

**Proposed Budget
of the
Unified Judicial System
2021-22**

SUPREME COURT OF PENNSYLVANIA

Chief Justice Thomas G. Saylor

Justice Max Baer

Justice Debra Todd

Justice Christine Donohue

Justice Kevin M. Dougherty

Justice David N. Wecht

Justice Sallie Updyke Mundy



Geoff Moulton
Court Administrator of Pennsylvania

Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 1500
Harrisburg, PA 17120-0901
(717) 231-3300

AOPC

ADMINISTRATIVE OFFICE
of PENNSYLVANIA COURTS

PROPOSED BUDGET OF THE UNIFIED JUDICIAL SYSTEM, FY 2021-22

TABLE OF CONTENTS

Judiciary Comparative Financial Statement 1

SUPREME COURT

 Supreme Court 3

 Justices' Expenses 7

 Judicial Council 9

 Interbranch Commission for Gender, Racial and Ethnic Fairness..... 12

 Rules Committees 16

SUPERIOR COURT

 Superior Court..... 23

 Judges' Expenses..... 28

COMMONWEALTH COURT

 Commonwealth Court..... 31

 Judges' Expenses..... 36

ADMINISTRATIVE OFFICE

 Court Administrator 39

 Judicial Center Operations 44

 District Court Management—Administrators..... 47

 Office of Elder Justice in the Courts 50

 Court Management Education 54

 Judicial Education..... 57

 Problem-Solving Courts..... 61

 Unified Judicial System Security..... 64

STATEWIDE JUDICIAL COMPUTER SYSTEM

 Statewide Judicial Computer System..... 67

 Integrated Criminal Justice System (JNET) 74

COURTS OF COMMON PLEAS

 Courts of Common Pleas 81

 Common Pleas Senior Judges 85

 Ethics Committee of the PA Conference of State Trial Judges 89

PROPOSED BUDGET OF THE UNIFIED JUDICIAL SYSTEM, FY 2021-22

TABLE OF CONTENTS (continued)

MINOR JUDICIARY

Magisterial District Judge.....	93
Magisterial District Judge Education.....	97
Philadelphia Municipal Court.....	101

COUNTY GRANTS

County Court Reimbursement	105
Rule 701 – Senior Judge Support Reimbursement	109
Juror Cost Reimbursement.....	114
Court Interpreter County Grant.....	116

JUDICIAL CONDUCT BOARD	123
------------------------------	-----

COURT OF JUDICIAL DISCIPLINE	129
------------------------------------	-----

SUPPLEMENTAL INFORMATION REQUESTED

BY THE APPROPRIATIONS COMMITTEES	133
----------------------------------------	-----

FISCAL YEAR 2021-22 JUDICIARY BUDGET REQUEST

(in thousands)

<u>APPROPRIATION</u>	<u>AVAILABLE</u> <u>2020-21</u>	<u>REQUESTED</u> <u>2021-22</u>	<u>GOV. REC.</u> <u>2021-22</u>
<i>Supreme Court</i>	17,150	17,150	17,150
<i>(A) Filing Fees</i>	324	324	324
<i>(A) Miscellaneous</i>	4,130	5,064	5,064
<i>Justices' Expenses</i>	118	118	118
<i>Judicial Council</i>	141	141	141
<i>Interbranch Commission for Gender, Racial, Ethnic Fairness</i>	350	350	350
<i>(A) Miscellaneous</i>	0	0	0
<i>Rules Committees</i>	1,595	1,595	1,595
<i>(A) Miscellaneous</i>	5	5	5
<i>Subtotal</i>	<u>23,813</u>	<u>24,747</u>	<u>24,747</u>
<i>Superior Court</i>	32,377	33,995	32,377
<i>(A) Filing Fees</i>	126	142	142
<i>(A) Miscellaneous</i>	8,264	8,736	8,736
<i>Judges' Expenses</i>	183	183	183
<i>Subtotal</i>	<u>40,950</u>	<u>43,056</u>	<u>41,438</u>
<i>Commonwealth Court</i>	21,192	22,920	21,192
<i>(A) Filing Fees</i>	95	150	150
<i>(A) Miscellaneous</i>	92	622	622
<i>Judges' Expenses</i>	132	132	132
<i>Subtotal</i>	<u>21,511</u>	<u>23,824</u>	<u>22,096</u>
<i>Court Administrator</i>	11,577	12,030	11,577
<i>(F) Court Improvement Program</i>	1,130	1,130	1,130
<i>(F) STOP Violence Against Women Program</i>	268	237	237
<i>(F) Adult Drug Court</i>	0	175	175
<i>(F) Language Access Grant</i>	50	50	50
<i>(F) Veterans Treatment Court Strategic Planning</i>	100	200	200
<i>(F) Drug Court Outcome Evaluation</i>	225	0	0
<i>(F) Civil Case Management System Template Install</i>	0	60	60
<i>(F) PA Reestablishment Analysis of Magisterial District Courts</i>	80	80	80
<i>(F) Coronavirus Emergency Supplemental Funding</i>	1,404	0	0
<i>(A) Miscellaneous</i>	4,270	4,132	4,132
<i>Judicial Center Operations</i>	814	814	814
<i>(A) Miscellaneous</i>	764	1,047	1,047
<i>District Court Management - Administrators</i>	19,657	20,620	19,657
<i>(A) Miscellaneous</i>	8,718	9,144	9,144
<i>Office of Elder Justice in the Courts</i>	496	496	496
<i>Court Management Education</i>	73	73	73
<i>Judicial Education</i>	1,247	1,309	1,247
<i>(A) Miscellaneous</i>	0	699	699
<i>Problem-Solving Courts</i>	1,103	1,103	1,103
<i>Unified Judicial System Security</i>	2,002	2,002	2,002
<i>(A) Miscellaneous</i>	1	1	1
<i>Subtotal</i>	<u>53,979</u>	<u>55,402</u>	<u>53,924</u>

FISCAL YEAR 2021-22 JUDICIARY BUDGET REQUEST

(in thousands)

<u>APPROPRIATION</u>	<u>AVAILABLE 2020-21</u>	<u>REQUESTED 2021-22</u>	<u>GOV. REC. 2021-22</u>
<i>(R) Statewide Judicial Computer System</i>	45,626	45,626	45,626
<i>(A) Act 119-1996</i>	110	115	115
<i>(A) Miscellaneous</i>	4,523	4,538	4,538
<i>Integrated Criminal Justice System (JNET)</i>	2,372	2,372	2,372
<i>(F) NCHIP Grant</i>	100	0	0
<i>Subtotal</i>	<u>52,731</u>	<u>52,651</u>	<u>52,651</u>
<i>Courts of Common Pleas</i>	117,739	126,804	117,739
<i>(A) Miscellaneous</i>	24,875	19,784	19,784
<i>Common Pleas Senior Judges</i>	4,004	4,004	4,004
<i>(A) Miscellaneous</i>	0	664	664
<i>Ethics Cmte. of the PA Conf. of State Trial Judges</i>	62	62	62
<i>Subtotal</i>	<u>146,680</u>	<u>151,318</u>	<u>142,253</u>
<i>Magisterial District Judges</i>	82,802	88,392	82,802
<i>(A) Miscellaneous</i>	11,822	9,019	9,019
<i>Magisterial District Judge Education</i>	744	1,026	744
<i>(A) Registration Fees</i>	28	18	18
<i>(A) Miscellaneous</i>	2	3	3
<i>Philadelphia Municipal Court</i>	7,794	8,224	7,794
<i>(A) Miscellaneous</i>	2,173	2,258	2,258
<i>Subtotal</i>	<u>105,365</u>	<u>108,940</u>	<u>102,638</u>
<i>County Court Reimbursement Grant</i>	23,136	23,136	23,136
<i>Rule 701 - Sr. Judge Support Reimbursement</i>	1,375	1,375	1,375
<i>Juror Cost Reimbursement</i>	1,118	1,118	1,118
<i>Court Interpreter County Grant</i>	1,500	1,500	1,500
<i>Subtotal</i>	<u>27,129</u>	<u>27,129</u>	<u>27,129</u>
<i>Judicial Conduct Board</i>	2,468	2,468	2,505
<i>(A) Miscellaneous</i>	7	8	8
<i>Court of Judicial Discipline</i>	468	608	468
<i>(A) Miscellaneous</i>	1	1	1
<i>Subtotal</i>	<u>2,944</u>	<u>3,085</u>	<u>2,982</u>
STATE FUNDS	355,789	376,120	355,826
AUGMENTATIONS - ACT 49	62,903	58,839	58,839
SUBTOTAL	418,692	434,959	414,665
FEDERAL FUNDS	3,357	1,932	1,932
AUGMENTATIONS - OTHER	7,427	7,635	7,635
RESTRICTED REVENUES	45,626	45,626	45,626
TOTAL, ALL SOURCES	<u>475,102</u>	<u>490,152</u>	<u>469,858</u>

2021-22 JUDICIAL BUDGET PROPOSAL
Supreme Court

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	17,150	17,150	17,150	17,150
Federal Funds	0	0	0	0
Other Funds	<u>3,987</u>	<u>4,454</u>	<u>5,388</u>	<u>5,388</u>
Total	21,137	21,604	22,538	22,538

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>^2020-21</u>	Judicial <u>^2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	17,010	17,150	17,150	0
Federal Funds	0	0	0	0
Other Funds	<u>1,364</u>	<u>1,812</u>	<u>2,572</u>	<u>0</u>
Total	18,374	18,962	19,722	0

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds:							
Justices	7	7	7	7	7	7	0
Staff	* 129.6	101.6	* 132	102	** 111	100	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	136.6	109	139	109	118	107	0

* Includes 9 summer interns

** Includes 7 summer interns

3. OPERATING (\$000)

	<u>2019-20</u>	<u>^2020-21</u>	Judicial <u>^2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>2,623</u>	<u>2,642</u>	<u>2,816</u>	<u>0</u>
Total	2,623	2,642	2,816	0

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	140	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>140</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

#Detail not provided by Governor's Office of the Budget.

^Fiscal Year 2020-21 – Personnel and Operating: Other Funds include augmenting revenues of \$4,081 in Act 49 of 2009 revenues.

^Fiscal Year 2021-22 – Personnel and Operating: Other Funds include augmenting revenues of \$5,011 in anticipated Act 49 of 2009 revenues. This budget is predicated on the expectation that the Act 49 sunset date will be extended beyond December 31, 2021.

7. ASSUMPTIONS

Personnel:

Act 30 of 2007 provides for annual increases in judges' salaries, including per diem compensation paid to senior judges, effective each January 1 to reflect the latest 12-month change in the Consumer Price Index (CPI) for the Philadelphia-Wilmington-Atlantic City, Pennsylvania, Delaware, New Jersey and Maryland area. This budget request includes a 1.75% increase in judicial salaries and per diems effective January 1, 2022. Assumptions regarding Justices' salaries are as follows:

	<u>July - December, 2021</u>	<u>January - June, 2022</u>
Chief Justice	\$221,295	\$225,168
Justices (6)	\$215,037	\$218,801

Proposed personnel expenditures follow:

-Increase in Act 49 funds available in Fiscal Year 2021-22 to supplement state funds (nonrecurring) -	\$756,000
-Decrease in state funds required in Fiscal Year 2021-22 due to increase in Act 49 Funds in FY 2021-22 (nonrecurring) -	(\$756,000)
-Increase in salaries and related benefits (social security, pension contribution) for Justices' COLA (1.75% effective 1/1/2022) -	\$32,000
-Increase in salaries and related benefits (social security, pension contribution, and WC) for 1.75% COLA, and to annualize the cost of Fiscal Year 2020-21 merit and provide merit increments in Fiscal Year 2021-22 - filled staff and law clerks -	\$194,000
-Increase in salaries and all benefits to annualize the cost for staff vacancies filled/to be filled in Fiscal Year 2020-21 -	\$152,000
-Increase in cost of health/life insurance benefits for Justices and staff and health insurance benefits for annuitants -	\$173,000
-Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2020-21 -	\$139,000
-Decrease in cost of annual and sick leave payouts -	(\$8,000)
-Increase in cost of unemployment compensation -	\$74,000
-Increase in Medicare D subsidy -	\$4,000

Operating:

-Increase in Act 49 funds available in Fiscal Year 2021-22 to supplement state funds (nonrecurring) -	\$174,000
-Decrease in state funds required in Fiscal Year 2021-22 due to increase in Act 49 funds in FY 2021-22 (nonrecurring) -	(\$174,000)
-Start-up costs for new Justice anticipated to be elected in the November 2021 election to replace Justice retiring 12/31/2021 (nonrecurring)-	\$166,000
-Increase in miscellaneous expenditures -	\$8,000

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>
Employee Factor			
Justices	75.08%	77.11%	79.93%
Staff	76.12%	78.07%	81.29%

10. NONRECURRING PURCHASES

2020-21: none

2021-22: none

11. PROGRAM STATEMENT

Pennsylvania's Supreme Court is the oldest in the nation, predating the United States Supreme Court by 67 years. In matters of law, the state Supreme Court is Pennsylvania's court of last resort. In matters of administration, the Court's seven Justices are responsible for the effective management of the Commonwealth's Unified Judicial System, including the intermediate appellate courts, the Courts of Common Pleas, the magisterial district judge courts and related minor courts, and all staff who contribute to the system's administration. Justices are elected to 10-year terms, with the Chief Justice being the member having the longest continuous service among the seven.

This appropriation provides funding for the salaries and benefits of the Supreme Court Justices, their staff and the staff of the prothonotary offices in Harrisburg, Pittsburgh and Philadelphia, in addition to necessary operating expenses and fixed assets. This budget request reflects an estimate of the expenses required for the Supreme Court to carry out the programs mandated under the laws of the Commonwealth and to give the Court the ability to manage the increasing workload of the entire judicial system.

STATUTORY AUTHORITY: Art.V, Sec. 2, PA Constitution
42 Pa.C.S.A. Sec. 501, et seq.

2021-22 JUDICIAL BUDGET PROPOSAL
Justices' Expenses

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	118	118	118	118
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>118</u>	<u>118</u>	<u>118</u>	<u>118</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	0	0	0	0	0	0	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	65	118	118	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>65</u>	<u>118</u>	<u>118</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>*2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	53	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>53</u>	<u>0</u>	<u>0</u>	<u>0</u>

#Detail not provided by Governor's Office of the Budget.

**Fiscal Year 2019-20 – Non-expense/Interagency, consists of \$53 transferred to other UJS appropriations in accordance with 72 P.S. Section 1793-E.*

7. ASSUMPTIONS

The Judiciary requests that the same level of funding be provided as in Fiscal Year 2020-21.

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

No salaries are paid from this appropriation.

10. NONRECURRING PURCHASES

2020-21: none

2021-22: none

11. PROGRAM STATEMENT

This appropriation provides funding to cover the actual expenses incurred by the Chief Justice and Justices of the Supreme Court to enable them to fulfill their mandated constitutional responsibilities of the Unified Judicial System. Allowable business expenses are reimbursed under a vouchered system implemented by the Supreme Court.

STATUTORY AUTHORITY: Annual Appropriation Act.

2021-22 JUDICIAL BUDGET PROPOSAL
Judicial Council

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	141	141	141	141
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>141</u>	<u>141</u>	<u>141</u>	<u>141</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	84	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>84</u>	<u>0</u>	<u>0</u>	<u>0</u>

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	1.4	0.4	1	0	0	0	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0	0
Total	<u>1.4</u>	<u>0.4</u>	<u>1</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	6	141	141	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>6</u>	<u>141</u>	<u>141</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>*2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	51	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>51</u>	<u>0</u>	<u>0</u>	<u>0</u>

#Detail not provided by Governor's Office of the Budget.

**Fiscal Year 2019-20 – Non-expense/Interagency consists of \$51 transferred to other UJS appropriations in accordance with 72 P.S. Section 1793-E.*

7. ASSUMPTIONS

The Judiciary requests that the same level of funding be provided as in Fiscal Year 2020-21.

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>
Employee Factor	63.67%	0.0%	0.0%

10. NONRECURRING PURCHASES

2020-21: none

2021-22: none

11. PROGRAM STATEMENT

In accordance with the Pennsylvania Constitution and the provisions of the Rules of Judicial Administration 301 and 302, the Judicial Council of Pennsylvania serves at the Chief Justice's discretion as an advisory body to assist the Court in managing the Commonwealth's Unified Judicial System. The appropriation funds limited staff and selected program initiatives.

The Judicial Council has a two-pronged advisory role in making recommendations on matters referred to it by the Court and, from time to time, on its own initiative. Its work has been facilitated through the following committees: Statewide Rules, Statewide Unification, Budget, Judicial Education, Judicial Safety and Preparedness, and Strategic Planning.

Notable accomplishments by the Judicial Council are the publication of a continuing education curriculum for state trial judges, which was a joint initiative of the Council's Education Committee and AOPC's Judicial Education Department; and the initiation of an ongoing security program improving the safety of court facilities across the Commonwealth. Funding from this appropriation is supporting the seven-member task force implemented in July 2017 by the Supreme Court to evaluate and recommend improvements to the investigating grand jury system.

STATUTORY AUTHORITY: Art. V, Sec. 10(c) Pa Constitution
42 Pa.C.S.A. Sec. 1722, et.seq.

2021-22 JUDICIAL BUDGET PROPOSAL
Interbranch Commission for Gender, Racial and Ethnic Fairness

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	350	350	350	350
Federal Funds	0	0	0	0
Other Funds	14	0	0	0
Total	<u>364</u>	<u>350</u>	<u>350</u>	<u>350</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec# <u>2021-22</u>
State Funds	277	286	306	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>277</u>	<u>286</u>	<u>306</u>	<u>0</u>

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec#
	<u>Auth</u>	<u>Filed</u>	<u>Auth</u>	<u>Filed</u>	<u>Funded</u>	<u>Filed</u>	<u>2021-22</u>
State Funds	3	3	3	2	2	2	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0	0
Total	<u>3</u>	<u>3</u>	<u>3</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>0</u>

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec# <u>2021-22</u>
State Funds	73	64	44	0
Federal Funds	0	0	0	0
Other Funds	14	0	0	0
Total	<u>87</u>	<u>64</u>	<u>44</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec# <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec# <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec# <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

#Detail not provided by Governor's Office of the Budget.

7. ASSUMPTION

Personnel:

-Increase in salaries and related benefits (social security, pension contribution, and WC) for 1.75% COLA, and to annualize the cost of Fiscal Year 2020-21 merit increments and to provide merit increments in Fiscal Year 2021-22 for filled staff -	\$4,000
-Increase in cost of health/life insurance benefits for filled staff -	\$15,000
-Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2020-21 -	\$1,000

Operating:

-Miscellaneous operating expense decreases -	(\$20,000)
----------------------------------------------	------------

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>
Employee Factor	62.54%	65.38%	74.81%

10. NONRECURRING PURCHASES

2020-21: none

2021-22: none

11. PROGRAM STATEMENT

The 24-member Interbranch Commission for Gender, Racial and Ethnic Fairness was established in January 2005 by the three branches of state government. Its membership consists of appointments from the majority and minority parties of the House and Senate, the Governor's office, and the Supreme Court. The Commission's work is conducted through six committees, summarized below.

Criminal Justice Committee: On October 28, 2020, the Commission submitted its Memorandum on Indigent Defense Reform in Pennsylvania regarding the chronic underfunding and substandard legal representation provided by county-based public defender offices throughout Pennsylvania. The Memorandum, which includes a cost benefit analysis of the suggested reforms, is intended to serve as the basis for bipartisan reform legislation. As part of its effort to reduce the pre-trial detention of indigent defendants charged with low-level, non-violent crimes, the committee distributed to interested President Judges a set of proposed rules designed to reduce the use of cash bail in their judicial districts. Additionally, the committee continued to monitor and submit comments on certain criminal justice reform efforts, such as the PA Sentencing Commission's risk assessment sentencing tool and proposed amendments to its sentencing guidelines, as well as legislative bills on police misconduct, criminal record expungement, probation and parole modifications and mandatory minimum sentences.

Jury Service Committee: To increase juror diversity throughout the Commonwealth, the committee collaborated with the Commission's Interpreter Services Committee and the U. S. District Court for the Western District of Pennsylvania to produce a pamphlet on jury service for distribution to newly naturalized citizens with limited English language proficiency. The pamphlet will be offered to the Eastern and Middle District Courts, and the committee is drafting a revised version of the pamphlet for use in the state courts. The committee also continued working with the AOPC to eliminate obstacles to the judicial districts' use of the more inclusive statewide juror list. Finally, the committee continued to educate court administrators and judges on the recommendations from its guide, *Best Practices for Jury Selection and Service in Pennsylvania*, and worked with the Governor's office and legislators to amend a bill to reduce the range of offenses that currently disqualify former offenders from jury service for life.

Equal Opportunity and Diversity Committee: In June 2020, the committee convened the first meeting of its newly established Implicit Bias in Legal Education Work Group, including deans and administrators from each Pennsylvania law school, to draft a multi-faceted program for law schools to use in integrating implicit bias training into their curricula. The committee also submitted comments to two Supreme Court Committees regarding proposed changes to *In Forma Pauperis* procedures, and a new evidentiary rule recommended by our committee restricting the admissibility of immigration status into evidence during litigation.

Domestic Violence and Sexual Assault Victims Committee: In April 2020, several victims’ advocacy organizations requested the Commission’s help with addressing a marked increase during the COVID-19 pandemic in the incidence of domestic violence and child abuse, and a corresponding reduction in the number of calls by victims and witnesses to helplines. In response, the committee arranged for the Department of Health to devote a portion of daily press briefings to informing the public about the continued availability of the courts, and of domestic violence and child abuse victims’ services during the pandemic. The committee also continued its efforts to address the needs of human trafficking victims throughout the year through its *Guiding Principles to Address the Needs of Victims of Human Trafficking in Pennsylvania*.

L.G.B.T.Q. Rights Committee: Working with a broad coalition of supporters, the committee continued to advocate for the passage of legislation to amend the Pennsylvania Human Relations Act to include sexual orientation and gender identity within its protected classes. Similarly, the committee has been seeking amendment of the Pennsylvania Department of Human Services’ regulations to establish non-discrimination protections for LGBTQ foster youth who are in out-of-home placements. The committee also submitted official comments in opposition to the proposed removal by the U.S. Department of Health and Human Services of non-discrimination clauses in its contracts with agencies that provide services to needy individuals. This proposal would permit agencies that assist with adoptions, senior citizen needs and food insecurity to refuse to provide services to individuals based on their sexual orientation or gender identity/expression.

Interpreter Services Committee: By letter dated March 24, 2020, the committee recommended that the Court establish a statewide policy to curtail the Immigration and Customs Enforcement’s (ICE’s) presence in state courthouses, and to prohibit court personnel from collaborating with ICE’s efforts to arrest and deport undocumented individuals. The committee also worked with the Jury Service Committee to produce the jury service pamphlet for immigrants referenced above.

STATUTORY AUTHORITY: Art. V, Sec. 10(c) PA Constitution
42 Pa.C.S.A. Sec. 1722, et seq.

2021-22 JUDICIAL BUDGET PROPOSAL
Rules Committees

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	1,595	1,595	1,595	1,595
Federal Funds	0	0	0	0
Other Funds	<u>6</u>	<u>5</u>	<u>5</u>	<u>5</u>
Total	1,601	1,600	1,600	1,600

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec# <u>2021-22</u>
State Funds	1,250	1,296	1,364	0
Federal Funds	0	0	0	0
Other Funds	<u>6</u>	<u>5</u>	<u>5</u>	<u>0</u>
Total	1,256	1,301	1,369	0

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec#
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	11	7	11	7	7	7	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	11	7	11	7	7	7	0

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec# <u>2021-22</u>
State Funds	195	299	231	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	195	299	231	0

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec# <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec# <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>*2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec# <u>2021-22</u>
State Funds	150	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>150</u>	<u>0</u>	<u>0</u>	<u>0</u>

#Detail not provided by Governor's Office of the Budget.

**Fiscal Year 2019-20 – Non-expense/Interagency consists of \$150 transferred to other UJS appropriations in accordance with 72 P.S. Section 1793-E.*

7. ASSUMPTIONS

Personnel:

- Increase in salaries and related benefits (social security, pension contribution, and WC) for a 1.75% COLA, and to annualize the cost of Fiscal Year 2020-21 merit increments and provide merit increments for Fiscal Year 2021-22 for filled staff - \$22,000
- Increase in cost of health/life insurance benefits for active staff positions and health insurance benefits for annuitants - \$38,000
- Increase in cost of health insurance benefits due to credits received in Fiscal Year 2020-21 - \$14,000

Operating:

- Decrease in operating costs - (\$74,000)

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>
Employee Factor	82.34%	85.81%	92.15%

10. NONRECURRING PURCHASES

2020-21: none

2021-22: none

11. PROGRAM STATEMENT

This appropriation funds the eight Supreme Court standing rules committees: Criminal Procedural Rules, Civil Procedural Rules, Domestic Relations Procedural Rules, Juvenile Court Procedural Rules, Appellate Court Procedural Rules, Orphans' Court Procedural Rules, Committee on Rules of Evidence, and Minor Court Rules.

The rules committees assist the Supreme Court in fulfilling its constitutional responsibility to prescribe general rules governing court proceedings in Pennsylvania's Unified Judicial System. Acting as advisory bodies, the rules committees study and recommend procedural and evidentiary rules to the Court. In executing this role, the committees coordinate with members of the bench, bar, public, and the legislative and executive branches to receive information, comments, and suggestions regarding the rules and rule proposals. The committees also monitor recent legislation and court opinions to maintain rules that are current with the Commonwealth's developing law.

Another committee function is rules drafting. During this process, the committee may direct staff to investigate and prepare proposed changes, additions, or deletions to the rules. After consideration by the full committee, which may or may not have been preceded by a subcommittee review, a proposed recommendation proceeds in accordance with Pennsylvania Rule of Judicial Administration 103. Under Rule 103, a proposed recommendation is published in the *Pennsylvania Bulletin* and other legal publications for public comment. Subsequently, the committee reviews the public comments received and, as necessary, the committee may modify the proposal before submitting to the Court a final recommendation for its consideration.

In aggregate, the eight rules committees have approximately 100 members serving without compensation and supported by five attorneys and two administrative staff. The rules committees meet several times a year, generally for one-to-two day meetings. Some committees use standing or *ad hoc* subcommittees, which meet at other times to work on specific issues. In Fiscal Year 2020-21, the various rules committees will have convened

approximately 31 times in locations across the Commonwealth, including the Pennsylvania Judicial Center, and due to COVID-19 and its associated restrictions, the rules committees extensively used video conferencing in lieu of in-person meetings.

The work of the rules committees in 2020 has included:¹

- The **Juvenile Court Procedural Rules Committee** published proposed rule changes on the following topics: 1) clarifying procedures to permit the extended detention of a juvenile when procedural requirements are not met; and 2) concerning the imposition of financial obligations on juveniles at the time of disposition.

The Court adopted the following committee recommendations: 1) clarifying requirements for the presence of children at dependency proceedings; 2) concerning changes in venue in dependency proceedings, together with the rescission and replacement of Pennsylvania Rule of Juvenile Court Procedure 1302 concerning inter-county transfers of dependency cases; and 3) concerning transcript requests and the correction or modification of transcripts and records.

- The **Orphans' Court Procedural Rules Committee** did not publish any proposed rule changes during 2020.

The Court adopted the following committee recommendations: 1) applying Rule of Civil Procedure 240 to requests to proceed *in forma pauperis* and providing for the requirement and timing of guardian reports and inventories required by statute; and 2) governing petitions filed pursuant to 20 Pa.C.S. § 3102 pertaining to the settlement of small estates.

- The **Domestic Relations Procedural Rules Committee** published proposed rule changes on the following topics: 1) amending the Criminal Records/Abuse History Verification form and requiring the trial court to address the parties' criminal record and abuse history in pre-trial conferences and the admissibility of associated documents at trial; 2) addressing how the court conducts a child interview and who may participate in the interview; 3) incorporating a hearsay exception for a child's statement to a guardian *ad litem*; and 4) clarifying the procedures for motions for reconsideration and the status of the underlying order pending the trial court's reconsideration.

The Court adopted the following committee recommendations: 1) incorporating another class of third-party standing into rules and the custody complaint form; 2) clarifying the procedures for withdrawing a divorce complaint and ancillary claims raised in a divorce actions; and 3) requiring that case captions reflect the parties' full names unless a trial court

¹To avoid repetition, recommendations both published and adopted in calendar year 2020 are listed only once hereafter as adopted.

exercises its discretion, upon application of a party and for cause shown, to use the initials of the parties.

- The **Minor Court Rules Committee** published proposed rule changes on the following topics: 1) establishing procedural rules for actions under 75 Pa.C.S. § 3369(j)(4), relating to violations issued via automated work zone speed enforcement systems; 2) amending Rule 4.2 of the Rules Governing Standards of Conduct of Magisterial District Judges as it relates to political and campaign activities of candidates for magisterial district judge in public elections; and 3) addressing the use of a security deposit as an offset against a judgment in a landlord-tenant action.

The Court adopted the following committee recommendations:² 1) requiring the filing of an Affidavit of Compliance with the federal Coronavirus Aid, Relief, and Economic Security Act in every action by a landlord against a tenant for the recovery of real property filed on or after March 27, 2020 through July 25, 2020; 2) providing for the attachment of a non-military service affidavit to complaints in order to ensure that an eligible defendant receives the protections afforded by the Servicemembers Civil Relief Act, 50 U.S.C. §§ 3901 *et seq*; 3) permitting a landlord in a case involving a residential lease to request an order for possession within 180 days from the date of entry of judgment rather than the current 120 days; 4) providing for a 30-day appeal period in residential lease actions for tenants who are victims of domestic violence; and 5) clarifying the procedure for requesting an order of possession following the entry of an award by a board of arbitrators when the defendant has not maintained a supersedeas.

- The **Appellate Court Procedural Rules Committee** published proposed rule changes on the following topics: 1) amending the Official Note to Pennsylvania Rule of Appellate Procedure 1116 to encourage the early identification of waiver in discretionary appeals before the Supreme Court; 2) directing practitioners to each appellate court's web page for the number of copies of a document required for filing with that appellate court; and 3) governing the remand to the trial court for service *nunc pro tunc* of the statement of the errors complained of on appeal and to provide procedures for an appellant to remediate waiver due to either the failure to serve the statement or the failure to timely serve the statement.

The Court adopted the following committee recommendations: 1) requiring that case captions reflect the parties' full names unless an appellate court exercises its discretion, upon application of a party and for cause shown, to use the initials of the parties; 2) amending the official note relating to the requirements to preserve a challenge to a jury charge for appellate review; 3) amending the rule regarding the use of physical exhibits

² The Court also amended the Code of Judicial Conduct and the Standards of Conduct of Magisterial District Judges rules, although those amendments were not based on a recommendation of the Minor Court Rules Committee.

during argument; 4) adopting procedures for Petitions for Specialized Review; and (5) clarifying procedures regarding hybrid representation on appeal, and petitions for allowance of appeal *nunc pro tunc*.

- The **Criminal Procedural Rules Committee** published proposed rule changes on the following topics: 1) regarding whether note taking by jurors is permitted during closing arguments; and 2) regarding the forwarding of original case records from the minor courts to clerk of courts' offices.

The Court adopted the following committee recommendations to: 1) clarifying provisions regarding the definition of “legal paper” in the rule and the description in the Comment to the rule regarding how individual participation in electronic filing is initiated; and 2) correcting the reference to the procedures for requesting transcripts that are now contained in Pennsylvania Rule of Judicial Administration 4007.

- The **Committee on Rules of Evidence** published a proposed rule changes on the following topics: 1) amending Pa.R.E. 404(b)(3) to require written notice of the specific nature of the other crime, wrong, or act, the permitted use of the evidence under paragraph (b)(2), and the reasoning for its use; and 2) proposing Pa.R.E. 413 regulating the admissibility of evidence of immigration status.

The Court adopted the following committee’s recommendation amending Pennsylvania Rule of Evidence 901 to add a new paragraph (b)(11) to provide an example of evidence for the authentication of digital evidence.

- The **Civil Procedural Rules Committee** published proposed rule changes on the following topics: 1) governing the reissuance or reinstatement of original process; 2) governing those actions in which both the sheriff and a competent adult may serve original process; 3) regarding representation of parties in the courts of common pleas to permit under certain parameters for a partnership, corporation or similar entity, or an unincorporated association to appear *pro se*; and 4) amending Rule 240 and the proposed adoption of new Rule of Judicial Administration 1990 to govern the request to proceed *in forma pauperis*.

The Court adopted no recommendations from the committee during 2020.

The volume of the rules committees’ activities reflects the quickening pace of change in the practice of law and society in general.

STATUTORY AUTHORITY: Art. V, sec. 10(c), PA Constitution
42 Pa.C.S. §§ 1722, *et seq.*

(This page intentionally left blank.)

2021-22 JUDICIAL BUDGET PROPOSAL
Superior Court

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	32,377	32,377	33,995	32,377
Federal Funds	0	0	0	0
Other Funds	<u>8,183</u>	<u>8,390</u>	<u>8,878</u>	<u>8,878</u>
Total	40,560	40,767	42,873	41,255

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>^2020-21</u>	Judicial <u>^2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	32,377	32,377	33,995	0
Federal Funds	0	0	0	0
Other Funds	<u>3,097</u>	<u>3,273</u>	<u>3,473</u>	<u>0</u>
Total	35,474	35,650	37,468	0

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds:							
Judges	15	14	15	14	15	14	0
Staff	* 248	216	* 254	212	** 238	210	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	263	230	269	226	253	224	0

* Includes 21 summer interns

** Includes 16 summer interns

3. OPERATING (\$000)

	<u>2019-20</u>	<u>^2020-21</u>	Judicial <u>^2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>5,086</u>	<u>5,117</u>	<u>5,405</u>	<u>0</u>
Total	5,086	5,117	5,405	0

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

#Detail not provided by Governor's Office of the Budget.

^Fiscal Year 2020-21 – Personnel and Operating: Other Funds include augmenting revenues of \$8,162 in Act 49 of 2009 revenues.

^Fiscal Year 2021-22 – Personnel and Operating: Other Funds include augmenting revenues of \$8,622 in anticipated Act 49 of 2009 revenues. This budget is predicated on the expectation that the Act 49 sunset date will be extended beyond December 31, 2021.

7. ASSUMPTIONS

To fund the continued operation of the Superior Court, the following amounts are required above the amount budgeted for Fiscal Year 2020-21.

Personnel:

Act 30 of 2007 provides for annual increases in judges' salaries, including per diem compensation paid to senior judges, effective each January 1 to reflect the latest 12-month change in the Consumer Price Index (CPI) for the Philadelphia-Wilmington-Atlantic City, Pennsylvania, Delaware, New Jersey and Maryland area. This budget request includes a 1.75% increase in judicial salaries and per diem compensation effective January 1, 2022. Assumptions regarding judges' salaries and senior judge per diems are as follows:

	<u>July - December, 2021</u>	<u>January - June, 2022</u>
President Judge	\$209,153	\$212,814
Judge (14)	\$202,898	\$206,449
Senior Judge per diem	\$578	\$589

Proposed personnel expenditures follow:

-Increase in Act 49 funds available in Fiscal Year 2021-22 to supplement state funding (nonrecurring) -	\$188,000
-Decrease in state funding required due to increase in Act 49 funds in Fiscal Year 2021-22 (nonrecurring) -	(\$188,000)
-Increase in salaries and related benefits (social security, pension contribution) for Judges' COLA (1.75% effective 1/1/2022) -	\$61,000
-Increase in salaries and benefits for the cost of one vacant judge position to be filled by November election effective 1/3/2022 -	\$145,000
-Increase in salaries and related benefits (social security, pension contribution, and WC) for 1.75% COLA, and to annualize the cost of Fiscal Year 2020-21 merit increments and provide merit increments in Fiscal Year 2021-22 - filled staff and law clerks -	\$624,000
-Increase in salaries and all benefits for the cost to fill the staff complement of six for a commissioned judge vacancy filled by election effective 1/3/2022 -	\$349,000
-Increase in health/life insurance benefits for 14 judges, filled staff and health insurance for annuitants -	\$348,000
-Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2020-21 -	\$305,000
-Increase in senior judge per diem compensation and social security due to increased rates -	\$5,000
-Decrease in unemployment compensation costs -	(\$31,000)
-Increase in Medicare D subsidy -	\$12,000

Operating:

-Increase in Act 49 funds available in Fiscal Year 2021-22 to supplement state funding (nonrecurring) -	\$272,000
-Decrease in state funding required due to increase in Act 49 funds in Fiscal Year 2021-22 (nonrecurring) -	(\$272,000)
-Start-up costs for three new senior judges to replace three senior judges reaching mandatory retirement 12/31/2021 (nonrecurring) -	\$196,000
-Start-up costs for vacant judge position to be filled effective 1/3/2022 (nonrecurring) -	\$65,000
-Increase in real estate – base rent -	\$243,000
-Miscellaneous operating decreases -	(\$232,000)
-Increase in filing fees -	\$16,000

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>
Employee Factor			
Judges	74.43%	77.16%	78.63%
Staff	79.49%	83.57%	86.34%

10. NONRECURRING PURCHASES

2020-21: none

2021-22: none

11. PROGRAM STATEMENT

The Pennsylvania General Assembly established the Superior Court in 1895 to hear appeals from certain decisions of the Commonwealth's Courts of Common Pleas. Since the Court's inception, the General Assembly has periodically expanded the Superior Court's jurisdiction, and today it decides appeals touching almost every aspect of life and commerce in the Commonwealth. These appeals include, among others, family matters such as child custody, visitation, adoption, divorce, and support; criminal cases; matters concerning wills and estates; property disputes; and cases involving damages for breach of contract or personal injury. Superior Court judges also hear applications made by the Attorney General and district attorneys under the Wiretapping and Electronic Surveillance Control Act. The Superior Court is very often the final arbiter of legal disputes in Pennsylvania. Although the Supreme Court may grant a petition for an appeal from a decision of the Superior Court, in the vast majority of cases such petitions are denied.

The Superior Court is comprised of 15 commissioned judges and five senior judges assist in the work of the court. Except for cases in which the court orders consideration by an en banc panel of nine judges, the court sits in three-judge panels, hearing oral arguments an average of three times per month throughout the Commonwealth.

Each year, the Superior Court receives approximately 8,000 appeals and decides over 5,000 on the merits. The Court also receives close to 18,000 motions per year. According to the National Center for State Courts, the Superior Court is the busiest intermediate appellate court, per judge, in the nation.

Overall, this appropriation provides funding for salaries and benefits for judges, staff salaries and benefits, annuitant benefits, operating expenses, and fixed assets necessary for judicial and administrative operations. With the exception of approximately \$140,000 received annually by

the court in filing fees, and the use in recent years of augmentations to supplement limited state funding, the Superior Court is entirely dependent upon this appropriation to provide the funds necessary to carry out its constitutional mandate. Funding of this budget request is essential to continue the efficient and effective operation of the court.

STATUTORY AUTHORITY: Art. V, Sec. 3, PA Constitution
42 Pa.C.S.A.Sec. 541, et seq.

2021-22 JUDICIAL BUDGET PROPOSAL
Superior Court – Judges’ Expenses

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	183	183	183	183
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	183	183	183	183

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	0	0	0	0	0	0	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0	0	0	0

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	81	183	183	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	81	183	183	0

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>*2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2020-21</u>
State Funds	102	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>102</u>	<u>0</u>	<u>0</u>	<u>0</u>

**Fiscal Year 2019-20 – Non-expense/Interagency, consists of \$102 transferred to other UJS appropriations in accordance with 72 P.S. Section 1793-E.*

7. ASSUMPTIONS

The Judiciary requests the same level of funding as provided in Fiscal Year 2020-21.

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

No salaries are paid from this appropriation.

10. NONRECURRING PURCHASES

2020-21: none

2021-22: none

11. PROGRAM STATEMENT

This appropriation funds the vouchered Court-related business expenses incurred by the 15 commissioned judges of the Superior Court, including expenses incurred when traveling to other locations within Pennsylvania to hear oral arguments, and performing Court work outside of their chambers. Expenses include travel reimbursement, food, and lodging.

STATUTORY AUTHORITY: Annual Appropriation Act.

(This page intentionally left blank.)

2021-22 JUDICIAL BUDGET PROPOSAL
Commonwealth Court

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	21,192	21,192	22,920	21,192
Federal Funds	0	0	0	0
Other Funds	<u>282</u>	<u>187</u>	<u>772</u>	<u>772</u>
Total	21,474	21,379	23,692	21,964

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	18,008	19,815	21,717	0
Federal Funds	0	0	0	0
Other Funds	<u>86</u>	<u>64</u>	<u>76</u>	<u>0</u>
Total	18,094	19,879	21,793	0

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds:							
Judges	9	8	9	9	9	9	0
Staff	* 137	99	* 141	103	* 125	103	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	146	107	150	112	134	112	0

* Includes 10 summer interns

3. OPERATING (\$000)

	<u>2019-20</u>	<u>^2020-21</u>	Judicial <u>^^2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	1,951	1,377	1,203	0
Federal Funds	0	0	0	0
Other Funds	<u>196</u>	<u>123</u>	<u>696</u>	<u>0</u>
Total	2,147	1,500	1,899	0

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	<u>Judicial 2021-22</u>	<u>Gov Rec # 2021-22</u>
State Funds	33	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>33</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	<u>Judicial 2021-22</u>	<u>Gov Rec # 2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>*2019-20</u>	<u>2020-21</u>	<u>Judicial 2021-22</u>	<u>Gov Rec # 2021-22</u>
State Funds	1,200	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>1,200</u>	<u>0</u>	<u>0</u>	<u>0</u>

#Detail not provided by Governor's Office of the Budget.

**Fiscal Year 2019-20 – Non-expense/Interagency, consists of \$1,200 transferred to other UJS appropriations in accordance with 72 P.S. Section 1793-E.*

^Fiscal Year 2020-21 – Operating: Other Funds include augmenting revenues of \$28 in anticipated Act 49 of 2009 revenues.

^Fiscal Year 2021-22 – Operating: Other Funds include augmenting revenues of \$546 in anticipated Act 49 of 2009 revenues. This budget is predicated on the expectation that the Act 49 sunset date will be extended beyond December 31, 2021.

7. ASSUMPTIONS

Personnel:

Act 30 of 2007 provides for annual increases in judges' salaries, including per diem compensation paid to senior judges, effective each January 1, to reflect the latest 12-month change in the Consumer Price Index (CPI) for the Philadelphia-Wilmington-Atlantic City, Pennsylvania, Delaware, New Jersey and Maryland area. This budget request includes a 1.75% increase in judicial salaries and per diems effective January 1, 2022. Assumptions regarding judges' salaries and senior judge per diem compensation are as follows:

	<u>July - December, 2021</u>	<u>January - June, 2022</u>
President Judge	\$209,153	\$212,814
Judge (8)	\$202,898	\$206,449
Senior Judge per diem	\$578	\$589

Proposed personnel expenditures follow:

-Increase in salaries and related benefits (social security, pension contribution) for 1.75% COLA effective 1/1/2022 for nine judges -	\$39,000
-Increase in salaries and related benefits (social security, pension contribution, and WC) for 1.75% COLA, and to annualize the cost of Fiscal Year 2020-21 merit/step increments and to provide merit/step increments in Fiscal Year 2021-22 for filled staff and law clerks -	\$524,000
-Increase in salaries and all benefits to annualize the cost of staff vacancies filled/to be filled in Fiscal Year 2020-21 -	\$713,000
-Decrease in senior judge per diem and social security due to decreased days (from 122 days in Fiscal Year 2020-21 to 120 days in Fiscal Year 2021-22) -	(\$1,000)
-Increase in health and life insurance benefits for judges and staff, and health insurance benefits for annuitants -	\$262,000
-Increase in health and life insurance benefits to restore funding due to credits received in Fiscal Year 2020-21 -	\$200,000
-Increase in sick leave and annual leave payouts -	\$159,000
-Increase in unemployment compensation benefits -	\$6,000
-Increase in augmentations for Medicare D subsidy -	\$12,000

Operating:

-Increase in Act 49 funds available in Fiscal Year 2021-22 to supplement state funding (nonrecurring) -	\$518,000
-Decrease in state funds required due to the increase in Act 49 funds in Fiscal Year 2021-22 (nonrecurring) -	(\$518,000)
-Increase in miscellaneous operating costs -	\$285,000
-Increase in operating costs due to renewal of cyclical maintenance contracts -	\$59,000
-Increase in augmentations for filing fees -	\$55,000

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>
Employee Factor			
Judges	70.34%	72.05%	74.03%
Staff	85.99%	85.85%	87.27%

10. NONRECURRING PURCHASES

2020-21: none

2021-22: none

11. PROGRAM STATEMENT

The Commonwealth Court of Pennsylvania came into existence January 1, 1970, created by the Pennsylvania Constitution of 1968. The court hears appeals from county Courts of Common Pleas and state administrative agencies. From county courts, the Commonwealth Court hears appeals in matters involving zoning, taxation, civil service, negligence cases involving state and local government, and eminent domain, among others. From state administrative agencies, the court hears appeals in matters involving workers' and unemployment compensation, environmental issues, welfare claims, public utility rate disputes, and taxation, among others. In addition, the court acts as a trial court in certain types of cases where the Commonwealth is a party, including actions in equity, mandamus, and declaratory judgment, as well as hearing cases arising under the Election Code in both its original and appellate jurisdiction. The court also actively supervises insolvent insurance company estates in various stages of rehabilitation or liquidation. These matters, which are akin to bankruptcy proceedings, involve complex, protracted litigation, and present unique case management challenges requiring significant judicial and staff resources.

The Court's caseload declined in 2020 because of the COVID-19 pandemic and decreased activity in the courts of common pleas and state administrative agencies, which resulted in fewer appeals. However, the court handled – in a very expedited manner – considerable original jurisdiction litigation involving issues related to the pandemic and the 2020 general election. Overall, 2,710 new actions were filed in the court in calendar year 2020. Of these, 651 were new original jurisdiction cases, 398 of which were filed by prisoners. In the court's appellate jurisdiction, 793 new agency appeals were filed in 2020, including 219 unemployment compensation appeals, 197 workers' compensation appeals, and 120 Probation & Parole appeals, among other categories. In other major appellate categories, the court received 538 new appeals from the courts of common pleas and 690 new tax appeals from the board of finance and revenue.

In 2020 the Commonwealth Court disposed of 2,722 cases, 727 of which were decided by majority opinion. The court's mediation program continued to be successful in 2020: 106 cases were referred to mediation, and 70 cases were resolved, eliminating the need for further litigation.

STATUTORY AUTHORITY: Art. V, Sec. 4, PA Constitution
42 Pa.C.S.A. Sec. 561, et seq.

2021-22 JUDICIAL BUDGET PROPOSAL
Commonwealth Court – Judges’ Expenses

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	132	132	132	132
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>132</u>	<u>132</u>	<u>132</u>	<u>132</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec
	<u>Auth</u>	<u>Filed</u>	<u>Auth</u>	<u>Filed</u>	<u>Funded</u>	<u>Filed</u>	<u>2021-22</u>
State Funds	0	0	0	0	0	0	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	75	132	132	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>75</u>	<u>132</u>	<u>132</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>*2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	57	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>57</u>	<u>0</u>	<u>0</u>	<u>0</u>

**Fiscal Year 2019-20 – Non-expense/Interagency, consists of \$57 transferred to other UJS appropriations in accordance with 72 P.S. Section 1793-E.*

7. ASSUMPTIONS

The Judiciary requests the same level of funding as provided in Fiscal Year 2020-21.

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

No salaries are paid from this appropriation.

10. NONRECURRING PURCHASES

2020-21: none

2021-22: none

11. PROGRAM STATEMENT

This appropriation provides funding for vouchered expenses of the Commonwealth Court's authorized complement of nine judges. The requested level of funding is the amount necessary to fund the reimbursement of allowable business expenses of the full complement.

STATUTORY AUTHORITY: Annual Appropriation Act.

(This page intentionally left blank.)

2021-22 JUDICIAL BUDGET PROPOSAL
Court Administrator

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	11,577	11,577	12,030	11,577
Federal Funds:	1,406	3,257	1,932	1,932
CIP	1,127	1,130	1,130	1,130
STOP Grant	229	268	237	237
Adult Drug Eval	50	225	175	175
Language Access	0	50	50	50
VTC Strat Planning	0	100	200	200
Civil Case Mgt Syst	0	0	60	60
PA Reestab Analys	0	80	80	80
CESF	0	1,404	0	0
Other Funds	<u>3,593</u>	<u>4,270</u>	<u>4,132</u>	<u>4,132</u>
Total	16,576	19,104	18,094	17,641

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>^2020-21</u>	Judicial <u>^2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	11,536	11,577	12,030	0
Federal Funds	997	760	760	0
Other Funds	<u>1,834</u>	<u>1,874</u>	<u>1,913</u>	<u>0</u>
Total	14,367	14,211	14,703	0

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	85	82	85	82	84	81	0
Federal Funds	8	7	8	8	8	8	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	93	89	93	90	92	89	0

3. OPERATING (\$000)

	<u>2019-20</u>	<u>^2020-21</u>	Judicial <u>^2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	409	2,497	1,172	0
Other Funds	<u>1,759</u>	<u>2,396</u>	<u>2,219</u>	<u>0</u>
Total	2,168	4,893	3,391	0

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	41	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	41	0	0	0

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

#Detail not provided by Governor's Office of the Budget.

^Fiscal Year 2020-21 – Personnel and Operating: Other Funds include augmenting revenues of \$3,597 in Act 49 of 2009 revenues.

^Fiscal Year 2021-22 – Personnel and Operating: Other Funds include augmenting revenues of \$3,455 in anticipated Act 49 of 2009 revenues. This budget is predicated on the expectation that the Act 49 sunset date will be extended beyond December 31, 2021.

The federal funds shown each year in this presentation consist primarily of funds under Title IV-B and IV-E of the Social Security Act from the U.S. Department of Health and Human Services, Administration on Children, Youth and Families for the Court Improvement Program (CIP) involving the dependency courts. Each year also includes federal funds provided by the Pennsylvania Commission on Crime and Delinquency (PCCD) from the STOP Violence Against Women grant program to provide training and technical assistance to Pennsylvania's judiciary. Fiscal Year 2020-21 and Fiscal Year 2021-22 include federal grant funds for language access projects. This grant will be used for projects such as to produce and distribute to Pennsylvania's 60 judicial districts a "Notice of Language Rights" translated into the top 10-15 languages, and to translate all court forms available on the website into Spanish. Fiscal Year 2020-21 and Fiscal Year 2021-22 also includes federal funds from the Adult Drug Court Discretionary Grant Program to support a three-year statewide assessment, outcome and cost-benefit evaluation of adult drug courts and veterans' treatment courts. AOPC has also submitted two applications to the State Justice Institute

(SJI). The first being for a one-time three year project grant, to begin in Fiscal Year 2020-21, for the NCSC Weighted Caseload Study of Magisterial District Courts. The second grant application is for Infocon to install templates in their Civil Case Management System in 26 counties to track statistical data. In Fiscal Year 2020-21 AOPC was awarded a federal subgrant through PCCD for 2020 State Agency Coronavirus Emergency Supplemental Funding (CESF). The funds are being used to support efforts to prevent, prepare for, and respond to the coronavirus.

7. ASSUMPTIONS

Personnel:

-Decrease in Act 49 funds available in Fiscal Year 2021-22 to supplement state funds (nonrecurring) -	(\$18,000)
-Increase in state funding required due to decrease in Act 49 funds in Fiscal Year 2021-22 (nonrecurring) -	\$18,000
-Increase in salaries and related benefits (social security, pension contribution, and WC) for 1.75% COLA, and to annualize the cost of Fiscal Year 2020-21 merit increments and provide merit increments in Fiscal Year 2021-22 for filled staff -	\$224,000
-Increase in salaries and all benefits to annualize the cost of two vacancies to be filled in Fiscal Year 2020-21 -	\$118,000
-Increase in cost of health/life insurance benefits for filled staff and health insurance benefits for annuitants -	\$96,000
-Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2020-21 -	\$134,000
-Decrease in annual/sick leave payout -	(\$131,000)
-Decrease in unemployment compensation -	(\$6,000)
-Increase in Medicare D subsidy -	\$4,000
-Increase in augmentations (DHS) to support CIP personnel costs -	\$53,000

Operating:

-Decrease in Act 49 funds available in Fiscal Year 2021-22 to supplement state funds (nonrecurring) -	(\$124,000)
-Increase in state funds required in Fiscal Year 2021-22 due to increase in Act 49 funds in Fiscal Year 2021-22 (nonrecurring) -	\$124,000
-Decrease for attorney fees -	(\$413,000)
-Decrease in professional services -	(\$144,000)
-Decrease in miscellaneous operating costs -	(\$20,000)
-Decrease in augmentations (DHS) to support CIP operating costs -	(\$53,000)
-Increase in operating costs for Pilot Video Remote Interpreting project -	\$453,000

Federal Funds:

Operating:

-Increase in federal funds for operating costs for the Veterans Treatment Court Strategic Planning grant -	\$100,000
-Increase in federal funds for operating costs for the SJI Civil Case Management System grant -	\$60,000
-Decrease in federal funds for operating costs the STOP Violence Against Women grant -	(\$31,000)
-Decrease in federal funds for operating costs for Adult Drug Court grants -	(\$50,000)
-Decrease in federal funds for operating costs for CESF grant -	(\$1,404,000)

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>
Employee Factor	76.50%	80.61%	84.49%

10. NONRECURRING PURCHASES

2020-21: none

2021-22: none

11. PROGRAM STATEMENT

Pennsylvania's Constitutional Convention of 1967-68 created a Unified Judicial System (UJS) and formalized the Supreme Court's authority to supervise all of the Commonwealth's courts. That Constitution also created the position of Court Administrator of Pennsylvania, with the responsibility of leading the Administrative Office of Pennsylvania Courts (AOPC) in assisting the Supreme Court to carry out its supervisory and administrative roles.

The AOPC provides services for jurists, staff and the citizens of the Commonwealth. Those duties include providing statewide support in the areas of technology, communications, human resources, payroll, budgeting and accounting, law, intergovernmental relations, court programs, research and education.

Funding for AOPC operations comes mainly from appropriated state funds, and also from fee funding and a small amount of federal funds.

AOPC/Information Technology (IT) provides case management systems and other IT services statewide, and serves as a data resource for law enforcement and thousands of others in local, state and federal governments. Unlike AOPC as a whole, AOPC/IT is mostly fee funded. More information can be found under the Judicial Computer System (JCS) tab later in this book.

Highlights of UJS initiatives in which the AOPC has been involved over the past year include the following:

- Successfully implemented COVID-related accommodations enacted by the Minor Judiciary Education Board and the Pennsylvania Continuing Judicial Education Board of Judges. All continuing education was delivered in a remote environment beginning in March 2020. The four-week certification training program for prospective magisterial district judges was held through a series of live courses that participants accessed remotely. The live certification test that followed was offered regionally to mitigate COVID exposure. A total of 10,218 hours of judicial education was earned by 620 judges in 2020.
- Provided COVID-related courtroom equipment support to 20 county dependency courts.
- Received funding from the State Justice Institute to translate eviction and expungement forms continuing the effort to make the courts accessible to all.
- As of December 2020, AOPC/IT has sealed 48.8 million offenses on 36 million cases across the MDJS and CPCMS under the auspices of the Clean Slate law. This estimate accounts for 55% of the entire caseload for these systems.
- The Court amended the Case Records Public Assess Policy to require filers to safeguard confidential information.
- Awarded 82 scholarships to attend the virtual Pennsylvania Association of Treatment Court Professionals Conference. Success of the Problem Solving Courts includes:
 - 1,604 participants graduated successfully from problem-solving court programs.
 - 522 became employed between admission and discharge.
 - 260 of the participants discharged in 2019 improved their level of education between time of admission and discharge

STATUTORY AUTHORITY: Art. V, Sec. 10(b), PA Constitution
42 Pa.C.S.A. Sec. 1901, et seq.

2021-22 JUDICIAL BUDGET PROPOSAL
Judicial Center Operations

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	814	814	814	814
Federal Funds	0	0	0	0
Other Funds	355	764	1,047	1,047
Total	<u>1,169</u>	<u>1,578</u>	<u>1,861</u>	<u>1,861</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>^2020-21</u>	Judicial <u>^2021-22</u>	Gov Rec# <u>2021-22</u>
State Funds	814	814	814	0
Federal Funds	0	0	0	0
Other Funds	185	379	434	0
Total	<u>999</u>	<u>1,193</u>	<u>1,248</u>	<u>0</u>

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec#
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	11	10	11	11	11	11	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0	0
Total	<u>11</u>	<u>10</u>	<u>11</u>	<u>11</u>	<u>11</u>	<u>11</u>	<u>0</u>

3. OPERATING (\$000)

	<u>2019-20</u>	<u>^2020-21</u>	Judicial <u>^2021-22</u>	Gov Rec# <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	170	385	613	0
Total	<u>170</u>	<u>385</u>	<u>613</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec# <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec# <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec# <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

#Detail not provided by Governor's Office of the Budget.

^Fiscal Year 2020-21 – Personnel and Operating: Other Funds include augmenting revenues of \$409 in Act 49 of 2009 revenues.

^Fiscal Year 2021-22 – Personnel and Operating: Other Funds include augmenting revenues of \$692 in anticipated Act 49 of 2009 revenues. This budget is predicated on the expectation that the Act 49 sunset date will be extended beyond December 31, 2021.

7. ASSUMPTIONS

Personnel:

-Increase in Act 49 funds available in Fiscal Year 2021-22 to supplement state funding (nonrecurring) -	\$55,000
-Decrease in state funding required due to increase in Act 49 funds in Fiscal Year 2021-22 (nonrecurring) -	(\$55,000)
-Increase in salaries and related benefits (social security, pension contributions, and WC) for 1.75% COLA, and to annualize the cost of Fiscal Year 2020-21 merit increments and provide merit increments in Fiscal Year 2021-22 for filled staff -	\$24,000
-Increase in cost of health/life insurance benefits for filled staff -	\$18,000
-Increase in health insurance costs to restore funding due to credits received in Fiscal Year 2020-21 -	\$13,000

Operating:

-Increase in Act 49 funds available in Fiscal Year 2021-22 to supplement state funding (nonrecurring) -	\$228,000
---------------------------------------------------------------------------------------------------------	-----------

-Decrease in state funding required due to increase in Act 49 funds in Fiscal Year 2021-22 (nonrecurring) -	(\$228,000)
-Increase to restore funding for cleaning services (current-year costs are being paid from a prior-year encumbrance) -	\$165,000
-Increase for maintenance services and supplies - building -	\$42,000
-Increase for leased parking costs (water intrusion project) -	\$17,000
-Increase for miscellaneous operating expenses -	\$4,000

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2019-20</u>	<u>2020-21</u>	<u>Judicial</u> <u>2021-22</u>
Employee Factor	98.90%	97.45%	101.65%

10. NONRECURRING PURCHASES

2020-21: none

2021-22: none

11. PROGRAM STATEMENT

This appropriation funds the centralized costs to operate the Judicial Center in the capitol complex. This budget request provides full-year funding for 11 staff positions and related operating costs required to support this facility.

The majority of centralized operating costs consist of janitorial, telephone and data circuits, equipment maintenance, facilities management, and mail room expenses required for central support of building occupants and building operations of the Judicial Center. Augmentations of \$354,000 are expected to be collected from tenants to offset on-going operating costs.

The Judicial Center continues to be an example of intergovernmental cooperation with the recent move of the grand jury courtroom from Strawberry Square to the sixth floor of the Judicial Center. In addition, meeting rooms within the Judicial Center are routinely offered to and used by executive and legislative branch agencies.

STATUTORY AUTHORITY: Annual Appropriation Act.

2021-22 JUDICIAL BUDGET PROPOSAL
District Court Management - Administrators

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	19,657	19,657	20,620	19,657
Federal Funds	0	0	0	0
Other Funds	<u>8,216</u>	<u>8,718</u>	<u>9,144</u>	<u>9,144</u>
Total	27,873	28,375	29,764	28,801

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>^2020-21</u>	Judicial <u>^2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	19,637	19,634	20,586	0
Federal Funds	0	0	0	0
Other Funds	<u>8,216</u>	<u>8,718</u>	<u>9,144</u>	<u>0</u>
Total	27,853	28,352	29,730	0

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	196	193	196	194	196	195	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	196	193	196	194	196	195	0

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	20	23	34	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	20	23	34	0

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

#Detail not provided by Governor's Office of the Budget.

^Fiscal Year 2020-21 – Personnel: Other Funds include augmenting revenues of \$8,613 in Act 49 of 2009 revenues.

^Fiscal Year 2021-22 – Personnel: Other Funds include augmenting revenues of \$9,029 in anticipated Act 49 of 2009 revenues. This budget is predicated on the expectation that the Act 49 sunset date will be extended beyond December 31, 2021.

7. ASSUMPTIONS

Personnel:

-Increase in Act 49 funds available in Fiscal Year 2021-22 to supplement state funding (nonrecurring) -	\$416,000
-Decrease in state funding required due to increase in Act 49 funds in Fiscal Year 2021-22 (nonrecurring) -	(\$416,000)
-Increase in salaries and related benefits (social security, pension contribution, and WC) for 1.75% COLA, and to annualize the cost of Fiscal Year 2020-21 merit increments and provide merit increments in Fiscal Year 2021-22 for filled staff -	\$672,000
-Increase in salaries and benefits to annualize the cost of four vacant positions filled/to be filled in Fiscal Year 2020-21 -	\$222,000
-Increase in cost of health/life insurance benefits for staff and health insurance for annuitants -	\$317,000
-Increase in health insurance costs to restore funding due to credits received in Fiscal Year 2020-21 -	\$290,000
-Decrease in sick and annual leave payouts -	(\$120,000)
-Decrease in unemployment compensation -	(\$13,000)

-Increase in Medicare D subsidy - \$10,000

Operating:

-Increase in other services - \$11,000

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>
Employee Factor	82.91%	86.57%	89.59%

10. NONRECURRING PURCHASES

2020-21: none

2021-22: none

11. PROGRAM STATEMENT

This appropriation funds the salaries, benefits and related expenses of the district court administrative positions transitioned to state service January 1, 2000 in accordance with Act 12 of 1999 and those created subsequently. Act 12 authorized those transfers as a means of developing a solid management infrastructure between the state and district courts as components of the overall Unified Judicial System. Judicial district (county) administrative positions have been held steady for some years, but future requests to increase funding to fulfill long-standing staff needs are under consideration. This budget request provides funding for 196 positions, an increase of 21, or 12%, over the 175 transitioned to the Unified Judicial System in 2000.

STATUTORY AUTHORITY: Art. V, Sec. 10(b), PA Constitution
42 Pa.C.S.A. Sec. 1905

2021-22 JUDICIAL BUDGET PROPOSAL
Office of Elder Justice in the Courts (OEJC)

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	496	496	496	496
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	496	496	496	496

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	316	384	418	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	316	384	418	0

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	3	3	3	3	3	3	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	3	3	3	3	3	3	0

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	34	112	78	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	34	112	78	0

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>*2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	146	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>146</u>	<u>0</u>	<u>0</u>	<u>0</u>

#Detail not provided by Governor's Office of the Budget.

**Fiscal Year 20019-20 – Non-expense/Interagency, consists of \$146 transferred to other UJS appropriations in accordance with 72 P.S. Section 1793-E.*

7. ASSUMPTIONS

Personnel:

-Increase in salaries and related benefits (social security, pension contributions, and WC) for 1.75% COLA, and to annualize the cost of Fiscal Year 2020-21 merit increments and provide merit increments in Fiscal Year 2021-2022 for filled staff -	\$2,000
-Increase in cost of health/life insurance benefits for filled positions -	\$2,000
-Increase in health insurance costs to restore funding due to credits received in Fiscal Year 2020-21 -	\$2,000
-Increase in senior judge per diem compensation and social security due to increased rates -	\$1,000
-Increase in senior judge per diem compensation and social security due to increased days (from 75 days in Fiscal Year 2020-21 to 120 days in Fiscal Year 2021-22) -	\$27,000

Operating:

-Decrease in operating expenses -	(\$34,000)
-----------------------------------	------------

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>
Employee Factor	67.67%	67.28%	69.98%

10. NONRECURRING PURCHASES

2020-21: none

2021-22: none

11. PROGRAM STATEMENT

This appropriation funds the Office of Elder Justice in the Courts (OEJC) in support of its mission to address access to justice issues affecting older Pennsylvanians. The OEJC was created by the Supreme Court in January 2015 and is one of the recommendations developed by the Elder Law Task Force. The OEJC is responsible for implementing other relevant recommendations identified by the Elder Law Task Force. This appropriation also funds the Advisory Council on Elder Justice.

Among the activities and accomplishments of the OEJC in 2020 were the following:

- Through its review of court activity reports from the Guardianship Tracking System (GTS), the OEJC assisted local courts with the resolution of a range of guardianship issues including the design and demonstration of a report reviewer training for counties that need to improve their process for reviewing guardianship reports; and the establishment of a GTS Governance Committee to represent the user community, create a uniform process for determining whether requests for system enhancements should be made, and to prioritize requests;
- presented at the nationally attended Massachusetts Colloquium on Guardianship to showcase the GTS as an innovative oversight model;
- published the Pennsylvania Guardianship Bench Book and distributed to all judges who sit in Orphans' Court;
- provided COVID-19 pandemic resources to judges hearing Orphans' Court cases and to guardians to help them carry out their duties, and to the public regarding court operations affecting elders;
- issued a public statement from the Advisory Council urging the enhanced protection of residents in long-term care facilities during the COVID-19 pandemic and consideration of the recommendations outlined in the *Pennsylvania Advocates Report*.

STATUTORY AUTHORITY: Art. V, Sec. 7, PA Constitution
42 Pa.C.S.A. Sec. 1501, et seq.
42 Pa.C.S.A. Sec. 3532

2021-22 JUDICIAL BUDGET PROPOSAL
Court Management Education

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	73	73	73	73
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	73	73	73	73

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	0	0	0	0	0	0	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0	0	0	0

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	11	73	73	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	11	73	73	0

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>*2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	62	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>62</u>	<u>0</u>	<u>0</u>	<u>0</u>

#Detail not provided by Governor’s Office of the Budget.

**Fiscal Year 2019-20 – Non-expense/Interagency, consists of \$62 transferred to other UJS appropriations in accordance with 72 P.S. Section 1793-E.*

7. ASSUMPTIONS

The Judiciary requests that the same level of funding be provided as in Fiscal Year 2020-21.

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

No salaries are funded from this appropriation.

10. NONRECURRING PURCHASES

No purchases are made from this appropriation.

11. PROGRAM STATEMENT

The funding provided by this appropriation enables the provision of an ongoing education program to allow Judiciary staff to participate in various education forums to further their professional competence. This includes attendance at seminars, professional conferences, and other venues as appropriate. The education program is designed to further develop and strengthen the skills of both management and staff.

This budget request provides for continued professional education of state-level district court staff; the education is presented in various venues, including regional settings, and via webinars as a recent innovation under a distance-learning program. Under the distance-learning program, webinars enable participants to attend at no cost to the counties and eliminate AOPC's cost to present the seminars on-site in regional settings. The webinars are supplemented by a special session developed for and offered each spring in Harrisburg to new court staff. An optional course open to all district court staff, both state-level and county-level, is also traditionally offered each year.

Education programs are also made available to other Judiciary staff through private providers so that offerings may be tailored to meet individual needs. Group training sessions have also traditionally been used as needed to address specific skills for non-management staff. This program of education is designed to advance the contemporary professional and managerial skills of employees throughout the Judiciary, and to reduce the potential for litigation for liability which would accrue to the employer as a result of the professional actions of its employees.

STATUTORY AUTHORITY: Annual Appropriation Act.

2021-22 JUDICIAL BUDGET PROPOSAL
Judicial Education

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	1,247	1,247	1,309	1,247
Federal Funds	0	0	0	0
Other Funds	111	0	699	699
Total	<u>1,358</u>	<u>1,247</u>	<u>2,008</u>	<u>1,946</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	630	769	827	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>630</u>	<u>769</u>	<u>827</u>	<u>0</u>

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	4	4	5	4	5	4	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0	0
Total	<u>4</u>	<u>4</u>	<u>5</u>	<u>4</u>	<u>5</u>	<u>4</u>	<u>0</u>

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>^2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	617	478	482	0
Federal Funds	0	0	0	0
Other Funds	111	0	699	0
Total	<u>728</u>	<u>478</u>	<u>1,181</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

#Detail not provided by Governor's Office of the Budget.

^Fiscal Year 2021-22 – Operating: Other Funds consist of augmenting revenues of \$699 in anticipated Act 49 of 2009 revenues. This budget is predicated on the expectation that the Act 49 sunset date will be extended beyond December 31, 2021.

7. ASSUMPTIONS

Personnel:

-Increase in salaries and related benefits (social security, pension contribution, and WC) for 1.75% COLA, and to annualize the cost of Fiscal Year 2020-21 merit increments and provide merit increments in Fiscal Year 2021-22 for filled staff -	\$7,000
-Increase in salaries and benefits to annualize the cost of one vacant position to be filled in Fiscal Year 2020-21 -	\$42,000
-Increase in cost of health benefits/life insurance for filled staff -	\$5,000
-Increase in health insurance costs to restore funding due to credits received in Fiscal Year 2020-21 -	\$4,000

Operating:

-Increase in Act 49 funds available in Fiscal Year 2021-22 to supplement state funding (nonrecurring) -	\$699,000
-Decrease in state funding required due to increase in Act 49 funds in Fiscal Year 2021-22 (nonrecurring) -	(\$699,000)
-Increase in training/conference expenses (in-person conferences not held in FY 2020-21 due to coronavirus pandemic) -	\$703,000

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>
Employee Factor	72.52%	71.46%	73.21%

10. NONRECURRING PURCHASES

2020-21: none

2021-22: none

11. PROGRAM STATEMENT

The Supreme Court of Pennsylvania adopted continuing education requirements effective January 1, 2017 for all judges who do not fall under the statutory provisions and Supreme Court Rules of Judicial Administration applicable to magisterial district judges. The order requires each judge to earn annually three hours of judicial ethics education and nine hours of continuing education in judicial practice and related areas.

On February 7, 2020, the Supreme Court adopted Rules for Continuing Judicial Education (CJE), effective March 7, 2020. The rules replaced the Court's Order of December 9, 2016, which initially mandated continuing judicial education for the Commonwealth's trial and appellate court judges. While the new rules provided structure to the CJE requirements established in the December 2016 order, they made only minor changes to the infrastructure and mandates established thereunder. Under the CJE Rules, Pennsylvania's trial and appellate court judges must earn a minimum of 12 hours of continuing judicial education annually, three of which must be in judicial ethics. Four of the annual credits must be earned through courses developed by or under the supervision of the AOPC Judicial Education Department. A 12-member Board of Judges meets quarterly, and oversees the implementation of the rules, including both compliance and the quality of programs offered. The Board is supported by the AOPC Judicial Education Department. It reports to the Supreme Court annually, or whenever directed to do so.

On May 1, 2020, in response to the COVID-19 pandemic, the Board extended the time for judges to comply with the 2020 requirements to December 31, 2021. In other words, instead of requiring judges to earn 12 CJE credits in 2020 and 12 CJE credits in 2021, trial and appellate court judges must earn 24 CJE credits for the compliance period between January 1, 2020 and December 31, 2021.

This appropriation provides the funding for the program of professional continuing education for judges subject to the new mandatory education requirements. This program is conducted through conferences and seminars presented in both statewide and in regional settings under the auspices of AOPC's Judicial Education Department. The department works closely with the Pennsylvania Conference of State Trial Judges and the Special Court Judges Association to develop a state-of-the-art curriculum that includes timely and relevant continuing education courses presented to judges throughout the state.

This appropriation funds conferences, seminars, and educational programs as well as two professional educators and an education specialist to plan, implement and support the vital continuing education program for jurists.

It also funds orientation programs offered biennially for newly-elected common pleas judges, informational mailings, and records maintenance. These programs are supplemented by regional symposia which are designed to be held at geographically convenient locations and with sufficient frequency to accommodate judges in remote counties and those serving in one-judge districts so that they may avail themselves of ongoing education and meet the new requirements. In addition, annual meetings are held for president judges and court administrators to discuss issues pertinent to their responsibilities.

Funding requested in this appropriation will allow increased course offerings and judicial participation, and costs associated with tracking and reporting compliance with the education requirements. It also funds the Board of Judges designated to make accreditation decisions, grant waivers and deferrals, and hear non-compliance appeals.

With the emergence of COVID-19, public health concerns forced the cancellation of all in-person instruction beginning in March 2020, compelling a full transition to remote learning. Once public health concerns abate and in-person instruction resumes, the Department anticipates continuing its on-line presence.

STATUTORY AUTHORITY: Annual Appropriation Act.

2021-22 JUDICIAL BUDGET PROPOSAL
Problem-Solving Courts

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	1,103	1,103	1,103	1,103
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>1,103</u>	<u>1,103</u>	<u>1,103</u>	<u>1,103</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	12	33	33	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>12</u>	<u>33</u>	<u>33</u>	<u>0</u>

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	0	0	0	0	0	0	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	691	580	770	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>691</u>	<u>580</u>	<u>770</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	400	490	300	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>400</u>	<u>490</u>	<u>300</u>	<u>0</u>

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

#Detail not provided by Governor's Office of the Budget.

7. ASSUMPTIONS

Operating:

-Increase in professional services costs (current-year costs are primarily being paid from prior-year encumbrances) -	\$68,000
-Increase in software licenses and maintenance costs (current-year costs are primarily being paid from prior-year encumbrances) -	\$122,000

Grants:

-Decrease in grants to counties -	(\$190,000)
-----------------------------------	-------------

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>
Employee Factor	NA	NA	NA

10. NONRECURRING PURCHASES

2020-21: none

2021-22: none

11. PROGRAM STATEMENT

Problem-solving courts continue to be seen as an effective means of rehabilitating individuals charged with criminal behavior stemming from problems better treated outside the traditional punitive corrections process. We believe these courts are both cost-effective and beneficial in providing meaningful help to people to address behavior that contributes to criminality.

In 2005, the Pennsylvania Supreme Court endorsed the drug court model for judicial districts throughout the Commonwealth and sanctioned the nationally-recognized template which sets forth a protocol for their operation, and applied it to the operation of problem-solving courts in general. The Court's endorsement included the creation of performance standards to guide the operation and measurement of the efficacy of all problem-solving courts, and served as an impetus to their creation.

The increased number of these courts over recent years increases the ability to deliver effective and efficient programs in response to local needs and desires to benefit court management and constituents. As of January 2021, there were 126 problem-solving courts in operation in Pennsylvania, including drug courts, mental health courts, and veterans courts which address specific problems that contribute to criminal behavior, and their numbers continue to grow. Although there are differences in structure and operation among the various courts, all follow the foundation provided by the national drug court model in format and content. The AOPC is charged with oversight of these programs and coordination of related activities.

This appropriation provides the resources used to assist counties in managing these courts in accordance with nationally-recognized standards for best practices. Such assistance takes the form of staff training, monitoring program performance, and costs associated with maintaining the case management system that provides data on program performance. This Fiscal Year 2021-22 budget request includes funding to support the regional drug court created to serve three rural counties, grant funding to counties to implement new problem-solving courts, and discretionary grants designed to support program functions of existing problem-solving courts.

STATUTORY AUTHORITY: Annual Appropriation Act.

2021-22 JUDICIAL BUDGET PROPOSAL
Unified Judicial System Security

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	2,002	2,002	2,002	2,002
Federal Funds	0	0	0	0
Other Funds	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>
Total	2,003	2,003	2,003	2,003

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	480	541	627	0
Federal Funds	0	0	0	0
Other Funds	<u>1</u>	<u>1</u>	<u>1</u>	<u>0</u>
Total	481	542	628	0

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	4	4	6	5	5	4	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	4	4	6	5	5	4	0

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	29	128	42	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	29	128	42	0

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	1,493	1,333	1,333	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	1,429	1,333	1,333	0

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

#Detail not provided by Governor's Office of the Budget.

Note: The Fiscal Year 2019-20 and 2020-21 appropriations were provided in the form of continuing appropriations per Act 1-A of 2019 and Acts 1-A and 17-A of 2020, respectively. Likewise, it is requested that the Fiscal Year 2021-22 funding also be provided in the form of a continuing appropriation.

7. ASSUMPTIONS

Personnel:

-Increase in salaries and related benefits (social security, retirement, and WC) for 1.75% COLA, and to annualize the cost of Fiscal Year 2020-21 merit increments and provide merit increments in Fiscal Year 2021-22 for filled staff -	\$12,000
-Increase in salaries and all benefits to annualize the cost of one vacant position to be filled in Fiscal Year 2020-21 -	\$65,000
-Increase in cost of health/life insurance benefits for filled positions and health insurance benefits for annuitant -	\$5,000
-Increase in health insurance benefits to restore funding due to credits received in Fiscal Year 2020-21 -	\$4,000

Operating:

-Decrease in contract personnel -	(\$10,000)
-Decrease in software licenses and maintenance -	(\$30,000)
-Decrease in furniture and equipment < \$25,000 -	(\$50,000)
-Increase in miscellaneous operating expenses -	\$4,000

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>
Employee Factor	79.64%	80.77%	82.96%

10. NONRECURRING PURCHASES

2020-21: none

2021-22: none

11. PROGRAM STATEMENT

The goal of the Unified Judicial System's Security Program is to make every court facility a safe place for the general public, litigants and their families, jurors, witnesses, and victims of crime to conduct their business.

Current year funding will provide reimbursements to counties for the purchase of essential security equipment including duress alarms, ballistic shielding for benches and transaction counters, magnetics locks for courtroom doors, security lighting, prisoner anchoring devices, intrusion alarms, CCTV, solid core doors, access control locks for staff areas, and intrusion resistant window film.

The Fiscal Year 2021-22 request continues to build upon the past years' work of enhancing physical security and safety features for common pleas and magisterial district courts in order to mitigate and respond to the spectrum of risks posed by natural and man-made emergencies (e.g., active shooter/assailants, mass casualty events). In 2020, there were 293 incidents reported at common pleas courts, and 342 at magisterial district courts, for a total of 635, a decline from the record number of 732 incidents reported in 2019 due to the effects of COVID-19.

The request also provides for the continued funding of five staff to manage the incidents reported to the Pennsylvania Judicial Incident Reporting System (PJIRS), the increased demands for physical security assessments at common pleas and magisterial district courts, the need for development of expanded exportable security training programs, and the need for more comprehensive protection services for members of the judiciary while at key conference events.

STATUTORY AUTHORITY: Annual Appropriation Act.

2021-22 JUDICIAL BUDGET PROPOSAL
Statewide Judicial Computer System

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>45,614</u>	<u>50,259</u>	<u>50,279</u>	<u>50,279</u>
Other Funds Itemized:				
-JCS Restricted				
Revenues	40,861	45,626	45,626	45,626
-Miscellaneous	4,646	4,523	4,538	4,538
-Act 119-1996	<u>107</u>	<u>110</u>	<u>115</u>	<u>115</u>
Total	<u>45,614</u>	<u>50,259</u>	<u>50,279</u>	<u>50,279</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>26,513</u>	<u>27,484</u>	<u>28,181</u>	<u>0</u>
Total	<u>26,513</u>	<u>27,484</u>	<u>28,181</u>	<u>0</u>

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	0	0	0	0	0	0	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	<u>190</u>	<u>185</u>	<u>187</u>	<u>184</u>	<u>183</u>	<u>182</u>	<u>0</u>
Total	<u>190</u>	<u>185</u>	<u>187</u>	<u>184</u>	<u>183</u>	<u>182</u>	<u>0</u>

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>18,811</u>	<u>21,905</u>	<u>21,228</u>	<u>0</u>
Total	<u>18,811</u>	<u>21,905</u>	<u>21,228</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	290	870	870	0
Total	<u>290</u>	<u>870</u>	<u>870</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

#Detail not provided by Governor's Office of the Budget.

Note: JCS restricted revenues shown above consist of revenues from Act 64 – 1987, and Act 59 – 1990 as amended by Act 122 – 2002.

7. ASSUMPTIONS

The following presents the categorization of the personnel, operating and fixed asset costs contained in this Fiscal Year 2021-22 JCS budget request of \$50.279 million:

- Enterprise Application Maintenance (EAM) – costs related to the maintenance and efficient operation of the magisterial district judge, common pleas criminal court, and appellate court case management systems, UJS Web Portal, Data Hub and the Guardianship Tracking System (GTS) - \$28,378,000
- Costs for the operations of “Jen & Dave’s Law,” mandated by Act 119-1996 - \$115,000
- Administrative Support Application Program (ASAP) – costs for the ongoing maintenance and operation of the automated system serving the appellate courts’

administrative functions of accounting, budgeting, payroll, and human resources - \$1,806,000

- Enterprise IT Operations (EITO) – costs of those resources—including staff and equipment—to meet the hardware and support needs of the case management systems, UJS Portal, Data Hub and GTS, and the day-to-day technology needs of the PJC and the offices of the Supreme Court - \$7,592,000
- Network/Network Operations Center (NOC) – costs of those resources—including circuit costs, staff, and equipment—to meet the day-to-day networking and network security needs of the Judiciary - \$7,900,000
- Facility/Administration – costs for shared support staff, rent, utilities, telephone, and building maintenance for primary and secondary data centers - \$4,488,000

The following presents the various increases and decreases required for the operations of JCS from the amounts appropriated in Fiscal Year 2020-21:

Personnel:

-Increase in salaries and related benefits (social security, pension contribution, and WC) for 1.75% COLA, and to annualize the cost of Fiscal Year 2020-21 merit increments and provide merit increments in Fiscal Year 2021-22 for filled staff -	\$279,000
-Increase in salaries and all benefits to annualize the cost of two vacancies filled with RTH contractors in Fiscal Year 2020-21 -	\$88,000
-Decrease in salaries and all benefits for one position funded in Fiscal Year 2020-21 but not funded in Fiscal Year 2021-22 -	(\$139,000)
-Increase in cost of health/life insurance benefits for filled positions and health insurance benefits for annuitants -	\$346,000
-Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2020-21 -	\$242,000
-Decrease for annual and sick leave payouts -	(\$139,000)
-Increase in salaries and all benefits for Jen & Dave staff (Act 119 of 1996 restricted revenues) -	\$5,000
-Increase in Medicare D Subsidy -	\$15,000

Operating:

-Decrease in maintenance services and supplies -	(\$100,000)
-Decrease in contract personnel -	(\$126,000)
-Decrease in maintenance services and support – FFE for multi-year equipment maintenance contracts paid in Fiscal Year 2020-21 -	(\$451,000)

JCS, administered by the Administrative Office of Pennsylvania Courts' Information Technology Department (AOPC/IT), is funded primarily from a dedicated funding stream consisting of restricted revenues. Act 64 of 1987 instituted this funding mechanism based on future increases in fine collections and court costs resulting from automated court systems. The funding was later supplemented by filing fees created by Act 59 of 1990, as amended by Act 122 of 2002. Revenue collections are deposited into a restricted revenue account within the state Treasury, from which annual appropriations are made to JCS. (42 Pa.C.S.A. Sec. 3734)

Annual revenues have declined steadily in recent years, falling 28%, or \$18.2 million, from Fiscal Year 2007-08 through Fiscal Year 2017-18. Declining resources forced a staff reduction beginning with a hiring freeze in March 2016 and culminating with a staff layoff in January 2018. These measures have resulted in a reduction of 88 positions, with annual cost reductions of over \$11 million. Additional significant staff reductions would most likely result in a significant reduction in services.

Act 42 (2018) has further reduced annual revenues by diverting \$15 million of JCS' already declining revenues to the School Safety and Security Fund each year. In addition, a one-time transfer of \$30 million from the restricted receipt account in Fiscal Year 2020-21 has brought the total diverted through Fiscal Year 2020-21 to \$75 million.

The diversion, transfer and ongoing decline of revenues have jeopardized the ability to fund existing systems and services. If the diverted revenues are not restored, further substantive operating reductions such as the shuttering of at least one of the statewide case management systems and other services will be required by the end of 2022.

Funds in the restricted revenue account will provide the primary funding for this budget request. Estimates of current-year revenue collections totaling \$23.85 million consist totally of Act 122 revenues, as Act 64 revenues are not expected to exceed the \$15 million diverted to the School Safety and Security Fund.

Other revenues, estimated at \$4.653 million in Fiscal Year 2021-22, are designed to offset costs of specific JCS functions and include online payment fees, expungement fees, public access fees levied on nongovernmental users of information captured by the Magisterial District Judge System (MDJS), and Medicare D subsidies. Restricted revenues for the Jen and Dave program derived from fees established by Act 119 of 1996 will be available to support costs of these statutorily-required operations.

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>
Employee Factor	78.57%	80.63%	85.02%

10. NONRECURRING PURCHASES

2020-21: none

2021-22: none

11. PROGRAM STATEMENT

Pennsylvania continues to be a national leader in judicial computerization. The IT department within AOPC has been recognized for making court information significantly more accessible, improving collection of fines, fees, costs and restitution, and administrative efficiencies throughout the court system. In 2020, AOPC/IT received **two national court technology awards** from the National Association for Court Management (NACM). The Court Process Innovation for the development of the Language Access Data Collection System and the Cross-Boundary Partnerships Award for the Clean Slate initiative.

Funded by revenues derived from court costs, filing fees and designated fines, rather than tax dollars, AOPC/IT creates, maintains and updates statewide case management systems for all three levels of Pennsylvania's courts (Appellate, Common Pleas and Magisterial District courts). Local court officials are able to access court case information about parties related to cases anywhere in the state. Most importantly, the systems are linked, allowing millions of cases to be shared as each case moves through the court system.

Access to Data

- **1.9 million cases were docketed in 2020 by utilizing** our three case management systems – the MDJS, the Common Pleas Court Case Management System (CPCMS) and Pennsylvania's Appellate Court Management System (PACMS).
- **100 million docket sheets** were viewed for free on our website in 2020.
- **161,000 electronic case transfers** from the MDJS to the CPCMS during 2020 **saved county court staff countless hours** by eliminating the need for redundant data entry.
- **38,000 law enforcement and public safety officials representing more than 20 criminal justice partners and law enforcement agencies** depended on the case management systems to perform their daily duties during 2020.

Docket sheets and customized court reports provide valuable information to media, academics, attorneys, legislators, government agencies, for-profit and nonprofit organizations, and others.

Value and Savings

The data maintained and shared by the judiciary is valuable and widely-used by courts, government agencies, public safety and law-enforcement officials, members of the public, media and attorneys to name a few.

- **AOPC/IT has reduced the cost of manually compiling and mailing boxes of official case records and transcripts** through the development of an electronic original record system. A total of 26 counties and agencies are e-filing original records with 3,336 cases e-filed in 2020.
- **Currently, 666 law enforcement entities** are e-filing traffic citations, parking citations and criminal complaints. This cuts down on the time needed to complete traffic stops, thereby improving safety and accuracy, and saving court staff thousands of hours a year.
 - Non-traffic electronic filing was implemented in 2019 with Pennsylvania State Police and was successfully piloted. Contact has been initiated with additional police agencies that are interested in electronic filing to begin over the next fiscal year.

Court Collections

Features within the case management systems help court staff collect and process fines, court costs and restitution – and the very popular **PAePay**[®], an online payment application developed by AOPC/IT, allows people to pay these costs online.

- **PAePay saw a record \$156 million online amount collection in 2020, an 8 percent increase** over last year.
- Over the last 10 years, AOPC/IT collected and processed over **\$4.6 billion** in fines, costs, and restitution. Due to the COVID-19 pandemic, this year saw a \$77 million decrease in funds distributed from last year.
- The case management systems also enhance court collections by allowing court officials to **identify unpaid balances and actively collect on old and new cases.**

Electronic Filing/Document Storage Initiatives

Pennsylvania's courts continue to move towards a paperless operation. **PACFile**[®] saves time by allowing the direct electronic filing of documents with the courts by attorneys and *pro se* litigants.

- By the end of 2020, **32 counties** were using PACFile to electronically submit filings into CPCMS, and **45 counties** were using the electronic records management system (ERMS) for electronic document management.
- By the end of 2020, **51 counties** were using the ERMS solution for electronic document management in the MDJS. AOPC/IT will work with additional counties as requested to implement this document management solution in 2021.
- During 2020, **90,000** documents were processed daily in the case management systems using ERMS.

Clean Slate

Act 56 of 2018, which became effective June 28, 2019, expands the criminal case sealing mandate to include additional offenses meeting specific criteria which required significant systems changes to the two case management systems (MDJS and CPCMS).

- AOPC/IT staff cost to implement Clean Slate exceeded \$3 million.
- As of December 2020, **36 million** cases were sealed accounting for 55% of the entire caseload of the MDJS and CPCMS.

STATUTORY AUTHORITY: 42 Pa.C.S.A. Sec. 3731, *et seq*

2021-22 JUDICIAL BUDGET PROPOSAL
Integrated Criminal Justice System (JNET)

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	2,372	2,372	2,372	2,372
Federal Funds	145	100	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	2,517	2,472	2,372	2,372

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	658	678	701	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	658	678	701	0

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	4	4	4	4	4	4	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	4	4	4	4	4	4	0

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	1,714	1,694	1,671	0
Federal Funds	145	100	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	1,859	1,794	1,671	0

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

#Detail not provided by Governor's Office of the Budget.

The federal funds shown each year in this presentation consist of federal funds from the U.S. Department of Justice made available to AOPC/IT as a subgrant from the Pennsylvania Commission on Crime and Delinquency (PCCD). The grant supported AOPC/IT activities in a two-year project led by JNET to update the electronic criminal complaint E-Filing system. The grant expired December 31, 2020.

7. ASSUMPTIONS

Personnel:

-Increase in salaries and related benefits (social security, pension contributions, and WC) for 1.75% COLA, to annualize the cost of Fiscal Year 2020-21 merit increments and to provide merit increments in Fiscal Year 2021-22 for filled staff -	\$14,000
-Increase in cost of health/life insurance benefits for filled positions -	\$5,000
-Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2020-21 -	\$4,000

Operating:

-Decrease in operating costs -	(\$23,000)
--------------------------------	------------

Federal Funds:

Operating:

-Decrease in contract personnel for NCHIP grant -	(\$100,000)
---------------------------------------------------	-------------

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>
Employee Factor	64.38%	65.83%	67.78%

10. NONRECURRING PURCHASES

2020-21: none

2021-22: none

11. PROGRAM STATEMENT

This appropriation funds portions of the Unified Judicial System's (UJS') activities in support of the Commonwealth's multi-agency Integrated Criminal Justice Information System (JNET). The UJS has been an active participant in JNET since its inception, and the source for important data from its automated systems.

JNET is a statewide effort that allows information from criminal justice and other related resources to be shared among federal, state, county and municipal agencies. Information makes its way to the end user through two sources - a secure Web-based interface and Extensible Markup Language (XML)-based messaging.

The Fiscal Year 2021-22 budget request seeks continued funding for limited staff and related operating costs in support of JNET functions, and a portion of the telecommunications costs between the Administrative Office of Pennsylvania Court's Information Technology (AOPC/IT) department and magisterial district judge (MDJ) offices to allow JNET traffic to flow to and from MDJ offices and other supporting systems and provide JNET access to the district courts.

This budget request also seeks funding for the continuing development and maintenance of messages published by AOPC/IT and automated use of messages published by other criminal justice and related agencies. Messaging is a method JNET and AOPC/IT use to move information between agency computer systems in order to share case data and to reduce redundant data entry.

A number of messages are in various stages of the product development lifecycle including initial development and maintenance. These messages continue to assist in supporting the

statewide Magisterial District Judge System (MDJS), Common Pleas Criminal Court Case Management System (CPCMS) and other criminal justice agency related systems:

- The Court Case Event (CCE) messages are event-triggered messages published from the CPCMS and MDJS. County agencies filing electronic information into the CPCMS will receive updated case information through this JNET messaging structure.
- AOPC/IT provides information to JNET's Federated Warrant Search application and its Federated Address application and continues to report dispositions electronically through the JNET infrastructure updating the Criminal History Repository (CHR). AOPC/IT implemented an enhancement project with JNET and PSP to improve the statewide warrant process that allows the electronic filing of warrants into the Commonwealth Law Enforcement Assistance Network (CLEAN) and National Crime Information Center (NCIC) if all required information is filed on the initiating criminal complaint and entered into the MDJS. This eliminates the need for the manual entry of warrant information by local law enforcement officers.
- AOPC/IT implemented a message that allows users of the Pennsylvania Commission on Sentencing's (PCS) Web-based Sentencing Guideline Software (SGS) to query basic case information from the CPCMS and MDJS to assist with data entry and to reduce errors. Per a request by the PCS, functionality was added to support their mandate to implement a recidivism risk assessment tool. AOPC/IT continues to work with the PCS in support of this new interface that allows the PCS to make a CCE Request/Reply that will return case information on all cases where an identified offender (as determined by personal demographic information) was the defendant. The Department of Corrections is planning to use this functionality as well.
- AOPC/IT, JNET, and the County Commissioners Association of Pennsylvania (CCAP) continue to provide Case Initiation and Case Disposition and Sentencing events to populate county-based systems, such as District Attorney (DA) systems. CCAP offers a Public Defender version of their Unified Case Management system (UCM), and AOPC/IT produces a public version of the CCE message to be used with this initiative that is transmitted utilizing the JNET infrastructure. The public CCE message is also used by the Pennsylvania State Employee Retirement System (SERS) and Public School Employees' Retirement System (PSERS) to support compliance monitoring of member benefits.
- AOPC/IT and JNET are members of a CCAP Steering Committee and are providing data and technical support for the ongoing implementation of CCAP's UCM in district attorneys' offices, probation departments and jail systems through the JNET infrastructure.
- AOPC/IT is working with JNET to provide data to be used for a new JNET Recidivism Dashboard initiative. JNET will utilize the CCE messages to acquire information that is processed through a data analysis tool and delivers secure information for recidivism statistics.

AOPC/IT continues to work with JNET to make additional information available via the JNET user interface. Examples include the following:

- A mechanism for electronic matching of victims that allows for relevant case data to be sent back to PCCD through a message. This information will be used in making restitution claims at the Courts of Common Pleas.
- Development and support of an electronic filing method for criminal complaints, traffic, and non-traffic citations. AOPC/IT and PSP have implemented a statewide project to file traffic citations electronically into the MDJS, and AOPC/IT continues to work with additional local police agencies to replicate this same functionality for criminal and traffic electronic filings. Nearly 700 law enforcement agencies are electronically filing traffic citations, parking citations and criminal complaints, saving district court staff numerous hours by averting the need for manual data entry. Non-Traffic electronic filing was implemented with PSP and has been successfully piloted. AOPC/IT has initiated contact with additional police agencies that are interested in Non-Traffic electronic filing and plan to work with them to begin e-filing.
- In January 2019, the AOPC, PSP, JNET, and the Chiefs of Police Association were awarded a National Criminal History Improvement Program (NCHIP) sub grant under PCCD to support an update to the electronic criminal complaint e-filing and OTN single source generator system which will enhance the quality of records contained in the FBI and National Instant Criminal Background Check System (NICS). In addition to enhancing the availability of arrest and disposition records at the state and national level, it will also provide a uniform tool for state and municipal police to file criminal complaints electronically with the courts. The development started on schedule and the project has moved into the testing phase. Two police agencies will pilot the JNET web form and begin to electronically file criminal complaints during the first quarter of 2021. After the pilot is successfully completed, AOPC/IT will work with JNET and the Chiefs of Police to onboard additional law enforcement agencies.
- Creation of Web interfaces that allow police departments to review court schedules and case and disposition information saving the officers and MDJ offices valuable time.
- Maintenance of an interface to electronically transfer juvenile delinquency case information from the CPCMS Juvenile Court Module to the Juvenile Court Judges Commission's Juvenile Tracking System through JNET on a statewide basis providing near real-time updates throughout the lifecycle of the delinquency case.
- Providing access to secure Web docket sheets and court calendars for all cases in the CPCMS and MDJS.
- Receiving updated inmate location information from the county jails and information on assigned probation officers for population within the MDJS and CPCMS applications through JNET's Electronic Reporting (ER) II (jail) and ER2P (probation) projects.

-
- Participation with PCCD, JNET, PSP, Chiefs of Police, and the Attorney General's Office in maintenance of fingerprint compliance reports to ensure that PSP has appropriate identifying information resulting from an arrest.
 - Ongoing work with PSP and Attorney General's Office to provide case information needed for Megan's Law/Walsh Act compliance tracking.
 - Receiving information from Central Participant Subscription Services related to activations, terminations and address changes for attorneys, officers, constables and certified bail insurers.
 - Providing/receiving case information to/from DA offices.
 - Working with JNET and the Mid-Atlantic Regional Information Sharing (MARIS) to provide access to court data in support of their federated person search initiative.
 - Providing SERS, PSERS and the Department of State with public CCE messages to assist in the identification of individuals who should have their pensions forfeited and/or their state licenses revoked due to convictions.
 - AOPC/IT supports the Guardianship Tracking System (GTS) which uses a JNET interface. The interface provides a mechanism for the GTS to receive electronic case initiation data as new petitions are filed in the counties' Orphans' Court proprietary case management systems. This reduces the necessity for the court staff to manually enter this information into both a local system and the GTS.
 - In 2019. Act 56 of 2019, the Clean Slate law, was enacted and AOPC/IT developed and implemented the following essential service required to support the Act. Utilizing the JNET infrastructure, AOPC/IT provides PSP with candidates for removal of approved cases/charges from public view, and when a common pleas judge issues a Clean Slate order, communication of that order is transmitted to criminal justice agencies via JNET so that records may be marked as "limited access." AOPC/IT has updated the service process multiple times to support additional legislative requirements.

STATUTORY AUTHORITY: Annual Appropriation Act.

(This page intentionally left blank.)

2021-22 JUDICIAL BUDGET PROPOSAL
Common Pleas

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	117,739	117,739	126,804	117,739
Federal Funds	0	0	0	0
Other Funds	<u>20,719</u>	<u>24,875</u>	<u>19,784</u>	<u>19,784</u>
Total	138,458	142,614	146,588	137,523

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>^2020-21</u>	Judicial <u>^2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	117,657	117,685	126,717	0
Federal Funds	0	0	0	0
Other Funds	<u>20,719</u>	<u>24,875</u>	<u>19,784</u>	<u>0</u>
Total	138,376	142,560	146,501	0

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	457	418	458	446	454	437	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	457	418	458	446	454	437	0

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	82	54	87	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	82	54	87	0

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

#Detail not provided by Governor's Office of the Budget.

^Fiscal Year 2020-21 – Personnel: Other Funds include augmenting revenues of \$24,511 in anticipated Act 49 of 2009 revenues.

^Fiscal Year 2021-22 – Personnel: Other Funds include augmenting revenues of \$19,383 in anticipated Act 49 of 2009 revenues. This budget is predicated on the expectation that the Act 49 sunset date will be extended beyond December 31, 2021.

7. ASSUMPTIONS

Personnel:

Act 30 of 2007 provides for annual increases in judges' salaries, including per diem compensation paid to senior judges, effective each January 1 to reflect the latest 12-month change in the Consumer Price Index (CPI) for the Philadelphia-Wilmington-Atlantic City, Pennsylvania, Delaware, New Jersey and Maryland area. This budget request includes a 1.75% increase in judges' salaries effective January 1, 2022. The resulting salaries are as follows. Salaries of certain president judges and administrative judges are slightly higher:

	<u>July - December, 2021</u>	<u>January - June, 2022</u>
Common Pleas Judge	\$186,665	\$189,932

Proposed personnel expenditures follow:

-Decrease in Act 49 funds available in Fiscal Year 2021-22 to supplement state funding (nonrecurring) -	(\$5,128,000)
-Increase in state funds required due to the decrease in Act 49 funds in Fiscal Year 2021-22 (nonrecurring) -	\$5,128,000

-Increase in salaries and related benefits (social security, pension contribution) for 437 judge positions funded for a full year in Fiscal Year 2021-22 (six positions are not funded) -	\$1,750,000
-Increase in salaries and all benefits to fund two new judge positions to be filled in the November 2021 election -	\$269,000
-Increase in salaries and all benefits for the cost of 15 vacant judge positions anticipated to be filled in the November 2021 election partially funded in Fiscal Year 2020-21 -	\$293,000
-Increase in cost of health benefits/life insurance for 437 filled judge positions and health benefits for annuitants -	\$739,000
-Increase in health insurance costs to restore funding due to credits received in Fiscal Year 2020-21 -	\$853,000
-Increase in Medicare D subsidy -	\$37,000

Operating:

-Increase in other services costs -	\$21,000
-Increase for travel, lodging, meals -	\$12,000

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>
Employee Factor	72.65%	72.53%	74.47%

10. NONRECURRING PURCHASES

No purchases are made from this appropriation.

11. PROGRAM STATEMENT

The Courts of Common Pleas are courts of general trial jurisdiction, having original jurisdiction over all cases not exclusively assigned to another court. Legislative acts over the last 20 years have increased the complement from 408 to 460, with the last two judgeships being added in the 2021 municipal election, effective January 3, 2022 per Act 49 of 2017. This budget request includes funding for only 454 positions (six positions are not funded as a budgetary allowance for vacancies during Fiscal Year 2021-22).

In courts with seven or fewer judges, those who have the longest continuous record of service become president judges. When courts have eight or more judges, judges select from their ranks

a president judge who serves in that capacity for a single five-year term. Such president judges may not serve consecutive five-year terms.

This appropriation for the Courts of Common Pleas funds the salaries, benefits, travel costs, legal fees and liability insurance (ELSIF) for all Common Pleas judges.

STATUTORY AUTHORITY: Art. V, Sec. 5, PA Constitution
42 Pa.C.S.A. Sec. 901, et seq.

2021-22 JUDICIAL BUDGET PROPOSAL
Common Pleas Senior Judges

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	4,004	4,004	4,004	4,004
Federal Funds	0	0	0	0
Other Funds	<u>1</u>	<u>0</u>	<u>664</u>	<u>664</u>
Total	4,005	4,004	4,668	4,668

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>^2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	3,443	3,934	3,926	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>664</u>	<u>0</u>
Total	3,443	3,934	4,590	0

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	0	0	0	0	0	0	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0	0	0	0

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	73	70	78	0
Federal Funds	0	0	0	0
Other Funds	<u>1</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	74	70	78	0

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>*2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	488	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	488	0	0	0

#Detail not provided by Governor's Office of the Budget.

**Fiscal Year 2019-20 – Non-expense/Interagency, consists of \$488 transferred to other UJS appropriations in accordance with 72 P.S. Section 1793-E.*

^Fiscal Year 2021-22 – Personnel: Other Funds consist of augmenting revenues of \$664 in anticipated Act 49 of 2009 revenues. This budget is predicated on the expectation that the Act 49 sunset date will be extended beyond December 31, 2021.

7. ASSUMPTIONS

Personnel:

Act 30 of 2007 provides for annual increases in judges' salaries, including per diem compensation paid to senior judges, effective each January 1 to reflect the latest 12-month change in the Consumer Price Index (CPI) for the Philadelphia-Wilmington-Atlantic City, Pennsylvania, Delaware, New Jersey and Maryland area. This budget request includes a 1.75% increase in the senior judge per diem compensation rate effective January 1, 2022. The resulting per diem compensation rates used in this budget are as follows:

July - December, 2021
\$578

January - June, 2022
\$589

Proposed personnel expenditures follow:

-Increase in Act 49 funds available in Fiscal Year 2021-22 to supplement state funding (nonrecurring) -	\$664,000
-Decrease in state funding required due to increase in Act 49 funds in Fiscal Year 2021-22 (nonrecurring) -	(\$664,000)

-Increase in senior judge per diems and social security due to increased rates -	\$47,000
-Increase in senior judge per diems and social security due to increase in number of days (from 6,322 days in Fiscal Year 2020-21 to 7,300 days in Fiscal Year 2021-22) -	\$609,000

Operating:

-Increase for travel, lodging, meals -	\$8,000
----------------------------------------	---------

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>
Employee Factor	NA	NA	NA

10. NONRECURRING PURCHASES

No purchases are made from this appropriation.

11. PROGRAM STATEMENT

This appropriation funds the per diem compensation, limited benefits, and related operating costs (liability insurance and travel) for senior Common Pleas judges.

The senior judge program provides an alternative resource when there is a shortage of active Common Pleas judges. Shortages may occur due to judicial vacancies, recusals, and increases in caseload within the various jurisdictions. These senior jurists are available for service throughout the Commonwealth.

In accordance with Pennsylvania Rule of Judicial Administration 701 as amended on November 20, 2007, eligibility for senior judge service ends the last day of the calendar year in which the senior judge attains age 78. Senior judge service ends the last day of the calendar year in which age 80 is attained for those senior judges then in service who were exempted by the imposition of age limits by Pa RJA 701. Eligibility for senior judge service was further restricted by a December 17, 2009 amendment to Rule 701, effective January 4, 2010, by adding a minimum age requirement of 65, or a combination of years of judicial service plus age that totals at least 80. As of January 4, 2021 there were 87 authorized Common Pleas senior judges.

The Supreme Court approved a two-year pilot program in 2018 to attempt to address inequities in the compensation program raised by the senior judges. Traditionally, senior judges have been compensated for in-court activity but not out-of-court activity except under limited circumstances. Under the pilot program, judges were paid for case-related activity whether it occurred in-court or in chambers. The new system took effect for any assignment beginning on or after July 1, 2018 and lasted for two years. Following the pilot, the Court analyzed the fiscal impact of the changes as well as any other impact on the senior judge program and adopted the program for Fiscal Year 2020-21. In addition, the Judicial Needs Assessment tool (a performance-based metric developed by the CP Weighted Caseload Study) must now be considered by President Judges requesting senior judge use, and AOPC when approving them.

STATUTORY AUTHORITY: 65 P.S. Sec. 366.2a(h)
Art. V, Sec. 16(c), PA Constitution

2021-22 JUDICIAL BUDGET PROPOSAL
Ethics Committee of the PA Conference of State Trial Judges

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	62	62	62	62
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>62</u>	<u>62</u>	<u>62</u>	<u>62</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	0	0	0	0	0	0	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	62	62	62	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>62</u>	<u>62</u>	<u>62</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

#Detail not provided by Governor's Office of the Budget.

7. ASSUMPTIONS

The Judiciary requests that the same level of funding be provided as in Fiscal Year 2020-21.

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

No salaries are paid from this appropriation.

10. NONRECURRING PURCHASES

2020-21: none

2021-22: none

11. PROGRAM STATEMENT

The Ethics Committee is a committee of the Pennsylvania Conference of State Trial Judges. The Supreme Court designated this committee as the official body authorized to advise judges subject to the Canons of Judicial Conduct on ethical matters. As such, it handles requests from judges for opinions on the propriety of various actions. Following investigation and research of the issues raised, the judges comprising the committee issue written opinions. Such opinions, in the event of subsequent litigation, carry the weight of a point of law.

The committee addresses a number of diverse, complex issues. Requests include the Code of Judicial Conduct, the Election Code, financial reporting laws, campaign activities, and First Amendment issues. The complexity of issues and the requirement for consistent and uniform rulings underscore both the challenges facing the committee and the essential need for its work. This funding provides the committee with the minimal resources for contract legal staff to assist with its work and to catalogue opinions.

STATUTORY AUTHORITY: Annual Appropriation Act.

(This page intentionally left blank.)

2021-22 JUDICIAL BUDGET PROPOSAL
Magisterial District Judges

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	82,802	82,802	88,392	82,802
Federal Funds	0	0	0	0
Other Funds	<u>10,311</u>	<u>11,822</u>	<u>9,019</u>	<u>9,019</u>
Total	93,113	94,624	97,411	91,821

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>^2020-21</u>	Judicial <u>^2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	82,453	82,507	88,084	0
Federal Funds	0	0	0	0
Other Funds	<u>10,311</u>	<u>11,822</u>	<u>9,019</u>	<u>0</u>
Total	92,764	94,329	97,103	0

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	512	495	512	493	501	489	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	512	495	512	493	501	489	0

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	221	168	181	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	221	168	181	0

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	128	127	127	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	128	127	127	0

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

#Detail not provided by Governor's Office of the Budget.

^ Fiscal Year 2020-21 – Personnel: Other Funds include augmenting revenues of \$11,353 in Act 49 of 2009 revenues.

^^ Fiscal Year 2021-22 – Personnel: Other Funds include augmenting revenues of \$8,512 in anticipated Act 49 of 2009 revenues. This budget is predicated on the expectation that the Act 49 sunset date will be extended beyond December 31, 2021.

7. ASSUMPTIONS

Personnel:

Act 30 of 2007 provides for annual increases in judges' salaries, including per diem compensation paid to senior judges, effective each January 1 to reflect the latest 12-month change in the Consumer Price Index (CPI) for the Philadelphia-Wilmington-Atlantic City, Pennsylvania, Delaware, New Jersey and Maryland area. This budget request includes a 1.75% increase in the judicial salaries and per diems effective January 1, 2022. Assumptions regarding judges' salaries and senior judge per diem compensation are as follows:

	<u>July - December, 2021</u>	<u>January - June, 2022</u>
Magisterial District Judge	\$93,338	\$94,972
Senior Magisterial Dist. Judge per diem	\$256.42	\$260.91

Per diem compensation rates paid to assigned senior magisterial district judges are calculated by dividing the annual salary by the number of days in the judicial year, which is 364 days in both 2021 and 2022. The budgeted rate reflects an average of the rate of

\$256.42 in effect for calendar 2021, and the projected rate of \$260.91 for calendar 2022. The latter rate reflects the 1.75% increase anticipated for all judicial salaries.

Proposed personnel expenditures follow:

-Decrease in Act 49 funds available in Fiscal Year 2021-22 to supplement state funding (nonrecurring) -	(\$2,841,000)
-Increase in state funding required due to decrease in Act 49 funds in Fiscal Year 2021-22 (nonrecurring) -	2,841,000
-Increase in salaries and related benefits (social security, pension contribution) for 1.75% COLA effective 1/1/2022 for 489 filled MDJ positions (10 positions are not funded) -	\$895,000
-Decrease in salaries and all benefits for the cost of 12 vacant judge positions anticipated to be filled in November 2021 election partially funded in Fiscal Year 2020-21 -	(\$79,000)
-Increase in cost of health insurance benefits due to credits received in Fiscal Year 2020-21 -	\$1,072,000
-Increase in the cost of health/life insurance benefits for 489 filled positions and health insurance benefits for annuitants -	\$837,000
-Increase for senior judge per diem compensation and social security due to increased rates -	\$11,000
-Increase in Medicare D Subsidy -	\$38,000

Operating:

-Increase in operating costs	\$13,000
------------------------------	----------

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2019-20</u>	<u>2020-21</u>	<u>Judicial</u> <u>2021-22</u>
Employee Factor	99.26%	101.47%	105.47%

10. NONRECURRING PURCHASES

2020-21:	none
2021-22	none

11. PROGRAM STATEMENT

Forming the first level of the Unified Judicial System are Pennsylvania's special courts. Magisterial district judges preside over these courts in all counties except Philadelphia.

With jurisdiction over summary criminal cases, landlord-tenant matters, and other civil actions where the amount claimed does not exceed \$12,000 (increased from \$8,000 by Act 114 of 2010), magisterial district judges may also accept guilty pleas to misdemeanors of the third degree under certain circumstances, issue warrants, and hold arraignments and preliminary hearings in criminal cases. Although magisterial district judges need not be lawyers, those who are not attorneys must complete an educational course and pass a qualifying examination before taking office. Every magisterial district judge and authorized senior magisterial district judge must participate in one week of continuing education each year. These education programs are administered by the Minor Judiciary Education Board and are funded from the Magisterial District Judge Education appropriation.

This Magisterial District Judge appropriation funds the salaries, benefits, travel costs, legal fees, and liability insurance costs for all magisterial district judges. A senior magisterial district judge program, a per diem program for magisterial district judges traveling outside their districts, printing costs for the Magisterial District Judge Journal, and a grant payment for the \$200 annual registration fee per judge to the Special Court Judges of Pennsylvania Association are also funded from this appropriation. Health benefits are provided to all retired magisterial district judges who qualify. Liability insurance is provided for those who are assigned.

The Supreme Court is charged with realigning magisterial districts following the decennial census. Following the 2010 census, the Supreme Court, in an effort to consolidate magisterial district judge offices in a cost-cutting effort, approved realignment plans creating, eliminating, realigning, and reestablishing districts which resulted in a net decrease of 33 districts, from 545 districts in October 2010 to 512 in January 2018

The Supreme Court will again be undertaking the task of realigning the magisterial districts in mid-2021 when the results of the 2020 census are available.

STATUTORY AUTHORITY: Art. V, Sec. 7, PA Constitution
42 Pa.C.S.A. Sec. 1501, et seq.
42 Pa.C.S.A. Sec. 3532

2021-22 JUDICIAL BUDGET PROPOSAL
Magisterial District Judge Education

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	744	744	1,026	744
Federal Funds	0	0	0	0
Other Funds	21	30	21	21
Total	<u>765</u>	<u>774</u>	<u>1,047</u>	<u>765</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	341	353	365	0
Federal Funds	0	0	0	0
Other Funds	3	2	3	0
Total	<u>344</u>	<u>355</u>	<u>368</u>	<u>0</u>

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	2	2	2	2	2	2	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0	0
Total	<u>2</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>0</u>

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	347	391	661	0
Federal Funds	0	0	0	0
Other Funds	18	28	18	0
Total	<u>365</u>	<u>419</u>	<u>679</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>*2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	56	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	56	0	0	0

#Detail not provided by Governor's Office of the Budget.

**Fiscal Year 2019-20 – Non-expense/Interagency, consists of \$56 transferred to other UJS appropriations in accordance with 72 P.S. Section 1793-E.*

7. ASSUMPTIONS

Personnel:

- Increase in salaries and related benefits (social security, pension contributions, and WC) for 1.75% COLA, and to annualize the cost of Fiscal Year 2020-21 merit increments and provide merit increments in Fiscal Year 2021-22 for filled staff - \$3,000
- Increase in cost of health/life insurance benefits for filled staff and health insurance benefits for annuitants - \$3,000
- Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2020-21 - \$6,000
- Increase in Medicare D subsidy - \$1,000

Operating:

- Increase in training and conference costs to restore funding (on-site classes not held in Fiscal Year 2020-21 due to COVID-19 pandemic) - \$270,000
- Decrease in MDJ Education Program augmentations due to election cycle - (\$10,000)

This budget request is predicated upon the receipt of \$18,000 in revenue from \$225 tuition fees for continuing education from potential magisterial district judge candidates and from \$10 per credit CLE fees.

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>
Employee Factor	99.14%	104.96%	110.36%

10. NONRECURRING PURCHASES

2020-21: none

2021-22: none

11. PROGRAM STATEMENT

Article V, Section 12, of the Pennsylvania Constitution requires magisterial district judges to be members of the bar of the Supreme Court *or* to have completed a course of training and instruction in the duties of their office and to have passed an examination prior to assuming office. Courses and examinations shall be as provided by law.

Such courses are provided pursuant to statute, 42 Pa.C.S. Chapter 31, by the Minor Judiciary Education Board. This seven-member board is responsible for the instruction and certification of individuals intending to become magisterial district judges and Philadelphia Municipal Court arraignment court magistrates who are not members of the bar. Certifying classes for magisterial district judges are four weeks in duration and one week for Municipal Court arraignment court magistrates. The board approves the curriculum, appoints and evaluates instructors, establishes course content, reviews all tests, and issues certificates to successful program participants.

Continuing education for all of the Commonwealth's magisterial district judges and Municipal Court arraignment court magistrates is mandated by the Judicial Code (42 Pa.C.S. Section 3118). In addition, the Minor Judiciary Education Board implements Rules 601 to 604 of the Rules of Judicial Administration promulgated by the Pennsylvania Supreme Court. The rules require annual continuing education for magisterial district judges, senior magisterial district judges, and Municipal Court arraignment court magistrates. Accordingly, the board conducts week-long continuing education classes for these officials. The Minor Judiciary Education Board also approves one week of supplemental practicum training for newly-elected and appointed magisterial district judges within the first year of their taking office. The COVID-19 pandemic has challenged the Minor Judiciary Education Board to continue to provide continuing education in a safe manner, the challenge has been met with classes being held via video during Fiscal Year 2020-21.

This appropriation provides for programs of certification and continuing education for aspirants to the above referenced offices, and continuing education for the authorized complement of 511 magisterial district judges, and six Philadelphia Municipal Court arraignment court magistrates. Additionally, continuing education is available for the current 78 senior magisterial district judges.

Providing training to active and senior magisterial district judges – indeed to all judges and senior judges, is a tangible expression of the Supreme Court’s commitment to professional education for both the bench and the bar.

STATUTORY AUTHORITY: 42 Pa.C.S.A. Sec. 3112, et seq.
42 Pa.C.S.A. Sec. 3118, et seq.
42 Pa.C.S.A. Sec. 2131, et seq.

2021-22 JUDICIAL BUDGET PROPOSAL
Philadelphia Municipal Court

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	7,794	7,794	8,224	7,794
Federal Funds	0	0	0	0
Other Funds	<u>2,035</u>	<u>2,173</u>	<u>2,258</u>	<u>2,258</u>
Total	9,829	9,967	10,482	10,052

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>^2020-21</u>	Judicial <u>^2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	7,757	7,790	8,154	0
Federal Funds	0	0	0	0
Other Funds	<u>2,035</u>	<u>2,173</u>	<u>2,258</u>	<u>0</u>
Total	9,792	9,963	10,412	0

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds:							
Judges	27	26	27	26	27	25	0
Arrestment Ct. Mag.	6	6	6	6	6	6	0
Hearing Officers	5	5	4	4	4	4	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	38	37	37	36	37	35	0

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	37	4	70	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	37	4	70	0

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

#Detail not provided by Governor's Office of the Budget.

^ Fiscal Year 2020-21 – Personnel: Other Funds include augmenting revenues of \$2,149 in Act 49 of 2009 revenues.

^Fiscal Year 2021-22 – Personnel: Other Funds include augmenting revenues of \$2,226 in anticipated Act 49 of 2009 revenues. This budget is predicated on the expectation that the Act 49 sunset date will be extended beyond December 31, 2021.

7. ASSUMPTIONS

Personnel:

Act 30 of 2007 provides for annual increases in judges' salaries, including per diem compensation paid to senior judges, effective each January 1 to reflect the latest 12-month change in the Consumer Price Index (CPI) for the Philadelphia-Wilmington-Atlantic City, Pennsylvania, Delaware, New Jersey and Maryland area. This budget request includes a 1.75% increase in the judicial salaries and per diems effective January 1, 2022. Assumptions regarding judges' salaries and senior judge per diem compensation are as follows:

	<u>July - December, 2021</u>	<u>January - June, 2022</u>
President Judge	\$185,163	\$188,404
Judge (26)	\$182,346	\$185,538
Arraignment Court Magistrate (6)*	\$98,092	\$99,809
Senior Judge per diem	\$578	\$589

*Salaries of arraignment court magistrates are tied by law (42 Pa.C.S.A. § 1123(5)) to the salary paid an associate judge of the Philadelphia Traffic Court.

Personnel:

-Increase in Act 49 funds available in Fiscal Year 2021-22 to supplement state funding (nonrecurring) -	\$77,000
-Decrease in state funding required due to increase in Act 49 funds in Fiscal Year 2021-22 (nonrecurring) -	(\$77,000)
-Increase in salaries and related benefits (social security, pension contributions) for 1.75% COLA effective 1/1/22 for 25 filled judges -	\$98,000
-Decrease in salaries and benefit for the cost of two vacant judge positions anticipated to be filled in the November 2021 election partially funded in Fiscal Year 2020-21 -	(\$44,000)
-Increase in cost of health/life insurance benefits for 25 filled judges and health insurance for annuitants -	\$63,000
-Increase in senior judge per diem compensation and social security due to increased days (from 51 days to 280 days) -	\$146,000
-Increase in salaries and related benefits (social security, pension contributions and WC) for annual COLA for four arraignment court magistrates -	\$12,000
-Increase in salaries and benefits (social security, pension contribution, and WC) to annualize the cost of two arraignment court magistrates filled 9/21/2020 -	\$77,000
-Decrease in cost of health/life insurance benefits for four arraignment court magistrates and health insurance for annuitants -	(\$9,000)
-Increase in salaries and related benefits (social security, pension contribution and WC) for staff COLA for four hearing officers -	\$26,000
-Increase in cost of health/life insurance benefits for four hearing officers -	\$5,000
-Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2020-21 -	\$72,000
-Decrease in unemployment compensation -	(\$5,000)
-Increase in Medicare D subsidy -	\$8,000

Operating:

-Increase in conference expenses (in-person conference not held in Fiscal Year 2020-21 due to COVID-19) -	\$64,000
-Increase in other services -	\$2,000

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>
Employee Factor:			
Judges	74.11%	76.00%	78.36%
Arraignment Court Magistrates	92.97%	82.39%	80.78%
Hearing Officers	68.71%	65.59%	65.68%

10. NONRECURRING PURCHASES

No purchases are made from this appropriation.

11. PROGRAM STATEMENT

This appropriation funds the personnel and functions of Philadelphia Municipal Court. Accordingly, it funds the salaries and benefits of the 27 Municipal Court judges, six arraignment court magistrates, four hearing officers (authorized by Act 17 of 2013), and a senior judge program. Health benefits are provided to all retired judges and arraignment court magistrates who qualify. Liability insurance is provided for all senior judges who are assigned.

The Philadelphia Municipal Court is Pennsylvania's only special court that is a court of record. Its 27 judges, who must be lawyers, have jurisdiction over all criminal offenses which are punishable by a term of imprisonment not exceeding five years. The Municipal Court has the power to enter judgments without limitation in matters arising under the Landlord and Tenant Act of 1951 and has jurisdiction in civil actions where the amount claimed does not exceed \$12,000 (increased from \$10,000 by Act 114 of 2010). The president judge of Municipal Court is elected for a five-year term by the other active Municipal Court judges.

Operating expenditures include judicial training and education; travel, lodging, and meals; and ELSIF (liability insurance).

STATUTORY AUTHORITY: Art. V, Sec. 6, PA Constitution
42 Pa.C.S.A. Sec. 1121, et seq.
Act 17 of 2013

2021-22 JUDICIAL BUDGET PROPOSAL
County Court Reimbursement

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	23,136	23,136	23,136	23,136
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>23,136</u>	<u>23,136</u>	<u>23,136</u>	<u>23,136</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	0	0	0	0	0	0	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	23,136	23,136	23,136	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>23,136</u>	<u>23,136</u>	<u>23,136</u>	<u>0</u>

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

7. ASSUMPTIONS

Grants and Subsidies:

The budget request is based on the December 31, 2020 authorized complement of Common Pleas judges calculated at the effective reimbursement rate of \$45,460 funded in the current fiscal year (a proportional reduction of 35.06%). Although the statutory rate remains \$70,000 with the requirement that no county shall receive less than 77.5 percent of the actual reimbursement for court costs provided to it from funds appropriated for Fiscal Year 1980-81 (results in a flat \$10,075,327 grant payment to Philadelphia for its 93 judges), Act 37 of 2007 requires the proportional reduction in each county's grant if insufficient funding is provided to reimburse at the statutory rate. The Judiciary requests the same level of funding as provided in Fiscal Year 2020-21. ** Funding this grant at the full statutory rate would require an appropriation of \$35.626 million, an amount \$12.49 million above the amount requested. **

The amount requested was computed as follows:

365 judges @ \$45,460	\$16,592,824
<u>93 Philadelphia judges</u>	<u>6,543,176</u>
458 Total complement	\$23,136,000

Proposed grant payments follow.

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

No salaries are funded from this appropriation.

10. NONRECURRING PURCHASES

No purchases are made from this appropriation.

11. PROGRAM STATEMENT

This budget requests funds to make grant payments to counties to reimburse costs associated with the administration and operation of the Courts of Common Pleas. The grant amount is determined by language contained in statute, and in the annual Appropriation Act that specifies that the grant is reimbursement for the costs incurred in the prior calendar year. Act 37 of 2007 provides that in the event the total county reimbursement qualifying for payment exceeds the amount appropriated, every county's grant is to be proportionally reduced so as not to exceed the amount appropriated. In judicial districts comprising more than one county, county allocations are based on each county's percentage of the district's total population. Such population figures are based on the data from the most-current decennial census available, presently 2010.

STATUTORY AUTHORITY: 72 P.S. Section 1791-E
42 Pa.C.S.A. Sec. 914, et seq.
Annual Appropriation Act.

FY 2021-22 ESTIMATE
COMMON PLEAS COUNTY COURT REIMBURSEMENT
(Calendar 2020)

County	Comp	Reimbursement	County	Comp	Reimbursement
Adams	4	181,839	Jefferson	1	45,460
Allegheny	43	1,954,770	Juniata/ Perry	2	31,822
Armstrong	2	90,920			59,098
Beaver	7	318,219	Lackawanna	9	409,138
Bedford	2	90,920	Lancaster	15	681,897
Berks	13	590,977	Lawrence	4	181,839
Blair	5	227,299	Lebanon	4	181,839
Bradford	2	90,920	Lehigh	10	454,598
Bucks	15	681,897	Luzerne	10	454,598
Butler	6	272,759	Lycoming	5	227,299
Cambria	5	227,299	McKean	2	90,920
Cameron/Elk	1	45,460	Mercer	4	181,839
Carbon	3	136,379	Mifflin	2	90,920
Centre	4	181,839	Monroe	7	318,219
Chester	14	636,437	Montgomery	24	1,091,035
Clarion	1	45,460	Northampton	9	409,138
Clearfield	2	90,920	Northumberland	3	136,379
Clinton	2	90,920	Philadelphia*	93	6,543,176
Columbia/ Montour	2	71,826	Pike	2	90,920
		19,093	Potter	1	45,460
Crawford	3	136,379	Schuylkill	6	272,759
Cumberland**	7	318,219	Snyder/Union	2	90,920
Dauphin	10	454,598	Somerset	3	136,379
Delaware	21	954,656	Sullivan/ Wyoming	1	8,637
Erie	9	409,138			36,822
Fayette	5	227,299	Susquehanna	1	45,460
Forest/ Warren	2	14,547	Tioga	1	45,460
		76,372	Venango	2	90,920
Franklin/ Fulton	5	206,842	Washington	7	318,219
		20,457	Wayne	1	45,460
Greene	2	90,920	Westmoreland	11	500,058
Huntingdon	1	45,460	York	15	681,897
Indiana	3	136,379			
365 @ \$45,460		\$16,592,824	COMPLEMENT		458
93 - \$6,543,176		\$6,543,176	COUNTY REIMBURSEMENT		23,136,000
TOTAL REQUIREMENT ¹		<u>\$23,136,000</u>			

¹ Total requirement calculated at \$45,460 per authorized Common Pleas judge and not the \$70,000 statutory rate due to insufficient funding.

* Denotes exception to \$70,000 rule.

** One new judgeship for Cumberland County effective 1/6/2020 and filled through the 2019 Municipal Election.

2021-22 JUDICIAL BUDGET PROPOSAL
Rule 701 – Senior Judge Support Reimbursement

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	1,375	1,375	1,375	1,375
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>1,375</u>	<u>1,375</u>	<u>1,375</u>	<u>1,375</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	0	0	0	0	0	0	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	1,375	1,375	1,375	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	1,375	1,375	1,375	0

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

7. ASSUMPTIONS

Grants and Subsidies:

The budget request will provide partial reimbursement for county expenses based upon statutory reimbursement rates and actual support provided to common pleas senior judges while on assignment. The Judiciary requests funding at the same level provided in Fiscal Year 2020-21.

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

No salaries are funded from this appropriation.

10. NONRECURRING PURCHASES

No purchases are made from this appropriation.

11. PROGRAM STATEMENT

This request is to help defray county expenses in support of assigned Common Pleas Court senior judges pursuant to Acts 40 and 49 of 2017, and Pennsylvania Rule of Judicial Administration 701. Such expenses are incurred to provide suitable facilities and adequate staff to senior judges formerly of the judicial district who are regularly or periodically assigned in that district and for visiting senior judges. Suitable facilities and staff consist of the use of judicial chambers, including office equipment and supplies, and the services of a law clerk and

a secretary necessary to conduct judicial business. Rule 701 seeks the provision of this reasonable minimal administrative support to senior judges while on assignment.

The county payment provided by 42 Pa.C.S. Section 1906.1 and the Administrative Code Section 2801-E consists of two components: staff support and facilities (appropriate workspace, equipment and supplies) actually provided to senior judges of the judicial district who are regularly or periodically assigned in that district and for visiting senior judges. Staff support consists of the services of a secretary and a law clerk. The services of a secretary are reimbursed at the statutory rate of \$12 per hour, while the services of a law clerk are reimbursed at the rate of \$20 per hour. Facilities, including supplies and office equipment appropriate for the function, are reimbursed at the statutory rate of \$60 per day, billable in half-day increments.

As mandated by statute, no county shall receive in any year reimbursement under this grant in an amount that exceeds 20 percent of the amount appropriated. Also, in the event that the total amount counties are eligible to receive as evidenced by claims submitted is greater than the amount appropriated, Act 49, as did Act 37 before it, provides that each county's grant be proportionately reduced to bring the total within the amount appropriated. After imposition of the cap that limits any county's payment to 20% of the total appropriation, the total reimbursements qualifying for payment in Fiscal Year 2019-20 (no counties affected Fiscal Year 2019-20 due to COVID) exceeded the appropriation. In accordance with Act 37 of 2007, the grant payment to each county was proportionally reduced by approximately 31.2% in Fiscal Year 2018-19, and due to COVID, only 9.7% in Fiscal Year 2019-20 so that the total of all grants did not exceed the appropriation.

Claims must be submitted annually by the counties to the Administrative Office of Pennsylvania Courts (AOPC). All claims for calendar year 2020 are to be submitted by April 1, 2021, with payment by June 30. Reimbursement paid in any year is for costs incurred in the immediate prior calendar year.

Senior judges are a resource available to the respective courts at the request of the president judge to assist on a temporary basis the prompt and proper disposition of the business of the court. Caseload, recusals, vacancies, and the absence from the bench of a judge in active service may warrant the temporary assignment of a senior judge. Per diem compensation earned by senior jurists and related expenses are funded by a separate state appropriation; the facilities and staff are funded by the counties.

STATUTORY AUTHORITY: Art. V, Section 10(c), PA Constitution
42 Pa.C.S. Section 1722, et seq.
42 Pa.C.S. Section 1906.1
71 P.S. Section 720.101
Annual Appropriation Act.

FY 2019-20 ACTUAL
 RULE 701 - SENIOR JUDGE SUPPORT REIMBURSEMENT
 (Calendar 2019)

County	<u>Secretary</u>		<u>Law Clerk</u>		<u>Facilities</u>		<u>Total</u>
	Hours	Amount	Hours	Amount	Days	Amount	Reimbursement
Adams	0	\$0	0	\$0	3.5	\$190	\$190
Allegheny	4,159	45,088	6,241	112,764	594.0	32,198	\$190,050
Armstrong	38	412	55	994	22.0	1,193	2,599
Beaver	2,159	23,406	1,125	20,327	210.5	11,410	55,143
Berks	0	0	0	0	0.0	0	0
Blair	420	4,553	22	398	125.0	6,776	11,727
Bucks	1,780	19,297	1,153	20,833	364.5	19,758	59,888
Butler	169	1,832	175	3,162	132.0	7,155	12,149
Cambria	440	4,770	440	7,950	62.5	3,388	16,108
Cameron	18	195	29	524	22.5	1,220	1,939
Carbon	70	759	56	1,012	11.5	623	2,394
Centre	574	6,223	61	1,102	10.5	569	7,894
Chester	1,764	19,124	883	15,954	216.0	11,708	46,786
Clarion	33	358	94	1,698	59.0	3,198	5,254
Clinton	42	455	69	1,247	16.0	867	2,569
Columbia	65	705	50	903	8.0	434	2,042
Crawford	40	434	38	687	7.5	407	1,528
Cumberland	0	0	0	0	0.0	0	0
Dauphin	689	7,469	981	17,725	101.0	5,475	30,669
Delaware	4,536	49,175	876	15,828	480.0	26,019	91,022
Elk	192	2,081	138	2,493	168.0	9,106	13,680
Erie	1,341	14,538	1,341	24,230	182.0	9,865	48,633
Fayette	645	6,992	273	4,933	119.0	6,450	18,375
Franklin	8	87	8	145	1.0	54	286
Greene	0	0	27	488	31.0	1,680	2,168
Huntingdon	576	6,244	603	10,895	116.0	6,288	23,427
Indiana	6	65	10	181	4.0	217	463
Jefferson	91	987	91	1,644	13.0	705	3,336
Lackawanna	2,531	27,439	2,928	52,904	335.5	18,186	98,529
Lancaster	38	412	4	72	13.0	705	1,189
Lebanon	0	0	0	0	0.0	0	0
Lehigh	0	0	0	0	0.0	0	0

FY 2019-20 ACTUAL
 RULE 701 - SENIOR JUDGE SUPPORT REIMBURSEMENT
 (Calendar 2019)

County	<u>Secretary</u>		<u>Law Clerk</u>		<u>Facilities</u>		<u>Total</u>
	Hours	Amount	Hours	Amount	Days	Amount	Reimbursement
Luzerne	0	0	0	0	0.0	0	0
Lycoming	694	7,524	45	813	79.0	4,282	12,619
Mercer	3,006	32,588	3,006	54,314	430.0	23,308	110,210
Mifflin	0	0	4	72	13.0	705	777
Monroe	0	0	0	0	0.0	0	0
Montgomery	2,878	31,201	3,201	57,836	570.0	30,897	119,934
Northampton	712	7,719	85	1,536	40.0	2,168	11,423
Northumberland	402	4,358	402	7,264	134.0	7,264	18,886
Philadelphia	4,442	48,156	4,806	86,836	806.5	43,717	178,709
Pike	0	0	0	0	0.0	0	0
Potter	0	0	0	0	39.5	2,141	2,141
Schuykill	322	3,491	0	0	92.0	4,987	8,478
Snyder	120	1,301	5	90	38.0	2,060	3,451
Somerset	0	0	2	36	9.5	515	551
Tioga	171	1,854	26	470	61.0	3,307	5,631
Venango	0	0	0	0	0.0	0	0
Washington	1,547	16,771	1,547	27,952	60.0	3,252	47,975
Wayne	47	510	97	1,753	80.5	4,364	6,627
Westmoreland	815	8,835	804	14,527	242.5	13,145	36,507
Wyoming	70	759	70	1,265	19.0	1,030	3,054
York	1,784	19,340	604	10,913	77.5	4,201	34,454
TOTAL ^{1/}	40,221.0	\$436,038	32,914.0	\$594,702	6,351.0	\$344,260	\$1,375,000

NOTES:

1/ For Calendar year 2019, the qualifying reimbursements totaled \$1,521,992, which exceeded the \$1,375,000 appropriation by \$146,992. In accordance with Act 49 of 2017, the grant payment to each county was proportionally reduced by 9.7% (i.e., each county received 90.3% of its qualified reimbursement) so that the total did not exceed the appropriation. On this chart, only the payment amounts were adjusted; the number of hours and days claimed are as submitted.

2021-22 JUDICIAL BUDGET PROPOSAL
Juror Cost Reimbursement

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	1,118	1,118	1,118	1,118
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>1,118</u>	<u>1,118</u>	<u>1,118</u>	<u>1,118</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	0	0	0	0	0	0	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	665	1,118	1,118	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>665</u>	<u>1,118</u>	<u>1,118</u>	<u>0</u>

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>*2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	453	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>453</u>	<u>0</u>	<u>0</u>	<u>0</u>

**Fiscal Year 2019-20 – Non-expense/Interagency, consists of \$453 transferred to other Unified Judicial System appropriations in accordance with 72 P.S. Section 1793-E.*

7. ASSUMPTIONS

Grants and Subsidies:

The Judiciary requests the same level of funding as provided in Fiscal Year 2020-21.

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

No salaries are funded from this appropriation.

10. NONRECURRING PURCHASES

No purchases are made from this appropriation.

11. PROGRAM STATEMENT

This appropriation funds grants to counties for partial reimbursement of eligible juror costs incurred. Specifically, the grant reimburses counties for 80 percent of the amounts they expend for compensation (\$25 per day) and travel allowances (\$0.17 per mile) to jurors participating in a trial or grand jury proceeding beyond the first three days of service.

STATUTORY AUTHORITY: 42 Pa.C.S.A. Sec. 4561(b), et seq.

2021-22 JUDICIAL BUDGET PROPOSAL
Court Interpreter County Grant

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	1,500	1,500	1,500	1,500
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>1,500</u>	<u>1,500</u>	<u>1,500</u>	<u>1,500</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	0	0	0	0	0	0	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	1,500	1,500	1,500	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	1,500	1,500	1,500	0

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

7. ASSUMPTIONS

Grants and Subsidies:

The budget request will provide partial reimbursement to counties for the costs of providing language access services, including court interpreter services, as required by state and federal law. The Judiciary requests the same level of funding as provided in Fiscal Year 2020-21.

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

No salaries are funded from this appropriation.

10. NONRECURRING PURCHASES

No purchases are made from this appropriation.

11. PROGRAM STATEMENT

This budget request continues a grant to partially reimburse counties for the costs of language access services, including interpreters they provide for both sign language and foreign languages, for litigants and other participants in court cases, and to increase such services in accordance with Judiciary policy. Providing qualified court interpreters is not only required by state and federal law, it is an essential element of providing access to justice to all who come before the courts. Counties can be faced with an unexpected and often large expenditure

when confronted with a circumstance of providing an interpreter for a protracted or complex case or for a language for which an interpreter is not available locally and must be obtained from a substantial distance.

All 60 judicial districts created their own language access plans ("LAPs") in 2014 and completed an update of them in the spring of 2020, using a template provided by the AOPC. Updated plans are posted on the Language Access and Interpreter Program page of the UJS website. The federal government has been closely monitoring compliance of state court systems with this requirement, and threatening penalties for states not fulfilling their duties. Active monitoring of the UJS by DOJ concluded in August 2020. In accordance with federal and state law, the judicial districts must provide a number of language access services, and the district-specific LAPs provide notice as to what services are available to court users, such as: free interpreters for LEP (limited English proficient) and deaf or hard-of-hearing named parties in all judicial proceedings, telephone interpretation for interactions with LEP court users at the information and filing counters in courts, the translation of court forms frequently utilized by LEP court users, multilingual signage in court buildings, training for court staff in the provision of language access services, and outreach to LEP-serving agencies in each district's community.

The Unified Judicial System convened a Language Access Advisory Group in August of 2015 to assist the AOPC in drafting a statewide language access plan to provide overarching guidance to the entire UJS. The Supreme Court adopted the Advisory Group's Language Access Plan for the UJS in March of 2017. Accordingly, the judicial districts are facing increased costs to provide language access to their Limited English Proficient and deaf or hard-of-hearing court users. This grant program assists counties in meeting this obligation.

AOPC submitted procedures to judicial districts so they could apply for reimbursement for direct expenses for costs related to (1) in-person interpreting, (2) telephone interpreting, and (3) other language access services specified in the judicial district and UJS language access plans, including: production of bilingual signage, and translation of court forms.

AOPC is requesting funds to develop a pilot video remote interpreting program to allow interpreters working from an AOPC-established call center to provide services remotely to one or two districts. \$453,000 is included in the AOPC budget request for the cost of the pilot program.

Reimbursements requested by the counties are subject to reduction to ensure that a) no county is reimbursed an amount in excess of 30% of the total grant amount, and b) the total amount requested for reimbursement by all counties does not exceed the appropriated amount. In the event that the total amount judicial districts are eligible to receive, as evidenced by claims submitted, is greater than the appropriated amount, each judicial district's grant will be proportionately reduced to bring the sum total within the amount appropriated.

In Fiscal Year 2019-20, counties requested reimbursement for \$5.382 million in eligible expenses. After imposition of the 30% cap (affected Berks and Philadelphia), qualified reimbursements totaled \$4.581 million, which exceeded available funding by \$3.081 million.

Accordingly the grant payment to each county was proportionally reduced by 67.25% (i.e., each county received approximately 32.75% of its qualified reimbursement) so that the total of all grants did not exceed the appropriation.

STATUTORY AUTHORITY: Annual Appropriation Act.

FY 2019-20 ACTUAL
 COURT INTERPRETER COUNTY GRANT
Qualifying Reimbursements and Applied Reductions
 (Calendar 2019)

County	Courtroom	Telephone	Other Language	Total Qualified	Reduced
	<u>Interpreters</u>	<u>Interpreting Services</u>	<u>Access Services</u>	<u>Reimbursement</u>	<u>Reimbursement</u>
	Amount	Amount	Amount	Amount	Amount
Adams	\$35,021	\$1,996	\$5,200	\$42,217	\$13,824
Allegheny	321,738	10,220	50	332,008	108,720
Armstrong	326	0	0	326	107
Beaver	18,483	885	1,058	20,425	6,688
Bedford	5,900	121.16	0	6,021	1,972
Berks ^{1/}	476,216	15,035	0	450,000	147,358
Blair	5,632	716	0	6,348	2,079
Bradford	1,565	35	0	1,599	524
Bucks	313,539	1,270	25,342	340,151	111,386
Butler	10,263	112	0	10,374	3,397
Cambria	605	148	144	898	294
Cameron	1,403	0	0	1,403	459
Carbon	9,224	1,097	0	10,321	3,380
Centre	48,514	1,316	0	49,830	16,317
Chester	200,247	2,093	1,589	203,929	66,779
Clarion	3,342	255	0	3,597	1,178
Clinton	10,319	0	0	10,319	3,379
Columbia	3,954	459	0	4,413	1,445
Crawford	4,434	169	0	4,603	1,507
Cumberland	123,172	1,643	0	124,815	40,872
Dauphin	210,526	12,353	0	222,880	72,985
Delaware	220,099	4,313	3,520	227,933	74,639
Elk	497	0	0	497	163
Erie	30,223	1,158	0	31,381	10,276
Fayette	11,518	89	0	11,607	3,801
Franklin	138,606	2,226	4,890	145,721	47,718
Greene	2,711	120	0	2,831	927
Huntingdon	804	0	0	804	263
Indiana	1,131	0	0	1,131	370
Jefferson	2,615	0	0	2,615	856
Juniata	7,298	0	0	7,298	2,390
Lackawanna	59,883	0	0	59,883	19,609
Lancaster	213,694	5,406	3,612	222,712	72,930
Lawrence	14,911	15	0	14,926	4,888
Lebanon	73,884	222	0	74,106	24,267
Lehigh	199,974	1,959	0	201,933	66,125
Luzerne	175,216	5,237	587	181,040	59,284
Lycoming	7,915	61	0	7,976	2,612

FY 2019-20 ACTUAL
 COURT INTERPRETER COUNTY GRANT
Qualifying Reimbursements and Applied Reductions
 (Calendar 2019)

County	Courtroom	Telephone	Other Language	Total Qualified	Reduced
	<u>Interpreters</u>	<u>Interpreting Services</u>	<u>Access Services</u>	<u>Reimbursement</u>	<u>Reimbursement</u>
	Amount	Amount	Amount	Amount	Amount
McKean	0	0	0	0	0
Mercer	928	308	0	1,237	405
Mifflin	6,003	265	240	6,508	2,131
Monroe	65,669	1,722	1,686	69,077	22,620
Montgomery	351,106	2,597	195	353,898	115,888
Montour	847	0	0	847	277
Northampton	186,577	6,866	3,155	196,598	64,378
Northumberland	16,452	0	0	16,452	5,387
Perry	2,894	0	0	2,894	948
Philadelphia ^{1/}	919,606	27,547	262,938	450,001	147,358
Pike	10,730	0	0	10,730	3,514
Schuylkill	36,939	692	0	37,632	12,323
Snyder	2,616	150	0	2,766	906
Somerset	1,916	142	0	2,058	674
Susquehanna	0	0	0	0	0
Tioga	1,326	0	0	1,326	434
Union	7,135	21	0	7,156	2,343
Venango	1,636	78	0	1,714	561
Warren	1,634	0	0	1,634	535
Washington	10,344	423	0	10,766	3,525
Wayne	8,281	67	0	8,348	2,734
Westmoreland	25,291	191	0	25,483	8,345
Wyoming	1,322	33	100	1,455	476
York	331,244	0	0	331,244	108,470
TOTAL ^{2/}	\$4,955,898	\$111,832	\$314,306	\$4,580,695	\$1,500,000

NOTES:

1/ In accordance with the Court Interpreter Services Grant Policies and Procedures, the grant payments to Berks and Philadelphia counties were reduced from \$491,251 and \$1,210,092 respectively, to 30% of the appropriation amount (\$1,500,000) or \$450,000. (The reimbursement was further reduced by 67.25% as explained in note 2.)

2/ For Calendar year 2019 counties requested reimbursements for \$5,382,036 for eligible expenses. The total reimbursement qualifying for payment after imposition of the 30% cap totaled \$4,580,695 which exceeded the appropriation amount of \$1,500,000 by \$3,080,695. In accordance with the Court Interpreter Services Grant Policies and Procedures, after imposition of the 30% cap, the grant payment to each county was proportionally reduced by 67.25% (i.e., each county received 32.75 % of its qualified reimbursement) so that the total of all grants did not exceed the appropriation.

(This page intentionally left blank.)

2021-22 JUDICIAL BUDGET PROPOSAL
Judicial Conduct Board

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	2,468	2,468	2,468	2,505
Federal Funds	0	0	0	0
Other Funds	7	7	8	8
Total	<u>2,475</u>	<u>2,475</u>	<u>2,476</u>	<u>2,513</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	2,132	2,118	2,207	0
Federal Funds	0	0	0	0
Other Funds	7	7	8	0
Total	<u>2,139</u>	<u>2,125</u>	<u>2,215</u>	<u>0</u>

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	16	16	16	16	15	15	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0	0
Total	<u>16</u>	<u>16</u>	<u>16</u>	<u>16</u>	<u>15</u>	<u>15</u>	<u>0</u>

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	336	350	261	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>336</u>	<u>350</u>	<u>261</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

#Detail not provided by Governor's Office of the Budget.

7. ASSUMPTIONS

Personnel:

-Increase in salaries and related benefits (social security, pension contribution, and WC) for a 1.75% COLA, and to annualize the cost of Fiscal Year 2020-21 merit increments and provide merit increments in Fiscal Year 2021-22 – filled staff -	\$46,000
-Increase in cost of health/life insurance benefits for staff and health insurance benefits for annuitants -	\$21,000
-Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2020-21 -	\$22,000
-Increase for Medicare D subsidy -	\$1,000

Operating:

-Decrease in operating expenses -	(\$89,000)
-----------------------------------	------------

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2019-20</u>	<u>2020-20</u>	Judicial <u>2021-22</u>
Employee Factor	75.90%	83.52%	86.43%

10. NONRECURRING PURCHASES

2020-21: none

2021-22: none

11. PROGRAM STATEMENT

The Judicial Conduct Board of Pennsylvania was created as an independent board within the Judicial Branch by an amendment to the Pennsylvania Constitution adopted on May 18, 1993, and declared in effect by the Governor on August 11, 1993. It is the Judicial Conduct Board's responsibility within the Judicial Branch to investigate allegations of judicial misconduct, disability, or impairment and to prosecute deserving cases in the Court of Judicial Discipline.

The board has jurisdiction over Pennsylvania Supreme Court Justices, Superior and Commonwealth Court Judges, Common Pleas Court Judges, Philadelphia Municipal Court Judges and Magisterial District Judges.

Under the Constitution of Pennsylvania, the board is the constitutionally identified agency of state government with the authority to investigate judges for misconduct or physical or mental disability. Its role is unique. The board's system has served Pennsylvania well since its inception in 1993. Some judges have been publicly disciplined for judicial misconduct, others have been confidentially cautioned, and a number have resigned while under inquiry. It is undoubtedly fair to state that the Pennsylvania judiciary is aware of its ethical obligations and the potential consequences for ethical breaches.

As mandated by the Constitution, the board comprises twelve members serving staggered four year terms, as follows: six citizen electors who are neither attorneys nor judges; three judges, including one appellate court judge, one common pleas court judge, and one magisterial district judge; and three attorneys who are not judges. The Governor appoints six members and the Supreme Court appoints six members. No more than half of the members may be of the same political party.

Members meet regularly to conduct board business. They receive no compensation for their service. Members may not serve more than four consecutive years; however, a member may be reappointed for an additional term after the lapse of one year from the end of the member's previous term. Except for judicial members, no member of the board, during the member's term, may hold a compensated public office or public appointment.

The Constitution requires that the board appoint a Chief Counsel and other necessary staff. Currently, the board has an authorized complement of fifteen. Six of the approved positions are for licensed attorneys, including the Chief Counsel, the Deputy Chief Counsel, and four Deputy Counsel. There are four investigators and five administrative staff.

The Chief Counsel provides legal advice to the board and, along with the other staff attorneys, serves as trial counsel in proceedings before the Court of Judicial Discipline. The board's legal staff is responsible for overseeing the investigation of cases, advising the board as to courses of action concerning cases, and preparing and prosecuting cases before the Court of Judicial Discipline.

In the event of appeals from orders of the Court of Judicial Discipline, board counsel represent the board before the Pennsylvania Supreme Court (or the constitutionally provided Special Tribunal in the event that the appeal from the Court of Judicial Discipline involves a member of the Supreme Court).

Board counsel are also tasked with acting as the board's open records officer and open records appeals officer as required by the Commonwealth's Right-to-Know Law. In addition to responding to right-to-know requests, board counsel also represent the board in appeals to Commonwealth Court from right-to-know determinations.

The board is required to administer its own budget, publish and distribute an annual report, exercise supervisory and administrative authority over all board staff, and implement its own rules of procedure. Board headquarters are maintained in the Pennsylvania Judicial Center in Harrisburg. The board has initiated many cost-cutting measures over the last several years to efficiently and effectively serve the interests of the Commonwealth's taxpayers, including closing the board's regional offices in Pittsburgh and Philadelphia and having its investigators work from home offices.

During calendar year 2020, the board received or initiated 702 confidential requests for investigation. A total of 723 pending matters were disposed of during that same period. Investigative requests are not necessarily resolved in the year in which they are received and may remain active for several years. Of the resolved matters, 663 were dismissed after preliminary inquiry, nine were dismissed after full investigation, 21 were dismissed with Letters of Caution, and eight were dismissed with Letters of Counsel. Six matters were dismissed after the resignation of the judicial officer under investigation. Three matters were closed after disposition by the Court of Judicial Discipline. Formal charges were filed in the Court of Judicial Discipline against five judges, comprising seventeen pending investigative files. The Board also filed Petitions for Interim Suspension Without Pay in the Court of Judicial Discipline concerning two of those five judges. In addition, The Board filed Petitions for Interim Suspension Without Pay against two other judges based upon the filing of felony criminal charges against them.

This appropriation provides funding for the board's operating expenses, annuitant benefits, and the salaries and benefits of the board's staff. Funding of the board's budget request is important

so that the board may continue to carry out its core governmental function pursuant to its constitutional mandate.

The prompt and effective operation of Pennsylvania's judicial disciplinary system plays a critical role in promoting and maintaining public confidence in the administration of justice. The sufficient allocation of resources to the Judicial Conduct Board helps demonstrate to all Pennsylvanians that their representatives stand committed to the pursuit of justice.

STATUTORY AUTHORITY: Art. V, Sec. 18(a), PA Constitution
42 Pa.C.S.A. Sec. 2101 *et seq.*

(This page intentionally left blank.)

2021-22 JUDICIAL BUDGET PROPOSAL
Court of Judicial Discipline

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec <u>2021-22</u>
State Funds	468	468	608	468
Federal Funds	0	0	0	0
Other Funds	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>
Total	469	469	609	469

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	456	456	527	0
Federal Funds	0	0	0	0
Other Funds	<u>1</u>	<u>1</u>	<u>1</u>	<u>0</u>
Total	457	457	528	0

(b) "Complement"

	December 31, 2019		December 31, 2020		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2021-22</u>
State Funds	3	3	3	3	3	3	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	3	3	3	3	3	3	0

3. OPERATING (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	12	12	81	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	12	12	81	0

4. FIXED ASSETS (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

5. GRANTS AND SUBSIDIES (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

6. NON-EXPENSE/INTERAGENCY (\$000)

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>	Gov Rec # <u>2021-22</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

#Detail not provided by Governor's Office of the Budget.

7. ASSUMPTIONS

Personnel:

- Increase in salaries and related benefits (social security, pension contributions, and WC) for a 1.75% COLA, and to annualize the cost of Fiscal Year 2020-21 merit increments and provide merit increments in Fiscal Year 2021-22 - filled staff - \$49,000
- Increase in cost of health/life insurance benefits for filled positions and health insurance benefits for annuitants - \$19,000
- Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2020-21 - \$3,000

Operating:

- Increase in miscellaneous expenses - \$13,000
- Increase to restore funding for current year costs being paid from prior-year encumbrances - \$56,000

8. HISTORY OF LAPSES

	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2019-20</u>	<u>2020-21</u>	Judicial <u>2021-22</u>
Employee Factor	67.45%	76.97%	81.50%

10. NONRECURRING PURCHASES

2020-21: none

2021-22: none

11. PROGRAM STATEMENT

Budget Request Funding Needs

This budget seeks a \$140,000 funding increase for a requested Fiscal Year 2021-22 state funds appropriation of \$608,000. This includes required salary and benefit increases in the amount of \$71,000 and an increase of \$69,000 for operating costs. The increase will restore funding due to using miscellaneous encumbrances in Fiscal Year 2020-21.

The appropriation of the Court of Judicial Discipline has been flat-lined at \$468,000 each year for the past eight years. The annual appropriation was sufficient for many years but personnel costs have risen and the Court is short of the necessary finances to operate even under the most bare-boned operation. The \$468,000 annual level does not leave us with the money to conduct hearings, retain psychological experts for evaluations and recommendations or similar court functions. The Court of Judicial Discipline requested a conservative budget of \$535,000 for Fiscal Year 2020-21 but was flat-lined at \$468,000 again. The Court is leanly staffed with only three employees; counsel, court administrator and a clerk. We have nine active cases before the Court with more likely to be filed soon. Several of the cases will result in multi-day hearings. There are also three cases of judges serving probationary sanctions which are being supervised by the Court's counsel.

Last year, the Court decided nine of the 144 cases ever heard by the Court in over 28 years, nearly double the number of cases one would expect based on a statistical average (five cases per year). Additionally, the cases before the court in recent years have become more complex as they now tend to involve repeated episodes of poor demeanor or multiple counts of unrelated conduct rather than the single instances of misconduct pursued in the past. With an increase in budget and personnel in the Judicial Conduct Board the volume of cases will doubtlessly increase even more.

The Court

The Court of Judicial Discipline is a court of record established in 1993 under Article V, §18 of the Pennsylvania Constitution. The court serves as a trial court for complaints filed by the

Judicial Conduct Board alleging judicial misconduct by a judicial officer. To perform its task, it is required by the Constitution to appoint staff and prepare and administer its own budget as provided by law and undertake actions needed to ensure its efficient operation.

The court hears and decides cases involving allegations of judicial misconduct prosecuted by the Judicial Conduct Board. The court enters findings of fact and conclusions of law and, if misconduct is found to have occurred, imposes an appropriate sanction. Formal charges filed with the court are a matter of public record and all hearings conducted by the court are public proceedings. Proceedings are conducted pursuant to the rules adopted by the court and in accordance with the principles of due process and the Rules of Evidence. Official court records and dockets are maintained and preserved by the Clerk of the Court of Judicial Discipline.

The court is composed of eight members, four of whom are appointed by the Supreme Court and four appointed by the Governor. Pursuant to the Constitution, the Supreme Court appointees include two judges, one magisterial district judge, and one non-lawyer elector. The Governor's appointees include one judge, two non-judge members of the bar, and a non-lawyer elector. The members serve without compensation.

Since the court's inception, 104 formal complaints and 40 petitions for interim relief have been submitted for review. For the calendar year 2020, the court handled trials and/or dispositions in nine separate cases. Members of the court supervised pre-trial discovery with the litigants and held pre-trial conferences to ensure the fair and prompt disposition of cases. When the record could not be resolved by way of factual stipulations, trials were promptly scheduled by the court and timely decisions were filed.

Educational Court Functions

In addition to performing the above-noted constitutional functions, the Court of Judicial Discipline has taken an active role by providing educational opportunities for a variety of audiences. The staff of the court has presented programs that educate judicial officers, members of the Pennsylvania Bar, and the general public regarding judicial ethics in general, and the Commonwealth's judicial discipline system.

Additionally, court staff have prepared and presented continuing legal education programs, including presentations throughout Pennsylvania, pertaining to the Commonwealth's system of judicial discipline.

STATUTORY AUTHORITY: Art. V, Sec. 18(b), PA Constitution
42 Pa.C.S.A. Sec. 1601, et seq.

2021-22 JUDICIAL BUDGET PROPOSAL

In response to the Appropriations Committees' request, the following additional information is provided:

FISCAL YEAR 2019-20 OBLIGATIONS ROLLED FORWARD TO FISCAL YEAR 2020-21

- NONE -