAL CENTER
25 REV. DR. MARTIN LUTHER KING JR. BLVD.
SAINT PAUL, MINNESOTA 55155

CHAMBERS OF
LORIE S. GILDEA
CHIEF JUSTICE

(651) 296-3380

October 13, 2020

Governor Tim Walz
Office of the Governor and Lieutenant Governor
321 State Capitol
75 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, MN 55155

Commissioner Jim Schowalter
Minnesota Management & Budget
658 Cedar Street
Saint Paul, MN 55155

Dear Governor Walz and Commissioner Schowalter:

On behalf of the people of Minnesota and the members of the Minnesota Judicial Branch, I transmit the Judicial Branch's FY22-23 biennial budget request. The budget request is focused on:

- Ensuring access, fairness, and equity in the judicial system;
- Recognizing the vital role judges and employees have in ensuring access to justice; and
- Maintaining the quality and capacity of employees and judges necessary to effectively and efficiently address a growing caseload and long-term impacts from the pandemic.

The Judicial Branch requests \$17.726 million, a modest increase of 2.4 percent, over our biennial base budget. We recognize the severe fiscal challenges facing our state. To that end, we are presenting a two-part budget that reflects this difficult challenge, yet makes investments in core judicial operations that will help ensure the fair and timely resolution of cases and controversies.

- In FY22, the Judicial Branch requests \$2.802 million in new funding to cover the employer-share of unavoidable health care cost increases. Without additional funding, the Judicial Branch would need to divert funding from other court functions to pay for these cost increases.
- In FY23, the Judicial Branch requests \$8.876 million in new funding for a 3% compensation pool increase for employees and a 3% salary increase for judges. We also request \$6.048 million to offset employer health care cost increases.

Governor Tim Walz
Commissioner Jim Schowalter
October 13, 2020
Page 2

This request does not fully address every funding need facing Minnesota's courts, but it does prioritize the Judicial Branch's most important asset: our people. As the economy improves and the state returns to a more solid fiscal footing, we look forward to working collaboratively with you to address other needed investments in the Judicial Branch, such as additional judgeships and enhanced cyber and courthouse security.

In the meantime, and despite being challenged this year in our ability to fulfill our constitutional responsibilities, the state's courts never stopped working. We preserved an open door for justice by transforming services and operations.

For example, there are more than 4,000 remote and in-person hearings taking place each day in Minnesota's courts. District courts in all 87 counties have restarted criminal jury trials. As of September 30, 82 jury trials have been completed. Civil jury trials have also begun to take place and are anticipated to increase in December. There is at least one public service counter open in each courthouse in Minnesota. We also increased access to online services so people, particularly those who represent themselves in legal matters, could ask questions and receive support from our Court Payment Center and Self-Help Centers.

We are proud of the work we have accomplished and recognize the challenges that lie ahead, which include a growing case backlog. To protect the rights of our citizens, and to ensure prompt services and efficient dispute resolution, the Judicial Branch must maintain the ability to retain and recruit qualified and skilled staff and judges. Our budget request is designed with that goal in mind.

The courts are one of the first promises made in our Constitution. A fully-functioning court system is essential to safeguarding our democracy, securing the rule of law, and ensuring public safety. We appreciate your past support, and ask again for your support for the Judicial Branch's FY22-23 budget request so that we are able to continue to meet our constitutional obligation and preserve an open door for justice in Minnesota.

Sincerely,



Lorie S. Gildea
Chief Justice

Supreme Court

FY 2022-23 Biennial Budget Change Item

Change Item Title: Maintain Core Justice Operations

Fiscal Impact (\$000s)	FY 2022	FY 2023	FY 2024	FY 2025
General Fund				
Expenditures	306	1,800	1,800	1,800
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	306	1,800	1,800	1,800
FTEs	4.2	9.1	9.1	9.1

Request:

Maintain Core Justice Operations.

The Judicial Branch seeks \$2,106,000 in the FY2022-23 biennium to increase the compensation of Supreme Court justices by 0% in FY2022 and 3% in FY2023, provide a 0% compensation pool for employees in FY2022 and 3% compensation pool in FY2023, and to fund unavoidable health insurance premium increases in each year. The request represents a 2.52% increase in the Supreme Court biennial base budget. The request maintains the current complement of employees.

Rationale/Background:

The budget request is focused on:

- Ensuring access, fairness and equity in the judicial system;
- Recognizing the vital role judges and employees have in ensuring access to justice; and
- Helping to maintain the quality and capacity of employees and judges necessary to effectively and efficiently address a growing caseload and long-term impacts from the pandemic.

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.

In recognition of the severe fiscal challenges facing our state, the request provides for a two-part budget increase that reflects this difficult challenge yet makes investments in core judicial operations that will help ensure the fair and timely resolution of cases and controversies.

The Supreme Court also requests funding for unavoidable health insurance increases. Health insurance premiums are estimated to increase by 5.32% in 2022 and 5.35% in 2023. 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 the increases without additional funding.

Proposal:

The FY2022-23 biennial budget request maintains the current level of services provided by the Judicial Branch. Without new funding to the employer-share of unavoidable health care cost increases, the Judicial Branch would need to divert funding from other court functions to pay for these cost increases. The salary increases in the second

year of the biennium are meant to continue efforts to protect the rights of our citizens, ensure prompt services, and efficient dispute resolution, through the Branch's ability to retain and recruit qualified, skilled staff and judges.

Impact on Children and Families:

- The change level request does not directly impact children and families.
- There are no potential positive or negative impacts on children and families.
- 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.

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.

IT Related Proposals:

This request contains no information technology recommendation.

Supreme Court

FY 2022-23 Biennial Budget Change Item

Change Item Title: Civil Legal Services

Fiscal Impact (\$000s)	FY 2022	FY 2023	FY 2024	FY 2025
General Fund				
Expenditures	2,208	3,478	3,478	3,478
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	2,208	3,478	3,478	3,478
FTEs	0	0	0	0

Request:

Civil Legal Services (CLS), a core function that ensures our legal system delivers justice to Minnesotans statewide, requests an increase of \$2,208,000 to its base funding in both years of the 2022-2023 biennium, along with an additional \$1,270,000 increase in the second year of the 2022-2023 biennium. The total requested increase for CLS for the 2022-2023 biennium is \$5,686,000. This increase will continue the improvement of legal outcomes and enhance services to Minnesotans with low incomes or disabilities, or who are elderly, including a disproportionately high number of Black, Indigenous, and People of Color (BIPOC), who need civil legal help to meet their basic human needs. The requested increase will be used for compensation enhancement for CLS attorneys, whose salaries are significantly lower than their public sector counterparts, a problem that has become a crisis for CLS statewide. CLS programs' total collective budget, including the appropriation, is \$45,386,820. The requested increase would be 4.6% of all CLS funding in FY 2022 and 7.1% of all CLS funding in FY 2023.

Rationale/Background:

CLS opens the doors of the legal system and delivers justice to the most vulnerable people in Minnesota communities statewide. The client communities CLS serves – including BIPOC, the elderly, people with disabilities, and families with low incomes – have experienced disproportionate harm as a result of the ongoing COVID-19 pandemic and public health emergency. Demand for CLS services is increasing, as Minnesotans seek help for civil legal problems arising out of the pandemic. The increased need for help in areas such as housing stability and homelessness prevention, consumer protection, and domestic violence safety advocacy, will only continue as the economic fallout of the pandemic continues to disproportionately affect the Minnesotans CLS serves.

CLS attorneys are the go-to experts for resolving the various civil legal problems visited on people in times of economic crisis. CLS creates strong and stable families and communities by helping people find solutions to civil legal disputes. CLS helps victims of domestic violence achieve safety, preserves housing stability and prevents homelessness caused by illegal and improper evictions and foreclosures, 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 increases efficiency in the state court 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 nationally recognized website www.LawHelpMN.org, which serves as a free resource to all Minnesotans statewide. 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 that, for every dollar invested in CLS, CLS returns nearly \$4 to

communities statewide. Additionally, in 2019, CLS used legal representation to protect or to recover more than \$20,418,114 in child support, household financial support, and public benefits for Minnesotans statewide.

Inadequate financial resources for CLS to provide legal representation to meet the demand for its services and to address critical human needs has been persistent for decades. Presently, CLS is forced to turn away over half of eligible clients seeking its services due to lack of resources. The lack of available financial resources has also resulted in a CLS compensation deficit crisis. Presently, the average starting salary for CLS attorneys is \$50,335. To illustrate the CLS compensation deficit crisis, this is 76.5% of the current starting salary of \$65,800 for public defenders. This compensation deficit widens as CLS attorneys and public defenders become more experienced. For example, CLS attorneys with 7 years of experience have average annual salaries of \$56,987, and those with 10 years of experience have average annual salaries of \$60,428, which are 8.2%-13.4% lower than the salaries of first-year public defenders.

To illustrate the problem more broadly, here is a list of starting salaries for attorney and non-attorney positions who work as part of the legal and social services systems alongside CLS attorneys:

2020 Starting Staff Attorney Salaries

Ramsey County Attorney - \$67,131
Minnesota Assistant Public Defender - \$65,800
Minnesota Judicial Branch Associate Attorney - \$62,598
Minnesota Judicial Branch Law Clerk - \$56,000

2020 Starting Salaries for Non-Attorney Positions

Pine County Social Worker - \$51,376
Minnesota Judicial Branch Self Help Specialist - \$49,632

The average CLS starting attorney salary of \$50,335 is simply not competitive. The resulting CLS compensation deficit crisis leads to CLS staff turnover, which in turn leads to increased CLS costs for recruiting, hiring, onboarding, and training, only to see the cycle of turnover continue. As the turnover cycle persists from one year to the next, the impact of the crisis deepens, as CLS cannot serve as many clients as would be possible with more stable staffing. Increased general fund support to address the CLS compensation deficit will help CLS to retain the expertly skilled legal staff CLS recruits and trains, and – as a result – to be more effective and efficient in helping vulnerable Minnesotans to vindicate their most basic civil rights to meet their basic human needs.

Proposal:

The funding requested will support the existing CLS program, which provides legal help to over 100,000 vulnerable Minnesotans in over 44,000 legal cases in all 87 counties statewide. From 2017 to 2019, CLS increased by nearly 17.3% the number of its clients facing foreclosure or eviction who remained housed or had improved housing conditions; increased by 2.2% the number of women and children who are victims of domestic violence for whom we achieved safety; and increased by over 64% the number of Minnesotans helped who received education and self-help resources about their legal rights through our dynamic, redesigned LawHelpMN.org website. CLS achieved these outcomes despite the widespread staff turnover, described above, arising out of 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, and is participating in a newly launched Civil Justice Subcommittee of the Judicial Branch's Committee on Equality and Justice. These collaborative, system-improvement-focused efforts will result in improved and increased access to justice for elder Minnesotans,

Minnesotans with disabilities, and 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:

- A minimum of \$4,833,100 of the requested increase for the FY22-23 biennium will be invested in CLS salary improvement. This will enable a minimum of a 6% increase in CLS staff salaries over the course of the two years of the biennium. This level of increase would allow CLS to bring its starting attorney salary up to approximately 81% 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.
- 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 the CLS compensation deficit on CLS providers' budgets, staffing, and services.

Impact on Children and Families:

CLS stabilizes the lives, health, safety, and well-being of children and families, ensuring that they have the foundational life stability they need to pursue economic, educational, housing, and other life opportunities. Specifically, CLS uses legal advocacy to keep children in the school of their family's choice, which helps with the life stability and mental health of the family. Safe and stable housing is critical to the health and educational success of Minnesota's children. CLS ensures safety and stability in families' homes, preventing illegal evictions and homelessness, which would otherwise disrupt families' economic security and children's education. CLS ensures that children and their parents are safe in their homes, through domestic violence prevention and housing health and safety advocacy. CLS ensures that all children, regardless of ability, have equal access to educational opportunities. CLS secures economic and health care benefits, ensuring that families are financially secure and stable in their lives. In addition to providing legal representation services in housing, economic security, health care, disability rights, and other life- and education-stabilizing practice areas, CLS utilizes its unique network of community partners to connect clients with community-based resources and supports for child care, food and nutrition, early childhood education, health care, housing stability, mental health services, and other foundational life needs.

Equity and Inclusion:

CLS provides access to the justice system for Black, Indigenous, and People of Color; people with disabilities; the elderly; the LGBTQ community; 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 2019, 60% of clients served by CLS were non-white (27% Black, 17% Hispanic, 5% Asian, 4% Native American, and 7% Other/Declined to Report).

Equity and Inclusion efforts are sustainable because equity is a core value of CLS and central to our mission and our cause of equal justice for all.

Results:

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Previous</i>	<i>Current</i>	<i>Dates</i>
Results	Number of families and individuals receiving legal representation.	46,521	44,920	2017 and 2019
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