

JUDICIAL BRANCH

Expenditure	Actual FY 2015	Agency Est. FY 2016	Gov. Rec. FY 2016	Agency Est. FY 2017	Gov. Rec. FY 2017
Operating Expenditures:					
State General Fund	\$ 97,442,902	\$ 102,006,153	\$ 102,006,153	\$ 127,480,193	\$ 105,685,224
Other Funds	32,149,242	31,248,148	31,248,148	32,404,618	32,404,618
TOTAL	\$ 129,592,144	\$ 133,254,301	\$ 133,254,301	\$ 159,884,811	\$ 138,089,842
Capital Improvements:					
State General Fund	\$ 0	\$ 0	\$ 0	\$ 402,778	\$ 0
Other Funds	0	0	0	0	0
TOTAL	\$ 0	\$ 0	\$ 0	\$ 402,778	\$ 0
GRAND TOTAL	\$ 129,592,144	\$ 133,254,301	\$ 133,254,301	\$ 160,287,589	\$ 138,089,842
Percentage Change:					
Operating Expenditures					
State General Fund	1.0 %	4.7 %	4.7 %	25.0 %	3.6 %
All Funds	(0.4)	2.8	2.8	20.0	3.6
FTE Positions	1,859.8	1,861.8	1,861.8	1,878.8	1,861.8
Non-FTE Perm.Uncl.Pos.	0.0	0.0	0.0	0.0	0.0
TOTAL	1,859.8	1,861.8	1,861.8	1,878.8	1,861.8

AGENCY OVERVIEW

The *Kansas Constitution* vests the judicial power of the state in one court of justice which is divided into the Supreme Court, district courts, and other courts as provided by law. The Supreme Court has general administrative authority over all the courts in the state. The Judicial Branch's budget includes funding for the Supreme Court, the Court of Appeals, personnel costs of the district courts and some funding for technology, and a number of judicial and professional review boards and commissions. Most non-salary costs of the district courts are funded by the counties.

MAJOR ISSUES FROM PRIOR YEARS

Legislation enacted in 2001 expanded the Court of Appeals from 10 to 14 members by adding one judge each year from 2003 to 2006. Implementation of the 14th appeals court judge was repeatedly delayed. Legislation enacted in 2012 granted the Judicial Branch the authority to implement the final judge as long as the Legislature provides adequate funding.

The Judicial Branch is authorized to carry forward any State General Fund savings from one fiscal year to the next. The Judicial Branch also has no position limitation, allowing positions to be added within available resources.

Legislation enacted in 2003 provides that the budget of the Judicial Branch will be submitted to the Legislature and may not be revised by the Director of the Division of the Budget. The budget, as submitted, must be included in the Governor's Budget Report. The practice of the Governor is to include the Judicial Branch budget, as requested, and also to include the Judicial Branch's current service budget (excluding enhancements) in the existing resources budget.

The **2006 Legislature** passed SB 337 which increased the salary of judges on the Court of Appeals by \$2,000 per year. The bill also increased the salary for district court judges and magistrate judges by \$9,000 per year.

The **2007 Legislature** approved salary increases of \$7,000 for judges of the Court of Appeals and \$9,000 for Supreme Court Justices, but these salaries were exempt from the 2.0 percent cost of living adjustment approved that year.

The **2008 Legislature** approved the addition of 9.0 FTE positions and funding to support the positions. The positions were for one judge in the 2nd Judicial District (Jackson, Jefferson, Pottawatomie and Wabaunsee counties) and two judges in the 18th Judicial District (Sedgwick County). The additional 6.0 FTE positions were for a court reporter and administrative assistant for each judge. In addition, the Legislature approved \$3.8 million from the Nonjudicial Salary Adjustment Fund which was established in 2008 HB 2968. This fund receives revenue from a \$9 increase in docket fees to fund the first year of the market pay plan for nonjudicial employees.

The **2009 Legislature** passed SB 66 which allowed the Kansas Supreme Court to establish a surcharge of up to \$10 per fee, for a series of fees, for costs for nonjudicial personnel. Funds are deposited in the state treasury and credited to the Judicial Branch Surcharge Fund. In addition, the bill delayed implementation of the 14th Court of Appeals judge and staff until January 2011.

The **2010 Legislature** deleted \$16.8 million from the Judicial Branch FY 2011 operating budget through operating reductions of \$12.3 million, recommendations against enhancement requests of \$4.4 million, and a moratorium on KPERS Death and Disability payment. The Legislature added \$5.0 million in additional State General Fund monies to carry forward the emergency surcharge from FY 2010 to FY 2011. The \$5.0 million did not prevent the Judicial Branch from implementing a four-day furlough in FY 2010. However, under the Shared Work program offered by the Kansas Department of Labor, nonjudicial employees were compensated 20.0 percent of the unemployment benefits they would have received if they had lost their jobs.

The **2011 Legislature** reduced the Judicial Branch State General Fund budget by \$5.8 million for FY 2012 in an attempt to hold the operations budget flat between FY 2011 and FY 2012. SB 97 extended the surcharge on docket fees into FY 2012 and increased it by 25.0 percent for a special revenue fund increase of \$1.9 million. The bill also delayed the 14th Court of Appeals Judge until FY 2013 and lapsed the funds requested for its implementation. The Legislature also suspended the Judicial Performance program of the Judicial Council and transferred \$778,518 of the funding for that program to the Judicial Surcharge Fund to support Judicial Branch operations.

The **2013 Legislature** reduced the Judicial Branch State General Fund budget by \$26.8 million in FY 2014 and \$27.9 million in FY 2015. The reduction is attributable to extension of the Judicial Branch Surcharge (\$10.0 million in FY 2014 and \$11.1 million in FY 2015), the shifting of docket fees from state agencies to the Judicial Branch (\$10.5 million in FY 2014 and FY 2015), and the deletion of the \$2.5 million requested by the Judicial Branch to fill 80 vacant clerk

positions. The remainder of the reductions reflect a directive by the Legislature to hold State General Fund expenditures at the FY 2013 level partially offset by a 1.0 percent (\$1.1 million) increase in State General Fund operating expenditures. The 2013 Legislature approved funding for and implementation of the 14th Court of Appeals judge and staff.

The **2014 Legislature** approved a 2.0 percent salary and wage increase for non-Judicial personnel to be paid from the DUI Equipment Fund, delayed the filling of judicial vacancies, provided for Chief Judges to be elected by the other District Court Judges, and inserted a provision to allow Judicial Districts to separate their operations from the Appellate Court Administrative Division. The Legislature also adjusted docket fees by increasing the fees on expungements, traffic citations, fish and game violations, tobacco citations, out-of-state probate decrees, and Chapter 60 civil cases. The Legislature implemented new docket fees on garnishments and summary judgment motions.

BUDGET SUMMARY AND KEY POINTS

FY 2016 – Current Year. The **agency** estimates \$133.3 million, including \$102.0 million from the State General Fund, an all funds increase of \$1.9 million, or 1.5 percent, above the FY 2016 approved budget. The revised State General Fund estimate is no change from the approved budget. The special revenue funds increase is attributable to \$574,000 for the new fee on dispositive motions. This amount was reduced from the State General Fund appropriation but was not added to the Docket Fee Fund. The Judicial Branch is also budgeting \$925,000 for step movement and merit pay increases for FY 2016. This amount was originally requested to be funded from the State General Fund and is funded from the Docket Fee Fund in the revised estimate. The remaining \$400,000 is predominantly in contractual services and commodities for a revised implementation time frame for E-Court and E-Filing.

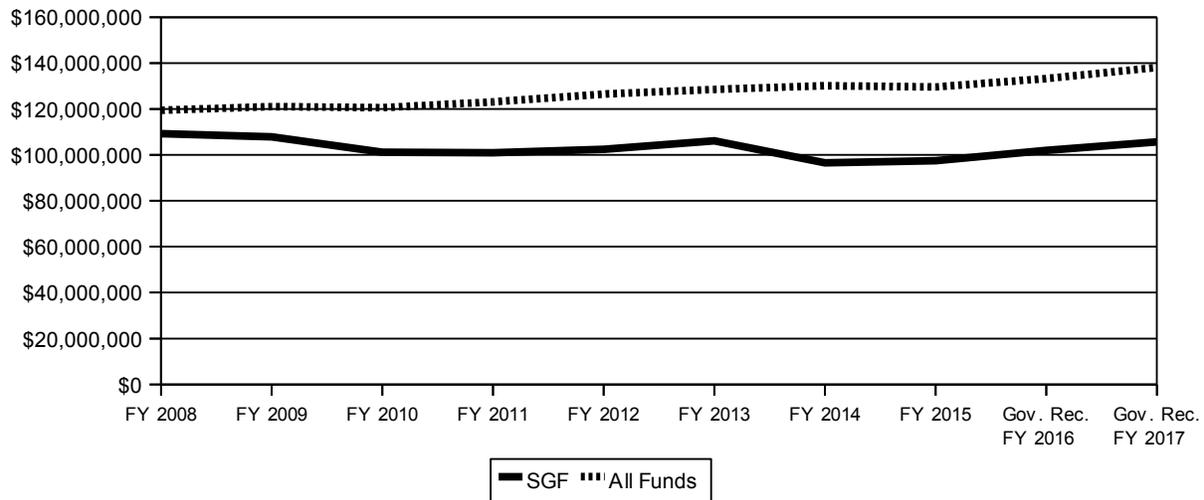
The **Governor** concurs with the FY 2016 agency revised estimate.

FY 2017 – Budget Year. The **agency** requests a revised estimate of \$160.3 million, including \$127.9 million from the State General Fund, an all funds increase of \$21.9 million, or 21.0 percent, and a State General Fund increase of \$22.2 million, or 21.0 percent, above the FY 2017 approved budget. The increase is attributable to the enhancement requests for Judicial and Non-Judicial employee salary adjustments, funding of vacant positions, and remodeling of the Court of Appeals totaling \$22.2 million. Absent the enhancements, the revised estimate is an all funds reduction of \$319,085 and identical to the approved State General Fund Budget.

The **Governor** recommends expenditures of \$138.1 million, including \$105.7 million from the State General Fund, for FY 2017. The recommendation is identical to the FY 2017 approved State General Fund budget. The Governor does not recommend adoption of the \$22.2 million in State General Fund enhancement requests made by the Judicial Branch.

BUDGET TRENDS

OPERATING EXPENDITURES FY 2008 – FY 2017



OPERATING EXPENDITURES FY 2008 – FY 2017

Fiscal Year	SGF	% Change	All Funds	% Change	FTE
2008	\$ 109,321,166	6.2 %	\$ 119,467,329	5.7 %	1,858.3
2009	107,841,890	(1.4)	121,038,270	1.3	1,855.3
2010	101,166,366	(6.2)	120,588,757	(0.4)	1,855.3
2011	100,914,426	(0.2)	123,088,459	2.1	1,855.3
2012	102,476,154	1.5	126,510,386	2.8	1,855.3
2013	106,127,942	3.6	128,551,609	1.6	1,859.3
2014	96,521,055	(9.1)	130,144,839	1.2	1,855.3
2015	97,442,902	1.0	129,592,144	(0.4)	1,859.8
2016 Gov. Rec.	102,006,153	4.7	133,254,301	2.8	1,861.8
2017 Gov. Rec.	105,685,224	3.6	138,089,842	3.6	1,861.8
Ten-Year Change Dollars/Percent	\$ (3,635,942)	(3.3)%	\$ 18,622,513	15.6 %	3.5

(The State General Fund reduction in FY 2014 is attributable to the diversion of all docket Fee Funds to the Judicial Branch offset by a commensurate SGF.)

Summary of Operating Budget FY 2015 - FY 2017

	Actual 2015	Agency Estimate				Governor's Recommendation			
		Estimate FY 2016	Estimate FY 2017	Dollar Change from FY 16	Percent Change from FY 16	Rec. FY 2016	Rec. FY 2017	Dollar Change from FY 16	Percent Change from FY 16
By Program:									
Appellate Courts	\$ 18,876,581	\$ 22,065,296	\$ 24,708,288	\$ 2,642,992	12.0 %	\$ 22,065,296	\$ 22,734,168	\$ 668,872	3.0 %
District Courts	110,417,972	110,862,094	134,818,907	23,956,813	21.6	110,862,094	115,011,856	4,149,762	3.7
Judicial and Professional Review	297,591	326,911	357,616	30,705	9.4	326,911	343,818	16,907	5.2
TOTAL	\$ 129,592,144	\$ 133,254,301	\$ 159,884,811	\$ 26,630,510	20.0 %	\$ 133,254,301	\$ 138,089,842	\$ 4,835,541	3.6 %
By Major Object of Expenditure:									
Salaries and Wages	\$ 124,223,010	\$ 125,372,084	\$ 151,858,025	\$ 26,485,941	21.1 %	\$ 125,372,084	\$ 130,063,056	\$ 4,690,972	3.7 %
Contractual Services	3,583,965	4,878,696	4,837,223	(41,473)	(0.9)	4,878,696	4,837,223	(41,473)	(0.9)
Commodities	482,347	485,854	496,613	10,759	2.2	485,854	496,613	10,759	2.2
Capital Outlay	183,928	1,174,067	1,324,350	150,283	12.8	1,174,067	1,324,350	150,283	12.8
Debt Service	0	0	0	0	0.0	0	0	0	0.0
Subtotal - Operations	\$ 128,473,250	\$ 131,910,701	\$ 158,516,211	\$ 26,605,510	20.2 %	\$ 131,910,701	\$ 136,721,242	\$ 4,810,541	3.6 %
Aid to Local Units	160,894	555,000	580,000	25,000	4.5	555,000	580,000	25,000	4.5
Other Assistance	958,000	788,600	788,600	0	0.0	788,600	788,600	0	0.0
TOTAL	\$ 129,592,144	\$ 133,254,301	\$ 159,884,811	\$ 26,630,510	20.0 %	\$ 133,254,301	\$ 138,089,842	\$ 4,835,541	3.6 %
Financing:									
State General Fund	\$ 97,442,902	\$ 102,006,153	\$ 127,480,193	\$ 25,474,040	25.0 %	\$ 102,006,153	\$ 105,685,224	\$ 3,679,071	3.6 %
All Other Funds	32,149,242	31,248,148	32,404,618	1,156,470	3.7	31,248,148	32,404,618	1,156,470	3.7
TOTAL	\$ 129,592,144	\$ 133,254,301	\$ 159,884,811	\$ 26,630,510	20.0 %	\$ 133,254,301	\$ 138,089,842	\$ 4,835,541	3.6 %

BUDGET OVERVIEW

A. FY 2016 – Current Year

Adjustments to Approved State General Fund Budget

The 2015 Legislature approved a State General Fund budget of \$101,904,750 for the Judicial Branch in FY 2016. An adjustment has subsequently been made to that amount. This adjustment changes the current year approved amount without any legislative action required. For this agency, the following adjustments have been made:

- An increase of \$101,403, based on the reappropriation of FY 2015 funding which was not spent in FY 2015 and has shifted to FY 2016.

This adjustment changes the FY 2016 approved State General Fund to \$102,006,153. That amount is reflected in the table below as the currently approved FY 2016 State General Fund amount. The agency's budget was submitted after the Governor's July allotment, but prior to the November allotment, so the agency's revised budget estimates do not incorporate the second allotment.

CHANGE FROM APPROVED BUDGET					
	Legislative Approved FY 2016	Agency Estimate FY 2016	Agency Change from Approved	Governor Rec. FY 2016	Governor Change from Approved
State General Fund	\$ 102,006,153	\$ 102,006,153	\$ 0	\$ 102,006,153	\$ 0
All Other Funds	29,328,286	31,248,148	1,919,862	31,248,148	1,919,862
TOTAL	\$ 131,334,439	\$ 133,254,301	\$ 1,919,862	\$ 133,254,301	\$ 1,919,862
FTE Positions	1,894.3	1,861.8	(32.5)	1,861.8	(32.5)

The **agency** estimates \$133.3 million, including \$102.0 million from the State General Fund, an all funds increase of \$1.9 million, or 1.5 percent, above the FY 2016 approved budget. The revised State General Fund estimate is no change from the approved budget. The special revenue funds increase is attributable to \$574,000 for the new fee on dispositive motions. This amount was reduced from the State General Fund appropriation but was not added to the Docket Fee Fund. The Judicial Branch is also budgeting \$925,000 for step movement and merit pay increases for FY 2016. This amount was originally requested to be funded from the State General Fund and is funded from the Docket Fee Fund in the revised estimate. The remaining \$400,000 is predominantly in contractual services and commodities for a revised implementation time frame for E-Court and E-Filing.

- **Salaries and Wages:** The agency requests \$125.4 million, including \$99.5 million from the State General Fund, for salaries and wages for FY 2016. The revised estimate is an all funds increase of \$1.5 million, or 1.2 percent, and a State General Fund reduction of \$290,340, or 0.3 percent, from the FY 2016

approved budget. The increase is attributable to step movement (\$950,000), the remainder is attributable to a change in the shrinkage budget for FY 2016;

- **Contractual Services:** The agency requests \$4.9 million, including \$2.1 million from the State General Fund, for FY 2016. The revised estimate is an all funds increase of \$386,083, or 8.6 percent, and a State General Fund increase of \$230,838, or 12.1 percent, from the FY 2016 approved budget. The State General Fund increase offsets a reduction in budgeted expenditures from the Correctional Supervision Fund, which supports offender supervision and other programs. The remainder of the increase is attributable to a revised estimate for E-filing and E-Courts expenditures; and
- **Aid to Locals and Other Assistance:** The agency estimates \$1.3 million for grants to non-State entities, an increase of \$68,698, above the FY 2016 approved budget. The original budget estimate reduced the grant to Kansas Legal Services by the amount of the projected docket fee shortfall. The revised estimate restores the original grant.

The **Governor** concurs with the FY 2016 agency revised estimate.

B. FY 2017 – Budget Year

	CHANGE FROM APPROVED BUDGET				
	Legislative Approved FY 2017	Agency Estimate FY 2017	Agency Change from Approved	Governor Rec. FY 2017	Governor Change from Approved
State General Fund	\$ 105,685,224	\$ 127,882,971	\$ 22,197,747	\$ 105,685,224	\$ 0
All Other Funds	32,723,703	32,404,618	(319,085)	32,404,618	(319,085)
TOTAL	\$ 138,408,927	\$ 160,287,589	\$ 21,878,662	\$ 138,089,842	\$ (319,085)
FTE Positions	1,899.3	1,878.8	(20.5)	1,861.8	(37.5)

The **agency** requests a revised estimate of \$160.3 million, including \$127.9 million from the State General Fund, an all funds increase of \$21.9 million, or 21.0 percent, and a State General Fund increase of \$22.2 million, or 21.0 percent, above the FY 2017 approved budget. The increase is attributable to the enhancement requests for Judicial and Non-Judicial employee salary adjustments, funding of vacant positions, and remodeling of the Court of Appeals totaling \$22.2 million. Absent the enhancements, the revised estimate is an all funds reduction of \$319,085 and identical to the approved State General Fund Budget.

- **Salaries and Wages:** The agency requests \$151.9 million, including \$125.1 million from the State General Fund, for salaries and wages for FY 2017. The revised estimate is an all funds increase of \$24.0 million, or 18.8 percent, and a State General Fund increase of \$21.7 million, or 20.9 percent, from the FY 2017 approved budget. The increase is attributable to enhancements requests totaling \$21.8 million. The remaining increase of \$2.2 million is attributable to \$574,000 in docket fees not originally included in the approved budget and \$1.7 million in step movement and merit pay increases;
- **Contractual Services:** The agency requests \$4.8 million, including \$1.9 million from the State General Fund, for FY 2017. The revised estimate is an all funds reduction of \$1.0 million, or 17.4 percent, and a State General Fund increase of \$92,506, or 5.0 percent, from the FY 2017 approved budget. The reduction is attributable to no expenditures being budgeted from the electronic filing management fund for FY 2017, a reduction of \$1.9 million from the approved budget. The original budget shifted substantial expenditures for E-Courts into FY 2017. The revised timeframe estimates expenditures totaling \$1.5 million from the E-Filing Management Fund for FY 2017, predominantly in capital outlay. The reduction is partially offset by an increase in funding from the Docket Fee Fund; and
- **Aid to Locals and Other Assistance:** The agency estimates \$1.4 million for grants to non-State entities, an increase of \$139,963, above the FY 2017 approved budget. The original budget estimate reduced the grant to Kansas Legal Services by the amount of the projected docket fee shortfall. The revised estimate restores the original grant. The revised estimate also increases the grant to the Citizen Review Boards and Court Appointed Special Advocate Program by \$25,000 to \$580,000 for FY 2017.

The **Governor** recommends expenditures of \$138.1 million, including \$105.7 million from the State General Fund, for FY 2017. The recommendation is identical to the FY 2017 approved State General Fund budget. The Governor does not recommend adoption of the \$22.2 million in State General Fund enhancement requests made by the Judicial Branch.

Supplemental Detail

FY 2017 SUPPLEMENTALS						
Supplementals	Agency Estimate			Governor's Recommendation		
	SGF	All Funds	FTE	SGF	All Funds	FTE
Salary Increase	\$ 16,818,571	\$ 16,818,571	0.0	\$ 0	\$ 0	0.0
Vacant Position Funding	3,776,206	3,776,206	0.0	0	0	0.0
New Judges and Staff	1,200,192	1,200,192	17.0	0	0	0.0
CoA Remodel	402,778	402,778	0.0	0	0	0.0
TOTAL	\$ 22,197,747	\$ 22,197,747	17.0	\$ 0	\$ 0	0.0

The **agency** requests \$22.2 million, all from the State General Fund, and 17.0 FTE positions in supplemental funding for FY 2017.

- *Judicial Salary Increase:* The agency requests \$8.3 million, all from the State General Fund, for a increase in Judicial salaries of 22.0 percent;
- *Judicial Employee Salary Increase:* The agency requests \$8.5 million, all from the State General Fund, for an increase in judicial employee salaries of 10.44 percent;
- *Judges and Staff:* The agency requests \$1.2 million, all from the State General Fund, for 9 judges and 8 staff. The Judicial Branch indicates that this is necessitated because of the inability to shift resources under the one judge per county requirement;
- *Vacancy Funding:* The agency requests \$3.8 million, all from the State General Fund, to fill 80 vacancies. The Judicial Branch indicates that this is necessary due to the workload projections developed under Project Pegasus and the results of the Blue Ribbon Commission study; and
- *Appellate Court Remodel (CI):* The agency request also includes a request for construction of two judicial suites at an estimated cost of \$402,778. This construction project would allow two Court of Appeals judges and their staff to be moved onto the same floor as the rest of the Court of Appeals, as well as make efficient use of limited space within the Judicial Center.

The **Governor** does not recommend adoption of the Judicial Branch enhancement requests.

Funding Sources

Funding Source	Agency Est. Percent of Total FY 2017	Gov. Rec. Percent of Total FY 2017
State General Fund	79.8 %	0.0 %
Other Funds	20.2	0.0
TOTAL	100.0 %	100.0 %

Note: Details may not add to totals due to rounding.

The **2014 Legislature** adjusted docket fees for the Judicial Branch by directing that 99.01 percent of Docket Fees be deposited in the Judicial Branch to fund Judicial Branch operations. The Legislature also increased docket fees in several categories with major increases in traffic filings, and the Chapter 60 civil docket fee and new fees for summary judgment motions and garnishments among others. The Legislature projected that the increased fees would generate an additional \$6.2 million with the majority coming from summary judgments, traffic filings and Chapter 60 civil filings. The increased docket fees are occurring against a general background of declining docket fees of 4.0 percent to 6.0 percent per year. The 2015 Legislature further adjusted docket fees to expand the scope of summary judgment motions to include all dispositive motions.

DUI Reinstatement Fees. DUI Reinstatement fees were increased by the Legislature and deposited in the Judicial Branch to fund a 2.0 percent across the board salary increase for non-Judicial personnel. The revenue projection from the Department of Revenue projected revenue of \$1.4 million from increased fees for DUI reinstatement. The Judicial Branch is currently projecting revenue of \$951,663. A reduction of approximately 32.0 percent from projected receipts. This is an increase from FY 2014 where collections were running more than 40.0 percent below collections.

Judicial Branch Docket Fee Fund Analysis

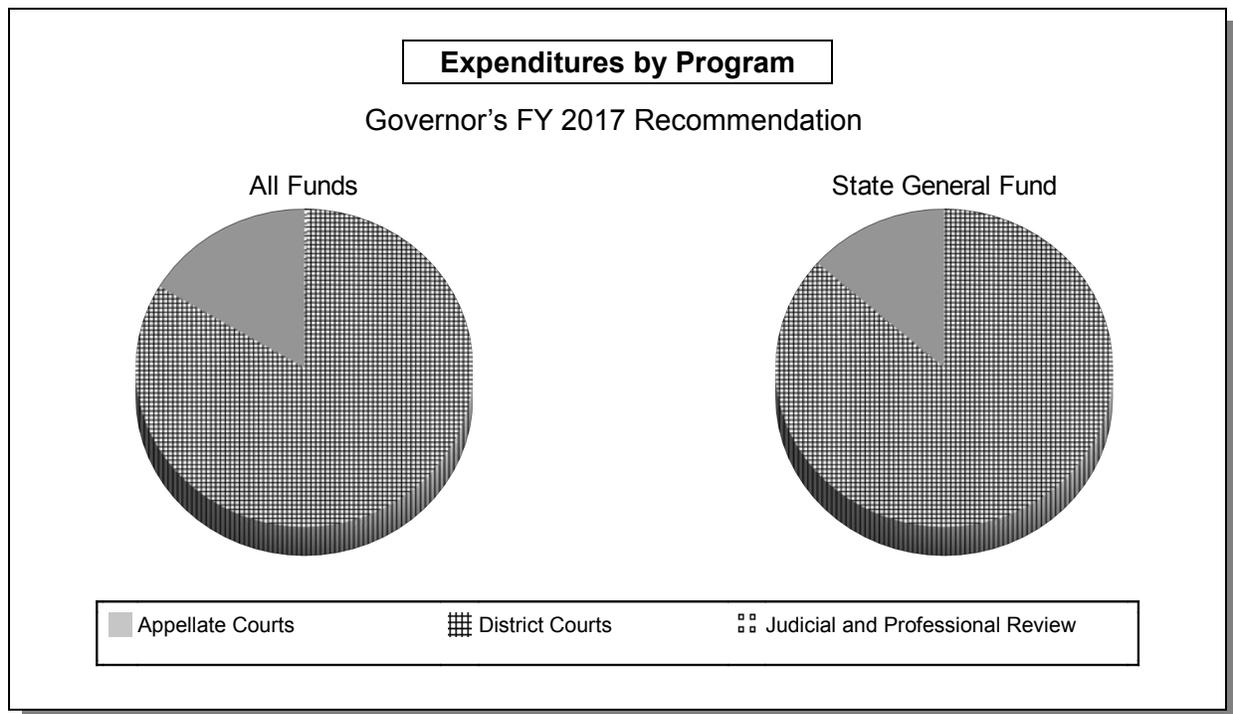
The Judicial Branch Docket Fee Fund was established by the 2013 Legislature and directs 99.01 percent of clerks' fees forwarded to the state to be deposited into this fund after an initial \$3,100,000 is deposited into the Electronic Filing Management Fund.

Resource Estimate	Actual FY 2015	Agency Estimate FY 2016	Gov. Rec. FY 2016	Agency Estimate FY 2017	Gov. Rec. FY 2017
Beginning Balance	\$ 761,093	\$ 2,467,950	\$ 2,467,950	\$ 2,793,850	\$ 2,793,850
Revenue	25,752,915	24,798,332	24,798,332	23,395,669	23,395,669
Transfers in	3,468,488	0	0	0	0
Total Funds Available	\$ 29,982,496	\$ 27,266,282	\$ 27,266,282	\$ 26,189,519	\$ 26,189,519
Less: Expenditures	27,514,546	24,472,432	24,472,432	26,065,050	26,065,050
Transfers Out	0	0	0	0	0
Off Budget Expenditures	0	0	0	0	0
Ending Balance	<u>\$ 2,467,950</u>	<u>\$ 2,793,850</u>	<u>\$ 2,793,850</u>	<u>\$ 124,469</u>	<u>\$ 124,469</u>
Ending Balance as Percent of Expenditures	9.0%	11.4%	11.4%	0.5%	0.5%

The 2014 Legislature also established the Electronic Filing Management Fund. The Legislature raised docket fees to generate revenue for the “purpose of creating, implementing, and managing an electronic filing and centralized case management system.” The initial \$3,100,000 of clerks’ fees forwarded to the state to be deposited into this fund for FY 2015 through FY 2017. After FY 2017 the amount deposited in the fund will decrease to \$1.0 million and the remainder will be deposited in the Judicial Branch Docket Fee Fund.

E-filing and E-Courts Implementation Budget Schedule			
<u>Expenditure Type</u>	<u>E-filing</u>	<u>E-Courts</u>	<u>Total Expenditures</u>
FY 2016			
Salaries	\$ 0	\$ 197,336	\$ 197,336
Contractual Services	322,000	669,792	991,792
Commodities	0	1,050	1,050
Capital Outlay	<u>750,300</u>	<u>27,967</u>	<u>778,267</u>
	\$ 1,072,300	\$ 896,145	\$ 1,968,445
FY 2017			
Salaries	\$ 0	\$ 217,479	217,479
Contractual Services	330,217	66,409	396,626
Commodities	0	1,072	1,072
Capital Outlay	<u>2,200</u>	<u>915,000</u>	<u>917,200</u>
	\$ 332,417	\$ 1,199,960	\$ 1,532,377
Totals	<u>\$ 1,404,717</u>	<u>\$ 2,096,105</u>	<u>\$ 3,500,822</u>
Note: Totals may not add due to rounding.			

PROGRAM DETAIL



Program	Gov. Rec. All Funds FY 2017	Percent of Total	Gov. Rec. SGF FY 2017	Percent of Total
Appellate Courts	\$ 22,734,168	16.5 %	\$ 14,315,123	13.5 %
District Courts	115,011,856	83.3	91,335,316	86.4
Judicial and Professional Review	343,818	0.2	34,785	0.0
TOTAL	<u>\$ 138,089,842</u>	<u>100.0 %</u>	<u>\$ 105,685,224</u>	<u>100.0 %</u>

FTE POSITIONS BY PROGRAM FY 2015 – FY 2017

Program	Actual FY 2015	Agency Est. FY 2016	Gov. Rec. FY 2016	Agency Est. FY 2017	Gov. Rec. FY 2017
Appellate Courts	169.5	171.5	171.5	171.5	171.5
District Courts	1,688.3	1,688.3	1,688.3	1,705.3	1,688.3
Judicial and Professional Review	2.0	2.0	2.0	2.0	2.0
TOTAL	<u>1,859.8</u>	<u>1,861.8</u>	<u>1,861.8</u>	<u>1,878.8</u>	<u>1,861.8</u>

A. Appellate Courts Program

The Appellate Courts program consists of the Supreme Court, which has seven members, and the Court of Appeals, which currently has 14 members. This program division also includes the administrative units of the Office of Judicial Administration, Data Processing, the Clerk of the Appellate Court, the Appellate Reporter, and the Supreme Court Library.

APPELLATE COURTS PROGRAM SUMMARY OF EXPENDITURES FY 2015 – FY 2017					
Item	Actual FY 2015	Agency Est. FY 2016	Gov. Rec. FY 2016	Agency Est. FY 2017	Gov. Rec. FY 2017
Expenditures:					
Salaries and Wages	\$ 14,573,491	\$ 15,379,301	\$ 15,379,301	\$ 18,005,166	\$ 16,031,046
Contractual Services	2,541,066	3,700,113	3,700,113	3,531,430	3,531,430
Commodities	469,385	468,215	468,215	478,742	478,742
Capital Outlay	173,745	1,174,067	1,174,067	1,324,350	1,324,350
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<u>\$ 17,757,687</u>	<u>\$ 20,721,696</u>	<u>\$ 20,721,696</u>	<u>\$ 23,339,688</u>	<u>\$ 21,365,568</u>
Aid to Local Units	160,894	555,000	555,000	580,000	580,000
Other Assistance	958,000	788,600	788,600	788,600	788,600
TOTAL	<u>\$ 18,876,581</u>	<u>\$ 22,065,296</u>	<u>\$ 22,065,296</u>	<u>\$ 24,708,288</u>	<u>\$ 22,734,168</u>
Financing:					
State General Fund	\$ 13,008,834	\$ 13,774,633	\$ 13,774,633	\$ 16,289,243	\$ 14,315,123
All Other Funds	<u>5,867,747</u>	<u>8,290,663</u>	<u>8,290,663</u>	<u>8,419,045</u>	<u>8,419,045</u>
TOTAL	<u>\$ 18,876,581</u>	<u>\$ 22,065,296</u>	<u>\$ 22,065,296</u>	<u>\$ 24,708,288</u>	<u>\$ 22,734,168</u>
FTE Positions	169.5	171.5	171.5	171.5	171.5
Non-FTE Uncl. Perm. Pos.	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
TOTAL	<u>169.5</u>	<u>171.5</u>	<u>171.5</u>	<u>171.5</u>	<u>171.5</u>

The **agency** requests \$22.1 million, including \$13.8 million from the State General Fund, for the Appellate Courts Program for FY 2016. The revised estimate is a reduction of \$1.0 million, or 4.2 percent, and a State General Fund reduction of \$1.6 million, or 10.3 percent, from the FY 2016 approved budget. The State General Fund reduction is attributable to reduced budgeted salaries for unclassified temporary employees and this funding was shifted to the District Court Program. The reduction is partially offset by increased funding from the Electronic Filing Management Fund for E-Courts implementation.

The **agency** requests \$24.7 million, including \$16.3 million from the State General Fund, for the Appellate Courts Program for FY 2017. The revised estimate is a reduction of \$2.6 million, or 9.6 percent, and a State General Fund increase of \$259,011, or 1.6 percent, from the FY 2017 approved budget. The State General Fund increase is attributable to \$2.0 million in enhancements for salary increases for Judicial Personnel. The increase is partially offset by a reduction of \$1.5 million in salaries for unclassified personnel.

The **Governor** concurs with the FY 2016 agency revised estimate. For FY 2017, the Governor recommends expenditures of \$22.7 million, including \$14.3 million from the State

General Fund, a reduction of \$2.0 million, or 8.0 percent, from the FY 2016 agency request. The reduction is attributable to not recommending the salary enhancement for FY 2017.

B. District Courts Program

Kansas has 31 judicial districts consisting of one or more counties. Each county has a district court and a resident judge. The salaries of district court judges and nonjudicial personnel are paid by the state. The counties pay most all other operating expenditures with the exceptions of funding for the statewide court accounting system and the case management system. The Judicial Branch estimates that counties pay for approximately 20.0 percent of the total operating budget for the district courts. District court judges are constitutional officers with full judicial power over all cases filed with the district court. For FY 2014, there were 167.0 FTE District judge positions, 79.0 FTE district magistrate judges, and twelve Senior Judges. Magistrate judges have limited authority to hear traffic infractions, criminal misdemeanors, preliminary examination of felony charges, and certain civil matters.

DISTRICT COURTS PROGRAM SUMMARY OF EXPENDITURES FY 2015 – FY 2017					
Item	Actual FY 2015	Agency Est. FY 2016	Gov. Rec. FY 2016	Agency Est. FY 2017	Gov. Rec. FY 2017
Expenditures:					
Salaries and Wages	\$ 109,486,853	\$ 109,831,717	\$ 109,831,717	\$ 133,670,546	\$ 113,863,495
Contractual Services	922,223	1,020,882	1,020,882	1,138,646	1,138,646
Commodities	8,896	9,495	9,495	9,715	9,715
Capital Outlay	0	0	0	0	0
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<u>\$ 110,417,972</u>	<u>\$ 110,862,094</u>	<u>\$ 110,862,094</u>	<u>\$ 134,818,907</u>	<u>\$ 115,011,856</u>
Aid to Local Units	0	0	0	0	0
Other Assistance	0	0	0	0	0
TOTAL	<u>\$ 110,417,972</u>	<u>\$ 110,862,094</u>	<u>\$ 110,862,094</u>	<u>\$ 134,818,907</u>	<u>\$ 115,011,856</u>
Financing:					
State General Fund	\$ 84,405,929	\$ 88,187,196	\$ 88,187,196	\$ 111,142,367	\$ 91,335,316
All Other Funds	26,012,043	22,674,898	22,674,898	23,676,540	23,676,540
TOTAL	<u>\$ 110,417,972</u>	<u>\$ 110,862,094</u>	<u>\$ 110,862,094</u>	<u>\$ 134,818,907</u>	<u>\$ 115,011,856</u>
FTE Positions	1,688.3	1,688.3	1,688.3	1,705.3	1,688.3
Non-FTE Uncl. Perm. Pos.	0.0	0.0	0.0	0.0	0.0
TOTAL	<u>1,688.3</u>	<u>1,688.3</u>	<u>1,688.3</u>	<u>1,705.3</u>	<u>1,688.3</u>

The **agency** requests \$110.9 million, including \$88.2 million from the State General Fund, for the District Courts Program for FY 2016. The revised estimate is an increase of \$2.9 million, or 2.7 percent, and a State General Fund increase of \$1.6 million, or 1.8 percent, from the FY 2016 approved budget. The agency reduced the shrinkage budget \$13.4 million but only reduced salaries by \$10.4 million account for the change. The salaries increase in State General Fund is offset by a reduction in the Appellate Courts Program.

The **agency** requests \$134.8 million, including \$111.1 million from the State General Fund, for the District Courts Program for FY 2017. The revised estimate is an increase of \$24.1 million, or 21.8 percent, and a State General Fund increase of \$21.5 million, or 24.0 percent, from the FY 2017 approved budget. The State General Fund increase is attributable to \$19.8 million in enhancements for salary increases for Judicial Personnel. The remaining \$4.2 million in additional funding is in salaries and wages. The Judicial Branch reduced the shrinkage budget by \$15.8 million and increased salaries and wages budget by \$8.2 million for a total salary increase of \$24.0 million from the approved. The majority of the non-enhancement budget is in reduced shrinkage. This increase is offset by reduced expenditures in contractual services and capital outlay.

The **Governor** concurs with the FY 2016 agency revised estimate. For FY 2017, the Governor recommends expenditures of \$115.0 million, including \$91.3 million from the State General Fund, a reduction of \$19.8 million, or 14.7 percent, from the FY 2016 agency request. The reduction is attributable to not recommending the salary enhancement for FY 2017.

C. Judicial and Professional Review Program

The Judicial and Professional Review division consists of the Commission on Judicial Qualifications, the Judicial Nominating Commission, the Board of Law Examiners and the Board of Examiners of Court Reporters. The first two boards are funded from the State General Fund with the latter two funded from the Bar Administration Fee Fund and the Court Reporter Fund, respectively. The Board of Law Examiners has 2.0 FTE positions associated with it.

JUDICIAL AND PROFESSIONAL REVIEW PROGRAM SUMMARY OF EXPENDITURES FY 2015 – FY 2017					
Item	Actual FY 2015	Agency Est. FY 2016	Gov. Rec. FY 2016	Agency Est. FY 2017	Gov. Rec. FY 2017
Expenditures:					
Salaries and Wages	\$ 162,666	\$ 161,066	\$ 161,066	\$ 182,313	\$ 168,515
Contractual Services	120,676	157,701	157,701	167,147	167,147
Commodities	4,066	8,144	8,144	8,156	8,156
Capital Outlay	10,183	0	0	0	0
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<u>\$ 297,591</u>	<u>\$ 326,911</u>	<u>\$ 326,911</u>	<u>\$ 357,616</u>	<u>\$ 343,818</u>
Aid to Local Units	0	0	0	0	0
Other Assistance	0	0	0	0	0
TOTAL	<u>\$ 297,591</u>	<u>\$ 326,911</u>	<u>\$ 326,911</u>	<u>\$ 357,616</u>	<u>\$ 343,818</u>
Financing:					
State General Fund	\$ 28,139	\$ 44,324	\$ 44,324	\$ 48,583	\$ 34,785
All Other Funds	269,452	282,587	282,587	309,033	309,033
TOTAL	<u>\$ 297,591</u>	<u>\$ 326,911</u>	<u>\$ 326,911</u>	<u>\$ 357,616</u>	<u>\$ 343,818</u>
FTE Positions	2.0	2.0	2.0	2.0	2.0
Non-FTE Uncl. Perm. Pos.	0.0	0.0	0.0	0.0	0.0
TOTAL	<u>2.0</u>	<u>2.0</u>	<u>2.0</u>	<u>2.0</u>	<u>2.0</u>

The **agency** requests \$326,911, including \$44,324 from the State General Fund, for the Judicial and Professional Review Program for FY 2016. The revised estimate is a reduction of \$35,866, or 9.9 percent, and a State General Fund increase of \$111, or 0.3 percent, from the FY 2016 approved budget. The majority of the reduction is in the Bar Admissions Fee Fund in the Board of Law Examiners program.

The **agency** requests \$357,616, including \$48,583 from the State General Fund, for the Judicial and Professional Review Program for FY 2017. The revised estimate is a reduction of \$17,369, or 4.6 percent, and a State General Fund decrease of \$939, or 1.9 percent, from the FY 2017 approved budget. The majority of the reduction is in the Bar Admissions Fee Fund in the Board of Law Examiners program. The reduction is slightly smaller than FY 2016 due to an enhancement of \$13,798 in an enhancement request for increased salaries for FY 2017.

The **Governor** concurs with the FY 2016 agency revised estimate. For FY 2017, the Governor recommends expenditures of \$343,818, including \$34,785 from the State General Fund, a reduction of \$13,798, or 3.9 percent, from the FY 2016 agency request. The reduction is attributable to not recommending the salary enhancement for FY 2017.

CAPITAL IMPROVEMENTS

CAPITAL IMPROVEMENTS				
Project	Agency Est. FY 2016	Gov. Rec. FY 2016	Agency Est. FY 2017	Gov. Rec. FY 2017
Relocation of Appellate Court Justices Offices	\$ 0	\$ 0	\$ 402,778	\$ 0
Financing:				
State General Fund	\$ 0	\$ 0	\$ 402,778	\$ 0
All Other Funds	0	0	0	0
TOTAL	\$ 0	\$ 0	\$ 402,778	\$ 0

FY 2016 – Current Year. The agency has no capital improvements request for FY 2016.

The **Governor** concurs with the FY 2016 agency request.

FY 2017 – Budget Year. The agency requests \$402,778, all from the State General Fund for relocation of two Appellate Court Justice Offices to the same floor as the other twelve justices, which was submitted as an enhancement request.

The **Governor** does not recommend adoption of the FY 2017 enhancement request.