

JUDICIAL COUNCIL

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	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Other Funds	531,799	578,323	578,323	597,636	597,636
TOTAL	\$ 531,799	\$ 578,323	\$ 578,323	\$ 597,636	\$ 597,636
Capital Improvements:					
State General Fund	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0	0	0
TOTAL	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
GRAND TOTAL	\$ 531,799	\$ 578,323	\$ 578,323	\$ 597,636	\$ 597,636

Percentage Change:

Operating Expenditures					
State General Fund	0.0 %	-- %	-- %	-- %	-- %
All Funds	(4.6)	8.7	8.7	3.3	3.3
FTE Positions	5.0	5.0	5.0	5.0	5.0
Non-FTE Perm.Uncl.Pos.	0.0	0.0	0.0	0.0	0.0
TOTAL	5.0	5.0	5.0	5.0	5.0

AGENCY OVERVIEW

The **Judicial Council** was created by the Legislature in 1927 to survey and study the Judicial Branch of the state government and to recommend improvements in the administration of justice for consideration by the Legislature and the Supreme Court. The ten-member Council is comprised of one justice of the Kansas Supreme Court, one judge of the Court of Appeals, two district court judges, two legislators, and four attorneys. The Council has seventeen advisory committees that are made up of legislators, judges, attorneys, and persons from various backgrounds who bring their expertise to the committees.

The Judicial Council receives and considers suggestions related to the administration of justice in Kansas from the Legislature, the Supreme Court, other courts, the bar, and the public. The Council identifies areas of needed improvement, assigns projects to advisory committees, receives and reviews the work product of the advisory committees, and takes appropriate action.

The Judicial Council also publishes several publications, including Pattern Instructions for Kansas (PIK) - Civil 3d, PIK-Criminal 3d, the Kansas Municipal Court Manual, the Kansas Judicial Council Probate Forms, and the Kansas Appellate Practice Handbook. The Council also offers subscriptions to online versions of its publications.

MAJOR ISSUES FROM PRIOR YEARS

2003 Session. The Legislature, upon the Governor's recommendation, eliminated State General Fund appropriations to the Judicial Council and made the agency entirely fee funded. The Legislature passed 2003 SB 36 which raised docket fees by \$1 for a two-year period, from July 1, 2003 through June 30, 2005, to assist in funding Judicial Council operations. The Legislature created the Judicial Council Fund supported by docket fees. The revenues from this fund and the existing Publications Fee Fund were intended to fund the Judicial Council.

The bill clarified also that the Judicial Council is an independent agency within the Judicial Branch of state government; authorized the Council to adopt its own pay plan and personnel rules; and allowed monies from the Publications Fee Fund to be utilized for operating expenditures that are not related directly to publication activities.

2006 Session. The Legislature passed 2006 House Sub. for SB 337, which established the Kansas Commission on Judicial Performance as an independent committee of the Judicial Council. The Commission was directed to conduct judicial performance evaluations of all magistrate, district court and court of appeals judges, and all justices on the Kansas Supreme Court. Docket fees were increased by 2006 House Sub. SB 337 to provide funding for the commission. The FTE limitation was increased to provide staff for the Commission.

2007 Session. The Legislature approved expenditures of \$70,000 from the State General Fund to be used by the Judicial Council for the remodeling of office space within the law library of the Judicial Center. The agency's previous location in the Judicial Center was needed for the office space for the 13th Appeals Court judge. The Legislature also appropriated \$150,000 from the State General Fund for operations of the Criminal Code Recodification Commission. While the Commission is not a part of the Judicial Council, the agency acts as the fiscal agent for the Commission.

In 2007, the Legislature requested the Judicial Council to conduct studies in the areas of wills, Medicaid reimbursement, criminal stalking, grandparents' right in custody and visitation litigation, the Kansas Juvenile Justice Code, the state Code for Criminal Procedure, and guardians and conservators.

2008 Session. The 2008 Legislature added funding of \$150,000 from the Judicial Performance Fund in FY 2008 and FY 2009 for judicial performance evaluation surveys. Surveys would include lawyers, litigants, witnesses and jurors who recently had contact with the court system.

2011 Session. The 2011 Legislature transferred \$778,518 from the Judicial Performance Fund to the Judicial Branch Surcharge Fund effectively suspending the Judicial Performance Evaluation program for FY 2012. A bill formally dissolving the program was not adopted. The Legislature also deleted 3.0 FTE positions associated with the performance reviews.

2012 Session. The 2012 Legislature formally dissolved the Performance Evaluation program which was established by the 2006 Legislature. The Legislature approved an additional \$84,777 in expenditures and 1.0 FTE position to hire a staff attorney to assist with work previously completed by Judicial Performance Staff. The funds also provide for additional Judicial Council meetings to complete increasing workload.

2013 Session. The 2013 Legislature redirected docket fees into the Judicial Branch with the exception of the Judicial Council for FY 2014 and FY 2015. The Judicial Council is the sole remaining agency which receives a percentage of fees received from the filing of cases.

2014 Session. The 2014 Legislature reduced the operational expenditures of the agency by \$15,000 and directed the agency to reduce the number of Council meetings. The Legislature also converted the Judicial Council Fund from no-limit to limit pending the total revenue received in docket fees subsequent to the 2014 Legislative adjustments.

BUDGET SUMMARY AND KEY POINTS

FY 2016 – Current Year. The **agency** requests a revised estimate of \$578,323, all from special revenue funds, the same as the FY 2016 approved budget. The agency reduced estimated salary and wages expenditures by \$11,238, or 2.3 percent, predominantly in temporary compensation for board members. The reduction was offset by an increase of \$10,332, or 10.8 percent, in contractual services for private vehicle mileage costs and printing costs. The Judicial Council estimates it will need around 45 committee meetings in FY 2016 to accommodate study requests, five more than originally anticipated, thereby increasing travel costs for study committee members. For FY 2016, the Judicial Council received additional requests on open records, body cameras, the Safe Families Act, the Right to Financial Privacy and several other issues.

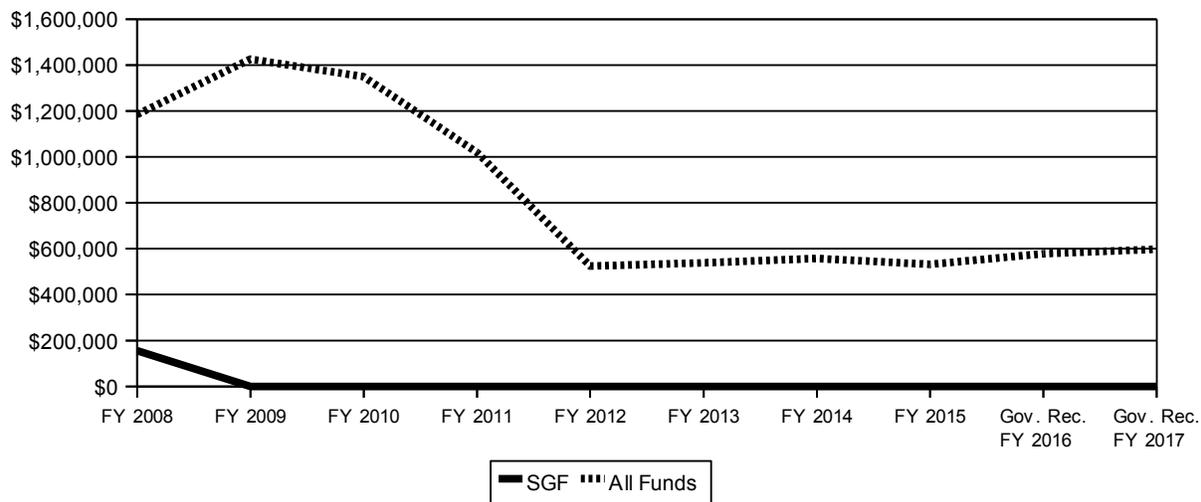
The **Governor** concurs with the FY 2016 agency revised estimate.

FY 2017 – Budget Year. The **agency** requests a revised estimate of \$597,636, all from special revenue funds, the same as the FY 2017 approved budget. The agency reduced estimated salary and wages expenditures by \$12,245, or 2.5 percent, predominantly in temporary compensation for board members. The reduction was offset by an increase of \$12,245, or 12.5 percent, in contractual services in printing and binding costs for publications. The increase is due to a revised estimate in the printing costs for the PIK Criminal from the Kansas Printing Plant.

The **Governor** concurs with the FY 2017 agency revised estimate.

BUDGET TRENDS

OPERATING EXPENDITURES FY 2008 – FY 2017



OPERATING EXPENDITURES FY 2008 – FY 2017

Fiscal Year	SGF	% Change	All Funds	% Change	FTE
2008	\$ 155,368	(9.0)%	\$ 1,184,419	17.9 %	7.0
2009	0	(100.0)	1,426,065	20.4	7.0
2010	0	0.0	1,349,519	(5.4)	7.0
2011	0	0.0	1,019,376	(24.5)	6.0
2012	0	0.0	524,112	(48.6)	4.0
2013	0	0.0	538,276	2.7	5.0
2014	0	0.0	557,387	3.6	5.0
2015	0	0.0	531,799	(4.6)	5.0
2016 Gov. Rec.	0	0.0	578,323	8.7	5.0
2017 Gov. Rec.	0	0.0	597,636	3.3	5.0
Ten-Year Change Dollars/Percent	\$ (155,368)	(100.0)%	\$ (586,783)	(49.5)%	(2.0)

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:									
Administration	\$ 531,799	\$ 578,323	\$ 597,636	\$ 19,313	3.3 %	\$ 578,323	\$ 597,636	\$ 19,313	3.3 %
By Major Object of Expenditure:									
Salaries and Wages	\$ 424,696	\$ 467,726	\$ 483,744	\$ 16,018	3.4 %	\$ 467,726	\$ 483,744	\$ 16,018	3.4 %
Contractual Services	95,949	106,116	110,233	4,117	3.9	106,116	110,233	4,117	3.9
Commodities	6,516	3,551	3,659	108	3.0	3,551	3,659	108	3.0
Capital Outlay	4,638	930	0	(930)	(100.0)	930	0	(930)	(100.0)
Debt Service	0	0	0	0	0.0	0	0	0	0.0
Subtotal - Operations	\$ 531,799	\$ 578,323	\$ 597,636	\$ 19,313	3.3 %	\$ 578,323	\$ 597,636	\$ 19,313	3.3 %
Aid to Local Units	0	0	0	0	0.0	0	0	0	0.0
Other Assistance	0	0	0	0	0.0	0	0	0	0.0
TOTAL	\$ 531,799	\$ 578,323	\$ 597,636	\$ 19,313	3.3 %	\$ 578,323	\$ 597,636	\$ 19,313	3.3 %
Financing:									
State General Fund	\$ 0	\$ 0	\$ 0	\$ 0	0.0 %	\$ 0	\$ 0	\$ 0	0.0 %
Judicial Council Fund	160,616	198,364	197,587	(777)	(0.4)	198,364	197,587	(777)	(0.4)
Publications Fee Fund	371,183	379,959	400,049	20,090	5.3	379,959	400,049	20,090	5.3
TOTAL	\$ 531,799	\$ 578,323	\$ 597,636	\$ 19,313	3.3 %	\$ 578,323	\$ 597,636	\$ 19,313	3.3 %

BUDGET OVERVIEW

A. FY 2016 – Current Year

Adjustments to Approved Budget

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	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
All Other Funds	578,323	578,323	0	578,323	0
TOTAL	\$ 578,323	\$ 578,323	\$ 0	\$ 578,323	\$ 0
FTE Positions	5.0	5.0	0.0	5.0	0.0

The **agency** requests a revised estimate of \$578,323, all from special revenue funds, the same as the FY 2016 approved budget. The agency reduced estimated salary and wages expenditures by \$11,238, or 2.3 percent, predominantly in temporary compensation for board members. The reduction was offset by an increase of \$10,332, or 10.8 percent, in contractual services in private vehicle mileage costs and printing costs. The Judicial Council estimates it will need around 45 committee meetings in FY 2016 to accommodate study requests, five more than originally anticipated, thereby increasing travel costs for study committee members. For FY 2016, the Judicial Council received additional requests on open records, body cameras, the Safe Families Act, the Right to Financial Privacy and several other issues.

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

B. FY 2017 – Budget Year

Adjustments to Approved Budget

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	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
All Other Funds	597,636	597,636	0	597,636	0
TOTAL	\$ 597,636	\$ 597,636	\$ 0	\$ 597,636	\$ 0
FTE Positions	5.0	5.0	0.0	5.0	0.0

The **agency** requests a revised estimate of \$597,636, all from special revenue funds, the same as the FY 2017 approved budget. The agency reduced estimated salary and wages expenditures by \$12,245, or 2.5 percent, predominantly in temporary compensation for board members. The reduction was offset by an increase of \$12,245, or 12.5 percent, in contractual services in printing and binding costs for publications. The increase is due to a revised estimate in the printing costs for the PIK Criminal from the Kansas Printing Plant.

The **Governor** concurs with the FY 2017 agency revised estimate.

Funding Sources

Funding Source	Agency Est. Percent of Total FY 2017	Gov. Rec. Percent of Total FY 2017
Judicial Council Fund	0.0 %	0.0 %
Publications Fee Fund	0.0	0.0
TOTAL	100.0 %	100.0 %

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

Judicial Council Fee Fund Analysis

The Judicial Council Fee Fund was created in 2003. Since FY 2013, the Judicial Council Fee Fund has received 0.99 percent of docket fees.

Resource Estimate	Actual FY 2015	Agency Estimate FY 2016	Gov. Rec. FY 2016	Agency Estimate FY 2017	Gov. Rec. FY 2017
Beginning Balance	\$ 38,750	\$ 72,973	\$ 57,758	\$ 57,758	\$ 42,543
Revenue	194,839	183,149	183,149	172,161	172,161
Transfers in	0	0	0	0	0
Total Funds Available	\$ 233,589	\$ 256,122	\$ 240,907	\$ 229,919	\$ 214,704
Less: Expenditures	160,616	198,364	198,364	197,587	197,587
Transfers Out	0	0	0	0	0
Off Budget Expenditures	0	0	0	0	0
Ending Balance	<u>\$ 72,973</u>	<u>\$ 57,758</u>	<u>\$ 42,543</u>	<u>\$ 32,332</u>	<u>\$ 17,117</u>
Ending Balance as Percent of Expenditures	45.4%	29.1%	21.4%	16.4%	8.7%
Month Highest Ending Balance	August <u>\$ 39,229</u>	August <u>\$ 137,189</u>	August <u>\$ 137,189</u>	August <u>\$ 108,585</u>	August <u>\$ 108,585</u>
Month Lowest Ending Balance	June <u>\$ 72,974</u>	June <u>\$ 58,336</u>	June <u>\$ 58,336</u>	June <u>\$ 32,332</u>	June <u>\$ 32,332</u>

Publications Fee Fund Analysis

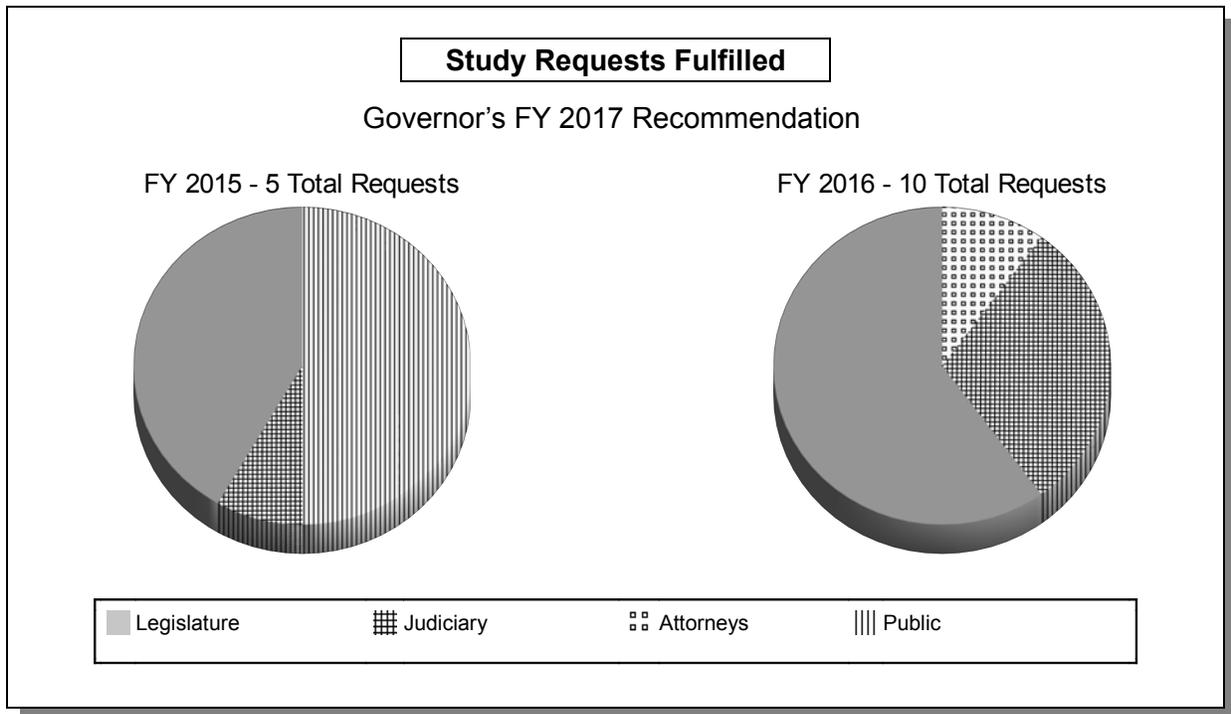
The Publications Fee Fund generates revenue from the sale of legal publications and was established in 1992.

Resource Estimate	Actual FY 2015	Agency Estimate FY 2016	Gov. Rec. FY 2016	Agency Estimate FY 2017	Gov. Rec. FY 2017
Beginning Balance	\$ 137,125	\$ 86,095	\$ 68,311	\$ 68,311	\$ 50,527
Revenue	324,254	367,643	367,643	387,617	387,617
Transfers in	0	0	0	0	0
Total Funds Available	\$ 461,379	\$ 453,738	\$ 435,954	\$ 455,928	\$ 438,144
Less: Expenditures	371,183	379,959	379,959	400,049	400,049
Transfers Out	0	0	0	0	0
Off Budget Expenditures	4,101	5,468	5,468	5,952	5,952
Ending Balance	<u>\$ 86,095</u>	<u>\$ 68,311</u>	<u>\$ 50,527</u>	<u>\$ 49,927</u>	<u>\$ 32,143</u>
Ending Balance as Percent of Expenditures	23.2%	18.0%	13.3%	12.5%	8.0%
Month Highest Ending Balance	December \$ 223,111	December \$ 140,335	December \$ 140,335	December \$ 111,347	December \$ 111,347
Month Lowest Ending Balance	June \$ 86,094	June \$ 30,133	June \$ 30,133	June \$ 23,909	June \$ 23,909

Projected Revenue from the Sale of Publications (FY 2013 - FY 2017)

	FY 2013 Actual	FY 2014 Actual	FY 2015 Est.	FY 2016 Est.	FY 2017 Est.
KS Appellate Practice Manual	\$ 400	\$ 4,600	\$ 210	\$ 5,140	\$ 220
KS Municipal Court Manual	5,390	4,940	6,700	6,720	6,720
PIK - Civil 4th	72,600	2,160	80,365	1,005	81,330
PIK - Criminal 4th	24,510	80,915	118,380	100,850	100,850
KS Probate Forms 3d	2,440	33,668	2,095	61,425	1,925
Online Subscriptions	61,383	169,836	191,414	191,489	191,729
Totals	<u>0</u> 166,723	<u>0</u> 296,119	<u>0</u> 399,164	<u>0</u> 366,629	<u>0</u> 382,774

PROGRAM DETAIL



Meeting Held by Committee	FY 2015	FY 2016
Administrative Procedure	0	3
Adoption Law	0	4
Appellate Practice	0	1
Civil Code	0	2
Criminal Law	1	3
Family Law	2	4
Guardianship and Conservatorship	2	0
Judicial Council	3	2
Juvenile Offender/Child in Need of Care	3	4
Municipal Courts Manual	1	2
Open Records	0	4
Pattern Instructions for Kansas - Civil	0	5
Pattern Instructions for Kansas - Criminal	5	5
Probate Law	7	2
Scrap Metal Theft	4	0
Tribal-State Judicial Forum	0	4
TOTAL	28	45

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
Administration	5.0	5.0	5.0	5.0	5.0