

**Proposed Budget  
of the  
Unified Judicial System  
2019-20**

**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*



Thomas B. Darr  
Court Administrator of Pennsylvania

Harrisburg Office

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

Philadelphia Office

1515 Market Street - Suite 1414  
Philadelphia, PA 19102-2077  
(215) 560-6300

**AOPC**

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ADMINISTRATIVE OFFICE  
of PENNSYLVANIA COURTS

**PROPOSED BUDGET OF THE UNIFIED JUDICIAL SYSTEM, FY 2019-20**

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FISCAL YEAR 2019-20 JUDICIARY BUDGET REQUEST

(in thousands)

| APPROPRIATION   | AVAILABLE            | REQUESTED             | GOV. REC.     |
|---|----------------------|-----------------------|---------------|
|   | 2018-19              | 2019-20 <sup>1/</sup> | 2019-20       |
| <i>Supreme Court</i>  | 17,150               | 17,150 <sup>1/</sup>  | 17,150        |
| (A) Filing Fees   | 368                  | 368                   | 368           |
| (A) Miscellaneous   | 3,504                | 4,650                 | 4,650         |
| <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>Rules Committees</i>   | 1,595                | 1,595                 | 1,595         |
| (A) Miscellaneous   | 4                    | 4                     | 4             |
| Subtotal  | <u>23,230</u>        | <u>24,376</u>         | <u>24,376</u> |
| <br>  |                      |                       |               |
| <i>Superior Court</i>   | 32,377               | 32,377 <sup>1/</sup>  | 32,377        |
| (A) Filing Fees   | 200                  | 200                   | 200           |
| (A) Miscellaneous   | 7,616                | 10,521                | 10,521        |
| <i>Judges' Expenses</i>   | 183                  | 183                   | 183           |
| Subtotal  | <u>40,376</u>        | <u>43,281</u>         | <u>43,281</u> |
| <br>  |                      |                       |               |
| <i>Commonwealth Court</i>   | 21,192               | 21,192 <sup>1/</sup>  | 21,192        |
| (A) Filing Fees   | 145                  | 145                   | 145           |
| (A) Miscellaneous   | 1,232                | 1,758                 | 1,758         |
| <i>Judges' Expenses</i>   | 132                  | 132                   | 132           |
| Subtotal  | <u>22,701</u>        | <u>23,227</u>         | <u>23,227</u> |
| <br>  |                      |                       |               |
| <i>Court Administrator</i>  | 11,577               | 11,577 <sup>1/</sup>  | 11,577        |
| (F) Court Improvement Program <sup>2/</sup>                       | 1,130                | 1,130                 | 1,130         |
| (F) STOP Violence Against Women Program <sup>3/</sup>             | 232                  | 339                   | 232           |
| (F) Language Access Grant <sup>4/</sup>                           | 50                   | 50                    | 50            |
| (F) Drug Court Outcome Evaluation <sup>5/</sup>                   | 225                  | 200                   | 225           |
| (A) Miscellaneous   | 3,177                | 4,062                 | 4,062         |
| <i>Judicial Center Operations</i>                                 | 814                  | 824 <sup>1/</sup>     | 814           |
| (A) Miscellaneous   | 781                  | 822                   | 822           |
| <i>District Court Management - Administrators</i>                 | 19,657               | 20,045 <sup>1/</sup>  | 19,657        |
| (A) Miscellaneous   | 7,664                | 8,550                 | 8,550         |
| <i>Office of Elder Justice in the Courts</i>                      | 496                  | 496                   | 496           |
| <i>Court Management Education</i>                                 | 73                   | 73                    | 73            |
| <i>Judicial Education</i> <sup>6/</sup>                           | 1,247                | 1,827                 | 1,247         |
| <i>Problem-Solving Courts</i>                                     | 1,103                | 1,103                 | 1,103         |
| <i>Unified Judicial System Security</i>                           | 2,002 <sup>7/</sup>  | 2,002 <sup>7/</sup>   | 2,002         |
| Subtotal  | <u>50,228</u>        | <u>53,100</u>         | <u>52,040</u> |
| <br>  |                      |                       |               |
| (R) <i>Statewide Judicial Computer System</i>                     | 31,266 <sup>8/</sup> | 46,578                | 57,048        |
| (A) Act 119-1996  | 104                  | 109                   | 109           |
| (A) Miscellaneous   | 4,057                | 4,057                 | 4,057         |
| <i>Integrated Criminal Justice System (JNET)</i>                  | 2,372                | 2,372                 | 2,372         |
| (F) NCHIP Grant <sup>9/</sup>                                     | 54                   | 191                   | 191           |
| Subtotal  | <u>37,853</u>        | <u>53,307</u>         | <u>63,777</u> |

FISCAL YEAR 2019-20 JUDICIARY BUDGET REQUEST

(in thousands)

| <u>APPROPRIATION</u>                                     | AVAILABLE<br><u>2018-19</u> | REQUESTED<br><u>2019-20</u> | GOV. REC.<br><u>2019-20</u> |
|--|-----------------------------|-----------------------------|-----------------------------|
| <i>Courts of Common Pleas</i>                            | 117,739                     | 127,197 <sup>1/</sup>       | 117,739                     |
| (A) <i>Miscellaneous</i>                                 | 18,362                      | 17,474                      | 17,474                      |
| <i>Common Pleas Senior Judges</i>                        | 4,004                       | 3,868 <sup>1/</sup>         | 4,004                       |
| (A) <i>Miscellaneous</i>                                 | 2,272                       | 2,161                       | 2,161                       |
| <i>Ethics Cmte. of the PA Conf of State Trial Judges</i> | 62                          | 62                          | 62                          |
| <i>Subtotal</i>  | <u>142,439</u>              | <u>150,762</u>              | <u>141,440</u>              |
| <br>   |                             |                             |                             |
| <i>Magisterial District Judges</i>                       | 82,802                      | 87,675 <sup>1/</sup>        | 82,802                      |
| (A) <i>Miscellaneous</i>                                 | 11,415                      | 9,295                       | 9,295                       |
| <i>Magisterial District Judge Education</i>              | 744                         | 744 <sup>1/</sup>           | 744                         |
| (A) <i>Registration Fees</i>                             | 29                          | 25                          | 25                          |
| (A) <i>Miscellaneous</i>                                 | 252                         | 332                         | 332                         |
| <i>Philadelphia Municipal Court</i>                      | 7,794                       | 7,794 <sup>1/</sup>         | 7,794                       |
| (A) <i>Miscellaneous</i>                                 | 2,211                       | 2,774                       | 2,774                       |
| <i>Subtotal</i>  | <u>105,247</u>              | <u>108,639</u>              | <u>103,766</u>              |
| <br>   |                             |                             |                             |
| <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                       | 2,000                       | 1,500                       |
| <i>Subtotal</i>  | <u>27,129</u>               | <u>27,629</u>               | <u>27,129</u>               |
| <br>   |                             |                             |                             |
| STATE FUNDS  | 352,853                     | 368,526                     | 352,853                     |
| FEDERAL FUNDS  | 1,691                       | 1,910                       | 1,828                       |
| AUGMENTATIONS  | 63,393                      | 67,307                      | 67,307                      |
| RESTRICTED REVENUES                                      | 31,266                      | 46,578                      | 57,048                      |
| TOTAL, ALL SOURCES                                       | <u>449,203</u>              | <u>484,321</u>              | <u>479,036</u>              |
| <br>   |                             |                             |                             |
| <i>Judicial Conduct Board</i>                            | 2,182                       | 2,468                       | 2,182                       |
| (A) <i>Miscellaneous</i>                                 | 3                           | 3                           | 3                           |
| <i>Court of Judicial Discipline</i>                      | 468                         | 495                         | 468                         |
| (A) <i>Miscellaneous</i>                                 | 1                           | 1                           | 1                           |
| <i>Subtotal</i>  | <u>2,654</u>                | <u>2,967</u>                | <u>2,654</u>                |
| <br>   |                             |                             |                             |
| STATE FUNDS  | 355,503 <sup>10/</sup>      | 371,489 <sup>1/</sup>       | 355,503                     |
| FEDERAL FUNDS  | 1,691                       | 1,910                       | 1,828                       |
| AUGMENTATIONS  | 63,397 <sup>10/</sup>       | 67,311 <sup>1/</sup>        | 67,311                      |
| RESTRICTED REVENUES                                      | 31,266                      | 46,578                      | 57,048                      |
| TOTAL, ALL SOURCES                                       | <u>451,857</u>              | <u>487,288</u>              | <u>481,690</u>              |

## FISCAL YEAR 2019-20 JUDICIARY BUDGET REQUEST

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### NOTES:

- 1/ *Collections from Act 49 of 2009 (amended by Acts 113 and 126 of 2014, and Acts 40 and 44 of 2017) are anticipated to provide \$60.105 million in augmenting revenues to help meet UJS funding requirements in FY 2019-20. Accordingly, the state funding requests for these 11 appropriations have been reduced by a total of \$60.105 million in anticipation of the availability and use of those funds. The sunset date for the Act 49 temporary surcharge was extended to December 31, 2020 by Acts 40 and 44 of 2017.*
  - 2/ *The federally-funded Court Improvement Program is a project involving dependency courts. The federal funds represent a separate appropriation administered by AOPC.*
  - 3/ *The STOP Violence Against Women executive authorization (EA) provides access to a subgrant of federal funds from the Pennsylvania Commission on Crime and Delinquency (PCCD).*
  - 4/ *The Language Access Grant represents an appropriation for a federal grant anticipated from the State Justice Institute (SJI). Grant funds not spent in FY 2018-19 will be available for use in FY 2019-20 and require an appropriation.*
  - 5/ *The Administrative Office of Pennsylvania Courts (AOPC) was awarded a \$300,000 federal grant by the Bureau of Justice Assistance (BJA) in September 2016 to support a three-year (October 1, 2016 - September 30, 2019) statewide outcome and cost evaluation of drug courts and veterans treatment courts.*
  - 6/ *The Supreme Court of Pennsylvania adopted continuing judicial education requirements effective January 1, 2017 for appellate and trial court judges who do not fall under the statutory provisions and Supreme Court Rules of Judicial Administration applicable to magisterial district judges. The new requirement will result in an increase in judicial participation and additional course offerings.*
  - 7/ *The FY 2018-19 UJS Security appropriation was provided in the form of a continuing appropriation. Likewise, the FY 2019-20 funds are requested in the form of a continuing appropriation.*
  - 8/ *An appropriation to JCS represents a cap on the amount of restricted revenues that JCS may draw from Judicial Computer System Augmentation Account in any one year. Accordingly, the amount shown for FY 2018-19 represents the planned draw from the account under the \$57.048 million appropriation.*
  - 9/ *The National Criminal History Improvement Program (NCHIP) grant consists 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 will fund AOPC/IT activities in support of a two-year project led by JNET to update the electronic criminal complaint E-filing system. This subgrant will require an executive authorization (EA) each year. The amounts shown above for both the current year and FY 2019-20 Governor's recommended anticipate receipt of EAs we will be requesting.*
  - 10/ *FY 2018-19 budgets include \$56.192 million of Act 49 funds which are included in the chart above in augmentations.*
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**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Supreme Court**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 17,150         | 17,150         | 17,150                            | 17,150                           |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | <u>3,832</u>   | <u>3,872</u>   | <u>5,018</u>                      | <u>5,018</u>                     |
| Total         | 20,982         | 21,022         | 22,168                            | 22,168                           |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>^2018-19</u> | <b>Judicial</b><br><u>^^2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|-----------------|-------------------------------------|------------------------------------|
| State Funds   | 16,679         | 17,150          | 17,150                              | 0                                  |
| Federal Funds | 0              | 0               | 0                                   | 0                                  |
| Other Funds   | <u>632</u>     | <u>1,482</u>    | <u>2,247</u>                        | <u>0</u>                           |
| Total         | 17,311         | 18,632          | 19,397                              | 0                                  |

(b) "Complement"

|               | December 31, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec #      |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | <u>2019-20</u> |
| State Funds:  |                   |               |                   |               |               |               |                |
| Justices      | 7                 | 7             | 7                 | 7             | 7             | 7             | 0              |
| Staff         | * 125.60          | 102.60        | * 129.00          | 100.00        | ** 112.00     | 100.00        | 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         | 132.60            | 109.60        | 136.00            | 107.00        | 119.00        | 107.00        | 0              |

\* Includes 9 summer interns

\*\* Includes 7 summer interns

**3. OPERATING (\$000)**

|               | <u>2017-18</u> | <u>^2018-19</u> | <b>Judicial</b><br><u>^^2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|-----------------|-------------------------------------|------------------------------------|
| State Funds   | 0              | 0               | 0                                   | 0                                  |
| Federal Funds | 0              | 0               | 0                                   | 0                                  |
| Other Funds   | <u>3,200</u>   | <u>2,390</u>    | <u>2,771</u>                        | <u>0</u>                           |
| Total         | 3,200          | 2,390           | 2,771                               | 0                                  |

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#### 4. FIXED ASSETS (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------|
| State Funds   | 471            | 0              | 0                                 | 0                           |
| Federal Funds | 0              | 0              | 0                                 | 0                           |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                    |
| Total         | 471            | 0              | 0                                 | 0                           |

#### 5. GRANTS AND SUBSIDIES (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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 2018-19 – Personnel and Operating: Other Funds include augmenting revenues of \$3,461 in anticipated Act 49 of 2009 revenues.

^Fiscal Year 2019-20 – Personnel and Operating: Other Funds include augmenting revenues of \$4,607 in anticipated Act 49 of 2009 revenues.

#### 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, 2020. Assumptions regarding Justices' salaries are as follows:

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|               | <u>July - December, 2019</u> | <u>January - June, 2020</u> |
|---------------|------------------------------|-----------------------------|
| Chief Justice | \$217,168                    | \$220,969                   |
| Justices (6)  | \$211,027                    | \$214,720                   |

Proposed personnel expenditures follow.

|  |             |
|--|-------------|
| -Increase for augmentations (Act 49) anticipated in Fiscal Year 2019-20 to supplement state funding (nonrecurring) -   | \$765,000   |
| -Decrease in state funds due to increase in augmentations anticipated in Fiscal Year 2019-20 (nonrecurring) -  | (\$765,000) |
| -Increase in salaries and related benefits (social security, pension contributions) for Justices' COLA (1.75% effective 1/1/20) -  | \$39,000    |
| -Increase in salaries and related benefits (social security, pension contributions, WC) for 1.75% COLA, and to annualize the cost of Fiscal Year 2018-19 merit/step increments and to provide merit/step increments in Fiscal Year 2019-20 - filled staff and law clerks - | \$440,000   |
| -Increase for pension contributions due to rate increase from 34.63% to 34.68% for AA staff and from 23.94% to 23.97% for A3/A4 staff; and from 43.90% to 43.95% for Justices -  | \$5,000     |
| -Increase in salaries and all benefits to annualize the cost for staff vacancies to be filled in Fiscal Year 2018-19 -   | \$171,000   |
| -Decrease in salaries and benefits for one position funded in Fiscal Year 2018-19 and not funded in Fiscal Year 2019-20 -  | (\$87,000)  |
| -Increase in cost of health/life insurance benefits for Justices and staff and health insurance benefits for annuitants -  | \$71,000    |
| -Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2018-19 -   | \$126,000   |

Operating (Nonrecurring):

|  |           |
|--|-----------|
| -Increase in use of Act 49 funds for operating costs to restore funding due to using miscellaneous encumbrances in Fiscal Year 2018-19 - | \$381,000 |
|--|-----------|

## 8. HISTORY OF LAPSES

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

## 9. FRINGE BENEFITS

|                 | <u>2017-18</u> | <u>2018-19</u> | <u>Judicial<br/>2019-20</u> |
|-----------------|----------------|----------------|-----------------------------|
| Employee Factor |                |                |                             |
| Justices        | 76.89%         | 77.82%         | 77.79%                      |
| Staff           | 76.63%         | 78.31%         | 78.69%                      |

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## 10. NONRECURRING PURCHASES

2018-19: none

2019-20: none

## 11. PROGRAM STATEMENT

Funding for this appropriation in Fiscal Year 2018-19 will be supplemented by a transfer of \$3.461 million of Act 49 of 2009 revenues. This Fiscal Year 2019-20 budget request anticipates the availability and use of \$4.607 million in Act 49 revenues which offset the need for state funding. The sunset date for the Act 49 temporary surcharge was extended to December 31, 2020 by Acts 40 and 44 of 2017.

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.

**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Justices' Expenses**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</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, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec        |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | <u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 80             | 118            | 118                               | 0                                |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | 0              | 0              | 0                                 | 0                                |
| Total         | <u>80</u>      | <u>118</u>     | <u>118</u>                        | <u>0</u>                         |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</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>                         |

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**5. GRANTS AND SUBSIDIES (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec<br><u>2019-20</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>*2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec<br><u>2019-20</u> |
|---------------|-----------------|----------------|-----------------------------------|---------------------------|
| State Funds   | 38              | 0              | 0                                 | 0                         |
| Federal Funds | 0               | 0              | 0                                 | 0                         |
| Other Funds   | 0               | 0              | 0                                 | 0                         |
| Total         | <u>38</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                  |

*\*Fiscal Year 2017-18 – Non-expense/Interagency, consists of \$38 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 2017-18.

**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

**9. FRINGE BENEFITS**

No salaries are paid from this appropriation.

**10. NONRECURRING PURCHASES**

2018-19: none

2019-20: 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.

**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Judicial Council**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 68             | 115            | 120                               | 0                                  |
| Federal Funds | 0              | 0              | 0                                 | 0                                  |
| Other Funds   | 0              | 0              | 0                                 | 0                                  |
| Total         | <u>68</u>      | <u>115</u>     | <u>120</u>                        | <u>0</u>                           |

(b) "Complement"

|               | December 31, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec #      |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | <u>2019-20</u> |
| State Funds   | 1.36              | 0.36          | 1.40              | 0.40          | 1.40          | 0.40          | 0              |
| Federal Funds | 0                 | 0             | 0                 | 0             | 0             | 0             | 0              |
| Other Funds   | 0                 | 0             | 0                 | 0             | 0             | 0             | 0              |
| Total         | <u>1.36</u>       | <u>0.36</u>   | <u>1.40</u>       | <u>0.40</u>   | <u>1.40</u>   | <u>0.40</u>   | <u>0</u>       |

**3. OPERATING (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 14             | 26             | 21                                | 0                                  |
| Federal Funds | 0              | 0              | 0                                 | 0                                  |
| Other Funds   | 0              | 0              | 0                                 | 0                                  |
| Total         | <u>14</u>      | <u>26</u>      | <u>21</u>                         | <u>0</u>                           |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</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>                           |

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**5. GRANTS AND SUBSIDIES (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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>*2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|-----------------|----------------|-----------------------------------|-----------------------------|
| State Funds   | 59              | 0              | 0                                 | 0                           |
| Federal Funds | 0               | 0              | 0                                 | 0                           |
| Other Funds   | 0               | 0              | 0                                 | 0                           |
| Total         | <u>59</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                    |

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

*\*Fiscal Year 2017-18 – Non-expense/Interagency consists of \$59 transferred to other UJS appropriations in accordance with 72 P.S. Section 1793-E.*

**7. ASSUMPTIONS**

Personnel:

|   |         |
|---|---------|
| -Increase in salaries and related benefits for 1.40 authorized staff -    | \$3,000 |
| -Increase in cost of health and life insurance for authorized positions - | \$2,000 |

Operating:

|                                |           |
|--------------------------------|-----------|
| -Decrease in operating costs - | (\$5,000) |
|--------------------------------|-----------|

**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

**9. FRINGE BENEFITS**

|                 | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> |
|-----------------|----------------|----------------|-----------------------------------|
| Employee Factor | 68.62%         | 71.73%         | 73.39%                            |

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## 10. NONRECURRING PURCHASES

2018-19: none

2019-20: 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

**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Interbranch Commission for Gender, Racial and Ethnic Fairness**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 350            | 350            | 350                               | 350                              |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                         |
| Total         | 350            | 350            | 350                               | 350                              |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec#</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------------|
| State Funds   | 301            | 284            | 291                               | 0                                 |
| Federal Funds | 0              | 0              | 0                                 | 0                                 |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                          |
| Total         | 301            | 284            | 291                               | 0                                 |

(b) "Complement"

|               | December 31, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec#       |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | <u>2019-20</u> |
| State Funds   | 3                 | 2             | 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                 | 2             | 3                 | 3             | 3             | 3             | 0              |

**3. OPERATING (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec#</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------------|
| State Funds   | 49             | 66             | 59                                | 0                                 |
| Federal Funds | 0              | 0              | 0                                 | 0                                 |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                          |
| Total         | 49             | 66             | 59                                | 0                                 |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec#</b><br><u>2019-20</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                                 |

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**5. GRANTS AND SUBSIDIES (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec#<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------|
| State Funds   | 0              | 0              | 0                                 | 0                          |
| Federal Funds | 0              | 0              | 0                                 | 0                          |
| Other Funds   | 0              | 0              | 0                                 | 0                          |
| Total         | 0              | 0              | 0                                 | 0                          |

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

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec#<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------|
| State Funds   | 0              | 0              | 0                                 | 0                          |
| Federal Funds | 0              | 0              | 0                                 | 0                          |
| Other Funds   | 0              | 0              | 0                                 | 0                          |
| Total         | 0              | 0              | 0                                 | 0                          |

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

**7. ASSUMPTION**

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 2018-19 merit increments and to provide merit increments in Fiscal Year 2019-20 for filled staff - | \$5,000 |
| -Increase in health benefits/life insurance for filled positions -  | \$1,000 |
| -Increase in health insurance costs to restore funding due to credits received in Fiscal Year 2018-19 –   | \$1,000 |

Operating:

|   |           |
|---|-----------|
| -Decrease in miscellaneous operating expenses - | (\$7,000) |
|---|-----------|

**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

**9. FRINGE BENEFITS**

|                 | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> |
|-----------------|----------------|----------------|-----------------------------------|
| Employee Factor | 68.78%         | 50.81%         | 54.06%                            |

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## 10. NONRECURRING PURCHASES

2018-19: none

2019-20: none

## 11. PROGRAM STATEMENT

The 24-member Interbranch Commission for Gender, Racial and Ethnic Fairness was established in January 2005 in a collaborative effort among the three branches of state government. Its membership consists of appointments from both the majority and minority parties of the House and Senate, the Governor's office, and the Supreme Court. The membership is organized into six committees, which undertake the commission's work. A list of the committees and a summary of their recent work follows:

- ◆ **Criminal Justice Committee:** In 2018, the commission played a key role in the production of the first two statewide studies of the administration of the death penalty in Pennsylvania. First, the commission published *Capital Punishment Decisions in Pennsylvania: 2000-2010, Implications for Racial, Ethnic and Other Disparate Impacts*, conducted for the commission by Penn State University's Justice Center for Research. Second, the commission substantially contributed to a second, broader study of the death penalty published in June 2018, *Capital Punishment in Pennsylvania: The Report of the Task Force and Advisory Committee*. This study was conducted by the Joint State Government Commission's Death Penalty Task Force, on which the commission's executive director served. The commission is working with the three branches of government and others to implement its recommendations, based on both studies' findings. Throughout 2018, the committee also worked to implement the recommendations in its guide, *Ending Debtors' Prisons in Pennsylvania: Current Issues in Bail and Legal Financial Obligations: A Practical Guide for Reform*. They include reforming the pre-trial detention and sentencing systems that incarcerate indigent individuals for failure to make bail or to pay large court costs or fines in violation of court rules and Pennsylvania law. Additionally, the committee is continuing its efforts to seek reforms in the indigent defense system and to establish a model standardized system for the expungement of juvenile records in Pennsylvania.
- ◆ **Jury Service Committee:** The committee continued working throughout the year with the AOPC and state agencies to remove a key impediment to the use of the statewide juror list by judicial districts across the Commonwealth by eliminating duplicate names on the statewide list. The addition of date of birth data would enable the AOPC to reduce significantly the number of duplicate names on the statewide list. The reduction in duplicates would enable more Pennsylvania judicial districts to use the statewide list, thereby increasing the likelihood of establishing diversity in their jury pools. The committee also participated in the production of a study and report in May 2018, entitled *Report of the FJD Juror Participation Initiative*, for the First Judicial District. The committee plans to use the report's recommendations to help other judicial districts

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address similar issues in their communities. In addition, 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 collaborated with the Pennsylvania Senate Judiciary Committee on legislation to address inadequate juror compensation and juror exemption/excusal policies.

- **Equal Opportunity and Diversity Committee:** In 2018, the committee filed formal comments to each of the two versions of the proposed changes to the PA Rules of Professional Conduct (Rule 8.4), prohibiting discrimination and harassment by attorneys in the practice of law, published for comment by the Disciplinary Board. In the fall of 2018, the Disciplinary Board submitted its final proposed amendments to the Supreme Court, where they remain under consideration. The committee also spearheaded two additional statewide initiatives to address bias and promote diversity in the profession this year: the collection of demographic data among PA attorneys through the addition of a voluntary check-off box on annual attorney license applications and renewals, and mandatory CLE training for attorneys on bias and diversity. The Court approved the voluntary demographic data collection initiative, which was implemented in June 2018. The mandatory anti-bias CLE training is under review by the Court. Over the past year, the committee has been working with the Allegheny County Bar Association (ACBA) to incorporate implicit bias training into all CJE and CLE programs offered by them. The committee also is working to promote implicit bias training in Pennsylvania law schools as part of their formal curricula.
  
- **Domestic Violence and Sexual Assault Victims Committee:** On November 2, 2018, the committee convened a fourth meeting of prominent stakeholders who provide services to victims of human trafficking throughout the Commonwealth. Information from that meeting will be included in a new website launched by the PA Commission on Crime and Delinquency and the Office of Victim Services. The website will provide a statewide database of resources for trafficking victims and service providers. The committee also is researching means of amending the Interstate Compact on Juveniles to create an exception in the law for juvenile trafficking victims. The law currently requires local authorities to securely detain and remove out-of-state juveniles regardless of whether they are human trafficking victims.
  
- ◆ **G.L.B.T. (Gay, Lesbian, Bisexual, Transgendered) Rights Committee:** The committee began collaborating this year with the Governor’s newly-established Commission on LGBTQ Affairs to amend the PA Human Relations Act to include sexual orientation and gender identity within the act’s protected classes. The committee also continued working with Lambda Legal’s Youth in Out-of-Home-Care Project to amend the Pennsylvania Department of Human Services’ (DHS) regulatory definition of gender to include gender identity and expression. This would enable transgender youth who are trafficking victims or are homeless to obtain appropriate housing placement and other assistance.

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- ♦ Interpreter Services Committee: The committee submitted a letter to the Supreme Court on February 1, 2018 detailing several anecdotal reports of magisterial district judges and judges questioning immigrant defendants and other parties about their immigration status, and working with ICE to facilitate their detention. The AOPC subsequently issued an Advisory to the state judiciary indicating that such actions could constitute a violation of the individuals' rights under Title VII of the Civil Rights Act. The committee is working with Community Legal Services in Philadelphia and Temple University Law School to document other instances of these actions and to draft policies to address the problems. The committee also submitted formal comments to proposed changes to the definition of "public charge" in DHS regulations. The amendments would expand the definition to include individuals who receive previously excluded forms of government assistance, such as children's food assistance programs, and adults who as juveniles received benefits from the government at any time in their lives. Anyone who is determined to be, or has been, a public charge will be ineligible for U.S. citizenship.

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

**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Rules Committees**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 1,595          | 1,595          | 1,595                             | 1,595                            |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | <u>5</u>       | <u>4</u>       | <u>4</u>                          | <u>4</u>                         |
| Total         | 1,600          | 1,599          | 1,599                             | 1,599                            |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec#</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------------|
| State Funds   | 1,225          | 1,258          | 1,321                             | 0                                 |
| Federal Funds | 0              | 0              | 0                                 | 0                                 |
| Other Funds   | <u>5</u>       | <u>4</u>       | <u>4</u>                          | <u>0</u>                          |
| Total         | 1,230          | 1,262          | 1,325                             | 0                                 |

(b) "Complement"

|               | December 31, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec# |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | 2019-20  |
| State Funds   | 9                 | 8             | 11                | 8             | 8             | 8             | 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         | 9                 | 8             | 11                | 8             | 8             | 8             | 0        |

**3. OPERATING (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec#</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------------|
| State Funds   | 248            | 337            | 274                               | 0                                 |
| Federal Funds | 0              | 0              | 0                                 | 0                                 |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                          |
| Total         | 248            | 337            | 274                               | 0                                 |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec#</b><br><u>2019-20</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                                 |

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**5. GRANTS AND SUBSIDIES (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec#<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------|
| State Funds   | 0              | 0              | 0                                 | 0                          |
| Federal Funds | 0              | 0              | 0                                 | 0                          |
| Other Funds   | 0              | 0              | 0                                 | 0                          |
| Total         | 0              | 0              | 0                                 | 0                          |

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

|               | <u>*2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec#<br><u>2019-20</u> |
|---------------|-----------------|----------------|-----------------------------------|----------------------------|
| State Funds   | 122             | 0              | 0                                 | 0                          |
| Federal Funds | 0               | 0              | 0                                 | 0                          |
| Other Funds   | 0               | 0              | 0                                 | 0                          |
| Total         | 122             | 0              | 0                                 | 0                          |

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

*\*Fiscal Year 2017-18 – Non-expense/Interagency consists of \$122 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, workers compensation) for a 1.75% COLA, and to annualize the cost of Fiscal Year 2018-19 merit increments and to provide merit increments for Fiscal Year 2019-20 - \$44,000
- Increase in cost of health and life insurance benefits for active staff positions and health insurance for annuitants - \$17,000
- Increase in cost of health/life insurance due to credits received in Fiscal Year 2018-19 - \$13,000
- Decrease in unemployment compensation - (\$11,000)

Operating:

- Decrease in travel, lodging, meals costs - (\$63,000)

**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |



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**9. FRINGE BENEFITS**

|                 | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> |
|-----------------|----------------|----------------|-----------------------------------|
| Employee Factor | 71.15%         | 80.62%         | 81.45%                            |

**10. NONRECURRING PURCHASES**

2018-19: none

2019-20: 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 make recommendations to the Court concerning procedural and evidentiary rules. In executing this role, the committees liaise with members of the bench, bar, public, and the legislative and executive branches to receive information, comments, and suggestions regarding the rules. The committees also monitor recent legislation and court opinions to maintain rules that are current with developing law in the Commonwealth.

Another function of the committees is rules drafting. During this process, staff may be directed to investigate and prepare proposed changes or additions to the rules. After consideration by the full committee, which may or may not be preceded by subcommittee review, proposed recommendations proceed in accordance with Pennsylvania Rule of Judicial Administration 103. Under Rule 103, proposed recommendations are published and the committee then reviews the public comments received. When necessary, the proposal is modified before the committee submits a final recommendation to the Court for consideration.

In aggregate, the eight rules committees have approximately 95 members serving without compensation, supported by five attorneys and three administrative staff. The rules committees meet several times a year, generally for one-to-two day meetings. Some committees use standing and/or *ad hoc* subcommittees, which meet at other times to work on specific issues. In Fiscal Year 2018-2019, the various rules committees will have convened

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approximately 26 times in locations across the Commonwealth, including the Pennsylvania Judicial Center.

The work of the rules committees in 2018 has included:<sup>1</sup>

- The **Juvenile Court Procedural Rules Committee** published proposed rule changes on the following topics: 1) the use of (Pennsylvania Appellate Court) PACFile to permit e-filing and service of documents and notices in court proceedings; 2) clarification on the access to juvenile probation files; 3) require a dispositional hearing to be held within 20 days when a child is deemed dependent and not in placement; and 4) require the appointment of counsel when a child is over the age of 18.

The Court adopted the following committee recommendations to: 1) preserve and present claims that a finding is against the weight of the evidence; 2) require prior hearing notice when child's goal is changed from reunification; 3) clarify that arrest warrants should not be issued for absconding dependent children; 4) require advisement of post-dispositional rights in juvenile court hearing officer proceedings; 5) change the outcome from "termination of jurisdiction" to "dismissal of petition" when the court finds the juvenile is "not in need"; and 6) provisions to ensure the educational stability of children and juveniles in placement.

- The **Orphans' Court Procedural Rules Committee** published proposed rule changes on the following topics: 1) amending the Index and Appendix of Orphans' Court and Register of Wills Forms; 2) eliminating non-substantive variations in style and format as the sole basis for rejection of an otherwise compliant filing; and 3) refining recently rewritten Orphans' Court Rules and Forms based on comments from the bench, bar, and committee.

The Court adopted the committee's recommendations to: 1) implement the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*; and 2) rescind and replace the Orphans' Court Rules related to guardianship proceedings, as well as establish provisions for the vacation and resubmission of local rules pertaining to guardianship proceedings.

- The **Domestic Relations Procedural Rules Committee** published proposed rule changes on the following topics: 1) republished a detailed revision of the rule for obtaining a divorce decree, rules for establishing grounds for divorce, and rules for Section

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<sup>1</sup> To avoid repetition, recommendations both published and adopted in calendar year 2018 are listed only once hereafter as adopted.

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3301(c)(2) divorces; 2) the method of apportioning additional expenses in support cases; and 3) revision to custody rules related to written custody orders and agreements.

The Court adopted the following committee recommendations to: 1) parenting coordination and related forms; 2) the elimination of non-statutorily authorized fees in support actions; 3) revisions to filing proof of service related to a change to the Rules of Professional Conduct; 4) an amended rule and footnotes for the implementation of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*, as amended; 5) updating examples in the support rules; 6) adding additional custody/mediation definitions and amending rules related to custody officers practicing family law; and 7) support rules/formula changes related to the Tax Cut and Jobs Act.

- The **Minor Court Rules Committee** submitted, and the Court adopted, recommendations to: 1) amend the *in forma pauperis* petition; 2) implement the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*; 3) clarify the permissible conditions for the reinstatement of a complaint following a dismissal without prejudice for failure to make timely service upon a defendant; and 4) amend the judicial conduct rules to prohibit discrimination on the basis of gender identity or expression.
- The **Appellate Court Procedural Rules Committee** submitted, and the Court adopted, recommendations to: 1) amend the rules to provide for public access to the records of the appellate courts; and 2) change the title of the public access policy where referenced in the rules to *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*.
- The **Criminal Procedural Rules Committee** published proposed rule changes on the following topics: 1) the incarceration of the indigent for failure to pay case assessments in summary cases; 2) the expungement of summary cases for defendants under the age of 18; 3) motions for dismissal based on Section 110 of the Crimes Code; and 4) the addition of a cross-reference to the Rule 720 Comment regarding cases that provide exceptions to the general rule that ineffectiveness claims should be reserved for collateral review.

The Court adopted the following committee recommendations to: 1) provide procedures for post-indictment arrest warrant; 2) permit electronic filing of documents in criminal cases based on the statewide e-filing system being developed by AOPC; 3) clarify that local rules establishing deadlines for the entry of pleas pursuant to agreement are in conflict with the statewide rules; 4) correct the last references in the rules to the Philadelphia Traffic Court in light of the constitutional amendment abolishing that court; 5) provide that, where a summary appeal is filed *nunc pro tunc* and denied at common

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pleas, the case cannot be remanded to the magisterial district judge but must remain at common pleas; 6) provide correlative rules changes in light of the Court's adoption of the new Public Access Policy; and 7) amend a number of rules to implement the extension of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* to the minor courts; 8) provide procedures for the expungement of summary truancy cases; and 9) provide procedures for when a material witness under the age of 18 is taken into custody.

- The **Committee on Rules of Evidence** submitted, and the Court adopted, a recommendation for the codification of precedent related to the present sense impression and excited utterance exceptions to the rule against hearsay.
- The **Civil Procedural Rules Committee** published proposed rule changes on the topics of: 1) alternative service by order of court; 2) the rescission of the requirement to attest or certify that the copy of the complaint to be served on a defendant is a true copy; 3) the form of the notice required by Act 34 of 2018, 42 Pa.C.S. § 5527.1, for an adverse possessor seeking quiet title of real property to inform a property owner of record of the one-year period to file an action in ejectment against the adverse possessor; and (4) venue in medical professional liability actions.

The Court adopted the following committee recommendation to: 1) amend the rules to provide for public access to the records of the courts of common pleas in civil matters; and 2) change the title of the public access policy where referenced in the rules to *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*.

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.A. Sec. 1722, et seq.

**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Superior Court**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 32,377         | 32,377         | 32,377                            | 32,377                           |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | <u>4,671</u>   | <u>7,816</u>   | <u>10,721</u>                     | <u>10,721</u>                    |
| Total         | 37,048         | 40,193         | 43,098                            | 43,098                           |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>^2018-19</u> | <b>Judicial</b><br><u>^^2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|-----------------|-------------------------------------|------------------------------------|
| State Funds   | 31,779         | 32,102          | 32,072                              | 0                                  |
| Federal Funds | 0              | 0               | 0                                   | 0                                  |
| Other Funds   | <u>110</u>     | <u>2,936</u>    | <u>5,669</u>                        | <u>0</u>                           |
| Total         | 31,889         | 35,038          | 37,741                              | 0                                  |

(b) "Complement"

|               | December 31, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec # |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|-----------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | 2019-20   |
| State Funds:  |                   |               |                   |               |               |               |           |
| Judges        | 15                | 13            | 15                | 14            | 15            | 14            | 0         |
| Staff         | * 245             | 206           | * 247             | 210           | ** 248        | 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         | 260               | 219           | 262               | 224           | 263           | 224           | 0         |

\* Includes 21 summer interns

\*\* Includes 20 summer interns

**3. OPERATING (\$000)**

|               | <u>2017-18</u> | <u>^2018-19</u> | <b>Judicial</b><br><u>^^2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|-----------------|-------------------------------------|------------------------------------|
| State Funds   | 332            | 0               | 0                                   | 0                                  |
| Federal Funds | 0              | 0               | 0                                   | 0                                  |
| Other Funds   | <u>4,561</u>   | <u>4,880</u>    | <u>5,052</u>                        | <u>0</u>                           |
| Total         | 4,893          | 4,880           | 5,052                               | 0                                  |

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**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>^2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|----------------|-----------------|-----------------------------------|-----------------------------|
| State Funds   | 266            | 275             | 305                               | 0                           |
| Federal Funds | 0              | 0               | 0                                 | 0                           |
| Other Funds   | <u>0</u>       | <u>0</u>        | <u>0</u>                          | <u>0</u>                    |
| Total         | 266            | 275             | 305                               | 0                           |

**5. GRANTS AND SUBSIDIES (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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 2018-19 – Personnel and Operating: Other Funds include augmenting revenues of \$7,530 in anticipated Act 49 of 2009 revenues.*

*^Fiscal Year 2019-20 – Personnel and Operating: Other Funds include augmenting revenues of \$10,435 in anticipated Act 49 of 2009 revenues.*

**7. ASSUMPTIONS**

To fund the continued operation of the Superior Court, the following amounts are required above the amount budgeted for Fiscal Year 2018-19.

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, 2020. Assumptions regarding judges' salaries and senior judge per diems are as follows:

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|                       | <u>July - December, 2019</u> | <u>January - June, 2020</u> |
|-----------------------|------------------------------|-----------------------------|
| President Judge       | \$205,253                    | \$208,845                   |
| Judge (14)            | \$199,114                    | \$202,599                   |
| Senior Judge per diem | \$567                        | \$577                       |

Proposed personnel expenditures follow:

|  |               |
|--|---------------|
| -Increase in augmentations (Act 49) anticipated in Fiscal Year 2019-20 to supplement state funding (nonrecurring) -  | \$2,733,000   |
| -Decrease in state funds due to increase in augmentations anticipated in Fiscal Year 2019-20 (nonrecurring) -  | (\$2,733,000) |
| -Increase in senior judge per diem compensation and social security due to increased rates -   | \$9,000       |
| -Increase in salaries and related benefits (social security, pension contributions) for Judges' COLA (1.75% effective 1/1/20) -  | \$70,000      |
| -Increase in the cost of health/life insurance benefits for judges and health insurance for annuitants -   | \$27,000      |
| -Increase to annualize costs for one judge vacancy funded for six months in Fiscal Year 2018-19 -  | \$169,000     |
| -Increase in pension contributions for judges due to rate increase from 43.90% to 43.95% -   | \$2,000       |
| -Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2018-19 -   | \$274,000     |
| -Increase in salaries and related benefits (social security, pension contributions, WC) for 1.75% COLA, and to annualize the cost of Fiscal Year 2018-19 merit increments and to provide merit increments in Fiscal Year 2019-20 for filled staff and law clerks - | \$410,000     |
| -Increase in pension contributions due to rate increase from 34.63% to 34.68% for AA staff and from 23.94% to 23.97% for A3/A4 staff -   | \$2,000       |
| -Increase in health/life insurance benefits for filled staff and health insurance for annuitants -   | \$387,000     |
| -Increase in salaries and all benefits to annualize costs of four vacant staff positions to be filled in Fiscal Year 2018-19 -   | \$73,000      |
| -Increase in salaries and all benefits to annualize cost to fill six vacant staff positions for vacant commissioned judge funded for six months in Fiscal Year 2018-19 -   | \$400,000     |
| -Increase in salaries and all benefits for two new attorney positions to be filled in Fiscal Year 2018-19 for Central Legal office -   | \$158,000     |
| -Increase in salaries and all benefits to annualize the cost of six vacant staff positions for one vacant senior judge in Fiscal Year 2018-19-   | \$690,000     |
| -Increase in annual/sick leave payout -  | \$32,000      |

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Operating: (Nonrecurring)

-Increase in augmentations (Act 49) anticipated in Fiscal Year 2019-20 to supplement state funding - \$172,000

Fixed Assets:

-Increase in technology equipment replacement costs anticipated in Fiscal Year 2019-20 - \$30,000

**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

**9. FRINGE BENEFITS**

|                 | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> |
|-----------------|----------------|----------------|-----------------------------------|
| Employee Factor |                |                |                                   |
| Judges          | 74.37%         | 74.68%         | 76.06%                            |
| Staff           | 79.56%         | 82.01%         | 84.30%                            |

**10. NONRECURRING PURCHASES**

2018-19: Furniture and equipment - \$125,000; and Buildings and leasehold improvements - \$150,000.

2019-20: Furniture and equipment - \$135,000; and Buildings and leasehold improvements - \$170,000.

**11. PROGRAM STATEMENT**

Funding for this appropriation in Fiscal Year 2018-19 will be supplemented by a transfer of \$7.530 million in anticipated Act 49 of 2009 revenues. This Fiscal Year 2019-20 budget request anticipates the availability and use of \$10.435 million in Act 49 revenues which offset the need for state funding. The sunset date for the Act 49 surcharge was extended to December 31, 2020 by Acts 40 and 44 of 2017.

The Superior Court was established by the Pennsylvania General Assembly 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 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

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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 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 majority of cases such petitions are denied. Appeals allowed to the United States Supreme Court are even more infrequent.

The Superior Court is comprised of 15 commissioned judges. Typically, five senior judges assist in the work of the court; six senior judges are assigned to Superior Court effective January 2019. 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.

In calendar year 2018, 7,623 appeals were filed. This is comparable to the number of appeals filed in 2017 and 2016, which were respectively 8,019 and 7,965. To meet the rigorous workload of the court, an annual average of 266 written decisions per judge have been produced over the last three calendar years.

Additionally, other judicial duties include voting and writing on other judges' panel decisions; reviewing re-argument petitions and en banc certifications; serving on motions panels and as a monthly motions assignment judge; wiretap assignments; and court committee assignments. According to the National Center for State Courts, the Pennsylvania Superior Court continues to be one of the busiest intermediate state appellate courts in the country. The Superior Court strives to maintain this performance as the number of appeals and petitions received by the court increases.

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 \$200,000 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.

**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Superior Court – Judges’ Expenses**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</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, 2017 |              | December 31, 2018 |              | Budget        |              | Gov Rec        |
|---------------|-------------------|--------------|-------------------|--------------|---------------|--------------|----------------|
|               | <u>Auth</u>       | <u>Filed</u> | <u>Auth</u>       | <u>Filed</u> | <u>Funded</u> | <u>Filed</u> | <u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 93             | 183            | 183                               | 0                                |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                         |
| Total         | 93             | 183            | 183                               | 0                                |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</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                                |

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**5. GRANTS AND SUBSIDIES (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec<br><u>2019-20</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>*2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec<br><u>2019-20</u> |
|---------------|-----------------|----------------|-----------------------------------|---------------------------|
| State Funds   | 90              | 0              | 0                                 | 0                         |
| Federal Funds | 0               | 0              | 0                                 | 0                         |
| Other Funds   | 0               | 0              | 0                                 | 0                         |
| Total         | <u>90</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                  |

*\*Fiscal Year 2017-18 – Non-expense/Interagency, consists of \$90 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 2018-19.

**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

**9. FRINGE BENEFITS**

No salaries are paid from this appropriation.

**10. NONRECURRING PURCHASES**

2018-19: none

2019-20: 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.

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**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Commonwealth Court**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|---------------------------|
| State Funds   | 21,192         | 21,192         | 21,192                            | 21,192                    |
| Federal Funds | 0              | 0              | 0                                 | 0                         |
| Other Funds   | <u>276</u>     | <u>1,377</u>   | <u>1,903</u>                      | <u>1,903</u>              |
| Total         | 21,468         | 22,569         | 23,095                            | 23,095                    |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------|
| State Funds   | 17,657         | 20,190         | 20,677                            | 0                           |
| Federal Funds | 0              | 0              | 0                                 | 0                           |
| Other Funds   | <u>81</u>      | <u>63</u>      | <u>63</u>                         | <u>0</u>                    |
| Total         | 17,738         | 20,253         | 20,740                            | 0                           |

(b) "Complement"

|               | December 31, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec #      |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | <u>2019-20</u> |
| State Funds:  |                   |               |                   |               |               |               |                |
| Judges        | 9                 | 8             | 9                 | 9             | 9             | 9             | 0              |
| Staff         | * 148             | 107           | * 149             | 108           | ** 123        | 108           | 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         | 157               | 115           | 158               | 117           | 132           | 117           | 0              |

\* Includes 13 summer interns

\*\* Includes 10 summer interns

**3. OPERATING (\$000)**

|               | <u>2017-18</u> | <u>^2018-19</u> | <b>Judicial</b><br><u>^^2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|----------------|-----------------|-------------------------------------|-----------------------------|
| State Funds   | 2,579          | 1,002           | 515                                 | 0                           |
| Federal Funds | 0              | 0               | 0                                   | 0                           |
| Other Funds   | <u>195</u>     | <u>1,314</u>    | <u>1,840</u>                        | <u>0</u>                    |
| Total         | 2,774          | 2,316           | 2,355                               | 0                           |

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**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------|
| State Funds   | 956            | 0              | 0                                 | 0                           |
| Federal Funds | 0              | 0              | 0                                 | 0                           |
| Other Funds   | 0              | 0              | 0                                 | 0                           |
| Total         | <u>956</u>     | <u>0</u>       | <u>0</u>                          | <u>0</u>                    |

**5. GRANTS AND SUBSIDIES (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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 2018-19 – Operating: Other Funds include augmenting revenues of \$1,169 in anticipated Act 49 of 2009 revenues.

^^Fiscal Year 2019-20 – Operating: Other Funds include augmenting revenues of \$1,695 in anticipated Act 49 of 2009 revenues.

**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, 2020. Assumptions regarding judges' salaries and senior judge per diem compensation are as follows:

|                       | <u>July - December, 2019</u> | <u>January - June, 2020</u> |
|-----------------------|------------------------------|-----------------------------|
| President Judge       | \$205,253                    | \$208,845                   |
| Judge (8)             | \$199,114                    | \$202,599                   |
| Senior Judge per diem | \$567                        | \$577                       |

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Proposed personnel expenditures follow.

|  |             |
|--|-------------|
| -Increase in pension contributions due to rate increase from 34.63% to 34.68% for AA staff and from 43.90% to 43.95% for judges -  | \$5,000     |
| -Increase in health insurance costs to restore funding due to credits received in Fiscal Year 2018-19 -  | \$182,000   |
| -Increase in health/life insurance benefits for judges and staff, and health insurance benefits for annuitants –   | \$201,000   |
| -Decrease in salaries and all benefits for six senior judge staff positions being eliminated in January 2019 (funded for six months in Fiscal Year 2018-19) -            | (\$525,000) |
| -Increase in salaries and related benefits (social security, pension contributions, WC) for 1.75% COLA and to provide merit increments for filled staff and law clerks - | \$296,000   |
| -Increase in salaries and related benefits (social security, pension contributions) for judges' COLA (1.75% effective 1/1/20) -  | \$46,000    |
| -Increase in salaries and all benefits to annualize the cost of 11 staff vacancies to be filled in Fiscal Year 2018-19 -   | \$480,000   |
| -Decrease in salaries and all benefits to annualize the cost of two staff vacancies funded in Fiscal Year 2018-19 but not funded in Fiscal Year 2019-20 -                | (\$222,000) |
| -Increase in senior judge per diem compensation and social security due to increased rate –  | \$2,000     |
| -Decrease in senior judge per diem compensation and social security due to decreased days (from 190 days in Fiscal Year 2018-19 to 160 days in Fiscal Year 2019-20) -    | (\$18,000)  |
| -Increase in sick leave and annual leave payouts -   | \$55,000    |
| -Decrease in unemployment compensation -   | (\$15,000)  |

Operating (Nonrecurring):

|  |             |
|--|-------------|
| -Increase in Act 49 funds available in Fiscal Year 2019-20 to supplement state funding -                                   | \$526,000   |
| -Decrease in state funds due to increase in Act 49 funds in Fiscal Year 2019-20 -  | (\$526,000) |
| Decrease in operating expenses due to loss of two senior judge chambers (one senior judge remaining) -                     | (\$80,000)  |
| -Decrease in operating expenses due to three and five year cyclical maintenance contracts renewed in Fiscal Year 2018-19 – | (\$48,000)  |
| -Increase in operating expenses due to replacement of aging copiers and associated maintenance costs –                     | \$118,000   |
| -Increase in operating expenses due to increase in UPS maintenance costs -   | \$12,000    |
| -Increase in operating expenses for security services -  | \$37,000    |

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## 8. HISTORY OF LAPSES

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

## 9. FRINGE BENEFITS

|                 | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> |
|-----------------|----------------|----------------|-----------------------------------|
| Employee Factor |                |                |                                   |
| Judges          | 69.02%         | 72.70%         | 74.64%                            |
| Staff           | 82.60%         | 85.83%         | 85.10%                            |

## 10. NONRECURRING PURCHASES

2018-19: none

2019-20: none

## 11. PROGRAM STATEMENT

Funding for this appropriation in Fiscal Year 2018-19 will be supplemented by a transfer of \$1.169 million in anticipated Act 49 revenues. This Fiscal Year 2019-20 budget request anticipates the availability and use of \$1.695 million in Act 49 revenues which offset the need for state funding.

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.

Overall, 3,749 new actions were filed in the court in calendar year 2018. Of these, 778 were new original jurisdiction cases – a 30% increase over 2017 – 573 of which were filed by prisoners. In the court's appellate jurisdiction, 1,060 new agency appeals were filed in 2018,

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including 301 unemployment compensation appeals, 185 workers' compensation appeals, and 183 Probation & Parole appeals, among other categories. In other major appellate categories, the court received 690 new appeals from the Courts of Common Pleas, and 1,160 new tax appeals from the Board of Finance and Revenue.

In 2018 the Commonwealth Court disposed of 3,708 cases, 837 of which were decided by majority opinion. The court's mediation program continued to be successful in 2018: 134 cases were referred to mediation, and 75 cases were resolved, eliminating the need for further litigation.

Commonwealth Court has managed its resources to meet its mandated duties. In order for the court to continue to be successful in this endeavor, full funding of this budget request is essential.

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

**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Commonwealth Court – Judges’ Expenses**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 132            | 132            | 132                               | 132                              |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                         |
| Total         | 132            | 132            | 132                               | 132                              |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</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, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec        |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | <u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 90             | 132            | 132                               | 0                                  |
| Federal Funds | 0              | 0              | 0                                 | 0                                  |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                           |
| Total         | 90             | 132            | 132                               | 0                                  |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</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                                  |

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**5. GRANTS AND SUBSIDIES (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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>*2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|-----------------|----------------|-----------------------------------|-----------------------------|
| State Funds   | 42              | 0              | 0                                 | 0                           |
| Federal Funds | 0               | 0              | 0                                 | 0                           |
| Other Funds   | 0               | 0              | 0                                 | 0                           |
| Total         | <u>42</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                    |

*\*Fiscal Year 2017-18 – Non-expense/Interagency, consists of \$42 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 2018-19.

**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

**9. FRINGE BENEFITS**

No salaries are paid from this appropriation.

**10. NONRECURRING PURCHASES**

2018-19: none

2019-20: 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.

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**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Court Administrator**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|                 | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|-----------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds     | 11,577         | 11,577         | 11,577                            | 11,577                           |
| Federal Funds:  | 989            | 1,637          | 1,719                             | 1,637                            |
| CIP             | 745            | 1,130          | 1,130                             | 1,130                            |
| STOP Grant      | 204            | 232            | 339                               | 232                              |
| Adult Drug Eval | 40             | 225            | 200                               | 225                              |
| Language Access | 0              | 50             | 50                                | 50                               |
| Other Funds     | <u>2,951</u>   | <u>3,177</u>   | <u>4,062</u>                      | <u>4,062</u>                     |
| Total           | 15,517         | 16,391         | 17,358                            | 17,276                           |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>^2018-19</u> | <b>Judicial</b><br><u>^^2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|-----------------|-------------------------------------|------------------------------------|
| State Funds   | 11,497         | 11,577          | 11,577                              | 0                                  |
| Federal Funds | 733            | 807             | 779                                 | 0                                  |
| Other Funds   | <u>682</u>     | <u>1,300</u>    | <u>2,166</u>                        | <u>0</u>                           |
| Total         | 12,912         | 13,684          | 14,522                              | 0                                  |

(b) "Complement"

|               | December 31, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec #      |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | <u>2019-20</u> |
| State Funds   | 89.50             | 80.50         | 88.10             | 83.10         | 88.10         | 84.10         | 0              |
| Federal Funds | 8                 | 7             | 8                 | 7             | 7             | 7             | 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         | 97.50             | 87.50         | 96.10             | 90.10         | 95.10         | 91.10         | 0              |

**3. OPERATING (\$000)**

|               | <u>2017-18</u> | <u>^2018-19</u> | <b>Judicial</b><br><u>^^2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|-----------------|-------------------------------------|------------------------------------|
| State Funds   | 0              | 0               | 0                                   | 0                                  |
| Federal Funds | 94             | 710             | 601                                 | 0                                  |
| Other Funds   | <u>2,269</u>   | <u>1,877</u>    | <u>1,896</u>                        | <u>0</u>                           |
| Total         | 2,363          | 2,587           | 2,497                               | 0                                  |

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**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------|
| State Funds   | 80             | 0              | 0                                 | 0                           |
| Federal Funds | 0              | 0              | 0                                 | 0                           |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                    |
| Total         | 80             | 0              | 0                                 | 0                           |

**5. GRANTS AND SUBSIDIES (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------|
| State Funds   | 0              | 0              | 0                                 | 0                           |
| Federal Funds | 162            | 120            | 339                               | 0                           |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                    |
| Total         | 162            | 120            | 339                               | 0                           |

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

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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 2018-19 – Personnel and Operating: Other Funds include augmenting revenues of \$2,466 in anticipated Act 49 of 2009 revenues.*

*^^Fiscal Year 2019-20 – Personnel and Operating: Other Funds include augmenting revenues of \$3,351 in anticipated Act 49 of 2009 revenues.*

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; and 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. Fiscal Year 2018-19 and Fiscal Year 2019-20 includes anticipated federal grant funds for language access projects.

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## 7. ASSUMPTIONS

### Personnel:

|  |             |
|--|-------------|
| -Increase in augmentations from Act 49 funds in Fiscal Year 2019-20 (nonrecurring) -   | \$807,000   |
| -Decrease in state funds for additional augmentations anticipated in Fiscal Year 2019-20 (nonrecurring) -  | (\$807,000) |
| -Increase in salaries and related benefits (social security, pension contributions and WC) for 1.75% COLA, and to annualize the cost of Fiscal Year 2018-19 merit increments and to provide merit increments in Fiscal Year 2019-20 for filled staff - | \$235,000   |
| -Increase in pension contributions due to rate increase from 34.63% to 34.68% for AA staff and from 23.94% to 23.97% for A3/A4 staff -   | \$3,000     |
| -Increase in cost of health/life insurance benefits for filled staff and health benefits for annuitants -  | \$136,000   |
| -Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2018-19 -   | \$112,000   |
| -Increase in salaries and all benefits to annualize funding for vacancies filled in Fiscal Year 2018-19 -  | \$321,000   |
| -Increase in augmentations (Department of Human Services) to support CIP personnel costs -   | \$59,000    |

### Operating:

|  |            |
|--|------------|
| -Increase in augmentations from anticipated Act 49 funds in Fiscal Year 2019-20 (nonrecurring) - | \$78,000   |
| -Decrease in augmentations (DHS) to support CIP operating costs -                                | (\$59,000) |

### Federal Funds:

#### Personnel:

|   |            |
|---|------------|
| -Decrease in federal funds for salaries and all benefits for seven filled staff for the CIP grant - | (\$8,000)  |
| -Decrease in federal funds for personnel costs for the STOP Violence Against Women grant -          | (\$20,000) |

#### Operating:

|  |            |
|--|------------|
| -Increase in federal funds for operating costs for the CIP grant -                         | \$8,000    |
| -Decrease in federal funds for operating costs for the STOP Violence Against Women grant - | (\$92,000) |
| -Decrease in federal funds for the Adult Drug Court Evaluation grant -                     | (\$25,000) |

#### Grants:

|  |           |
|--|-----------|
| -Increase in federal funds for the STOP Violence Against Women grant - | \$219,000 |
|--|-----------|

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## 8. HISTORY OF LAPSES

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

## 9. FRINGE BENEFITS

|                 | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> |
|-----------------|----------------|----------------|-----------------------------------|
| Employee Factor | 72.17%         | 80.80%         | 81.74%                            |

## 10. NONRECURRING PURCHASES

2018-19: none

2019-20: 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 Administrative Office of Pennsylvania Courts 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, 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:

- The judiciary remained mindful of fiscal challenges within state government, saving more than \$102.4 million through various austerity measures over the past 11 years. This includes containing benefit costs, reducing the number of magisterial district
-



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judges, leaving vacancies unfilled, ongoing savings from contracts, and a reduction in Commonwealth Court senior judges.

- A significant source of savings has been the consolidation of magisterial district judge (MDJ) seats across the state. Using the realignment process, the Supreme Court eliminated 33 MDJ districts through January 1, 2019, saving an estimated \$26.2 million since January 2010. Recurring annual savings are projected at \$5.5 million.
- The judiciary completed a Judicial Needs Assessment (JNA), a study that uses data to help to determine the appropriate allocation of judicial resources in Common Pleas Courts to manage and resolve court business timely and effectively for the public. The JNA serves as a performance management tool for use by the AOPC and the Supreme Court in the appointment/assignment of senior judges, by president judges for the effective management of their courts (e.g., use of quasi-judicial officers) and by the General Assembly in its judicial complement setting role. Using the JNA as a guide, the number of senior assignments has decreased substantially compared with the same months one year ago.
- AOPC staff continue to work on successful programs and initiatives which have become synonymous with the Pennsylvania judiciary – including problem-solving courts, the Office of Elder Justice in the Courts, the Office of Children and Families in the Courts (OCFC) and collections through PAePay®.
  - There are 116 problem-solving courts across 51 counties. The most recent addition is the opening of a Family Drug Court in Northumberland County.
  - The Office of Elder Justice in the Courts (OEJC) continues to focus on the needs and challenges of the Commonwealth’s growing population of elders by addressing issues related to guardianship, elder abuse, access to justice and fostering collaborations with elder justice entities. Working with AOPC/IT, the OEJC successfully implemented the Guardianship Tracking System (recommended by the Supreme Court’s Elder Law Task Force) statewide in December 2018, which is used by guardians and the court system to file, manage, track and report on guardianships.
  - Since 2006, the Office of Children and Families in the Courts (OCFC) has helped save tens of millions of dollars each year by reducing the number of children awaiting permanency. The Pennsylvania Department of Human Services calculates the savings in Fiscal Year 2016-17 (latest available) at \$49 million based on a reduction of 4,292 children in foster care.
- Over the last 10 years, AOPC/IT collected and processed nearly \$4.65 billion in fines, costs, and restitution, the majority of which flows to the state and local governments and victims of crime.

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- The Supreme Court adopted a Language Access Plan for the UJS in March 2017 that provides a framework for the provision of language access throughout the court system, including methods for early identification of the need for language access services and tracking of the need throughout the life of a case; data collection of the provision of in-person and telephonic interpreting services; increased training for court staff; and outreach to the limited English proficient and deaf and hard-of-hearing communities. The Plan emphasizes gathering feedback on language access services throughout the UJS, and regular evaluation of the effectiveness of Plan implementation. Deliverables already provided to the judicial districts under the Plan include: a benchcard on working with interpreters, I Speak cards to assist limited English proficient and deaf and hard-of-hearing court users, and a Notice of Language Rights translated into Pennsylvania’s top non-English languages to accompany hearing notices and subpoenas, a policy on bilingual employees, and training for judicial district language access coordinators.
  - AOPC implemented the Supreme Court’s amendment of the *UJS Case Records Public Access Policy* to include all magisterial district courts, effective July 2018. The *Policy* establishes uniform standards for all courts regarding public access to case records maintained by the courts and includes provisions for safeguarding confidential information and documents filed with the courts. Online dockets sheets are the most common document requested and viewed, with more than 100 million searches on the UJS website.
  - The UJS has nearly 8,000 Twitter followers and recently began using Facebook and Instagram as a way to connect with those seeking information regarding court postings, schedules, events and information.
  - The AOPC continues to share with the public some of the most interesting and relevant statistics from the massive amount of data the courts collect. *InfoShare*, which is distributed monthly to media statewide and posted on the UJS website, uses graphics to provide information on topics such as distracted driving citations, criminal convictions, cybercrime and mortgage foreclosures. The UJS website also contains a host of interactive data dashboards where people can search for targeted information from multiple sets of data.
  - AOPC/Communications launched a “stop abuse” outreach campaign to educate victims of abuse that protection orders are an option to help stop abuse. The campaign included digital ads on Facebook, Instagram and Google, pointing users to detailed step-by-step videos available in both English and Spanish on how to file protection orders. The campaign was federally funded by the STOP (Services, Training, Officers, Prosecutors) Violence Against Women Grant administered through the U.S. Department of Justice Office on Violence Against Women.

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

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**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Judicial Center Operations**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 814            | 814            | 824                               | 814                              |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | <u>1,094</u>   | <u>781</u>     | <u>822</u>                        | <u>822</u>                       |
| Total         | 1,908          | 1,595          | 1,646                             | 1,636                            |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>^2018-19</u> | <b>Judicial</b><br><u>^2019-20</u> | <b>Gov Rec#</b><br><u>2019-20</u> |
|---------------|----------------|-----------------|------------------------------------|-----------------------------------|
| State Funds   | 638            | 753             | 763                                | 0                                 |
| Federal Funds | 0              | 0               | 0                                  | 0                                 |
| Other Funds   | <u>263</u>     | <u>190</u>      | <u>308</u>                         | <u>0</u>                          |
| Total         | 901            | 943             | 1,071                              | 0                                 |

(b) "Complement"

|               | December 31, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec#       |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | <u>2019-20</u> |
| State Funds   | 11                | 11            | 11                | 10            | 11            | 11            | 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                | 11            | 11                | 10            | 11            | 11            | 0              |

**3. OPERATING (\$000)**

|               | <u>2017-18</u> | <u>^2018-19</u> | <b>Judicial</b><br><u>^2019-20</u> | <b>Gov Rec#</b><br><u>2019-20</u> |
|---------------|----------------|-----------------|------------------------------------|-----------------------------------|
| State Funds   | 5              | 0               | 61                                 | 0                                 |
| Federal Funds | 0              | 0               | 0                                  | 0                                 |
| Other Funds   | <u>831</u>     | <u>591</u>      | <u>514</u>                         | <u>0</u>                          |
| Total         | 836            | 591             | 575                                | 0                                 |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec#</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------------|
| State Funds   | 171            | 61             | 0                                 | 0                                 |
| Federal Funds | 0              | 0              | 0                                 | 0                                 |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                          |
| Total         | 171            | 61             | 0                                 | 0                                 |

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## 5. GRANTS AND SUBSIDIES (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec#</b><br><u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec#</b><br><u>2019-20</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 2018-19 – Personnel and Operating: Other Funds include augmenting revenues of \$347 in anticipated Act 49 of 2009 revenues.

^Fiscal Year 2019-20 – Personnel and Operating: Other Funds include augmenting revenues of \$388 in anticipated Act 49 of 2009 revenues.

## 7. ASSUMPTIONS

### Personnel:

|  |             |
|--|-------------|
| -Increase (nonrecurring) in Act 49 funds in Fiscal Year 2019-20 -  | \$118,000   |
| -Decrease in state funds due to increase in augmentations anticipated in Fiscal Year 2019 - (nonrecurring) -   | (\$118,000) |
| -Increase in salaries and related benefits (social security, pension contributions and WC) for 1.75% COLA, and to annualize the cost of Fiscal Year 2018-19 merit increments and to provide merit increments in Fiscal Year 2019-20 for filled staff - | \$30,000    |
| -Increase in salaries and all benefits to annualize the cost for staff vacancy filled for 6 months in Fiscal Year 2018-19 -  | \$71,000    |
| -Increase in cost of health/life insurance benefits for filled staff -   | \$17,000    |
| -Increase in health insurance costs to restore funding due to credits received in Fiscal Year 2018-19 -  | \$10,000    |

### Operating:

|  |            |
|--|------------|
| -Decrease in augmentations from anticipated Act 49 funds in Fiscal Year 2019-20 (nonrecurring) - | (\$77,000) |
| -Increase in operating costs -   | \$61,000   |

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Fixed Assets:  
 -Decrease in furniture and equipment costs - (\$61,000)

**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

**9. FRINGE BENEFITS**

|                 | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> |
|-----------------|----------------|----------------|-----------------------------------|
| Employee Factor | 92.07%         | 98.55%         | 100.57%                           |

**10. NONRECURRING PURCHASES**

2018-19: none

2019-20: none

**11. PROGRAM STATEMENT**

Funding for this appropriation in Fiscal Year 2018-19 will be supplemented by a transfer of \$347,000 of Act 49 of 2009 revenues. This Fiscal Year 2019-20 budget request anticipates the availability and use of \$388,000 in Act 49 revenues which offset the need for state funding.

This appropriation funds the centralized costs to operate the Judicial Center in the capitol complex. This budget request provides full-year funding for 11 filled 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. Cleaning services for the Judicial Center are contracted out at approximately one-half of the estimated cost were such services provided by the State Department of General Services (DGS). Augmentations of \$434,000 are expected to be collected from tenants to offset on-going operating costs.

The Judicial Center has become an example of intergovernmental cooperation. The building houses the Juvenile Court Judges' Commission, an executive branch agency, and we are working with the Attorney General's Office to locate the grand jury courtroom in the Judicial Center. Meeting rooms in the Judicial Center are routinely offered to and used by executive and legislative branch agencies.

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STATUTORY AUTHORITY: Annual Appropriation Act.

**2019-20 JUDICIAL BUDGET PROPOSAL**  
**District Court Management - Administrators**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 19,657         | 19,657         | 20,045                            | 19,657                           |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | <u>5,881</u>   | <u>7,664</u>   | <u>8,550</u>                      | <u>8,550</u>                     |
| Total         | 25,538         | 27,321         | 28,595                            | 28,207                           |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>^2018-19</u> | <b>Judicial</b><br><u>^^2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|-----------------|-------------------------------------|------------------------------------|
| State Funds   | 19,613         | 19,638          | 20,026                              | 0                                  |
| Federal Funds | 0              | 0               | 0                                   | 0                                  |
| Other Funds   | <u>5,881</u>   | <u>7,664</u>    | <u>8,537</u>                        | <u>0</u>                           |
| Total         | 25,494         | 27,302          | 28,563                              | 0                                  |

(b) "Complement"

|               | December 31, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec # |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|-----------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | 2019-20   |
| State Funds   | 194               | 189           | 195               | 195           | 195           | 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         | 194               | 189           | 195               | 195           | 195           | 195           | 0         |

**3. OPERATING (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 44             | 19             | 19                                | 0                                  |
| Federal Funds | 0              | 0              | 0                                 | 0                                  |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>13</u>                         | <u>0</u>                           |
| Total         | 44             | 19             | 32                                | 0                                  |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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 2018-19 – Personnel: Other Funds include augmenting revenues of \$7,577 in anticipated Act 49 of 2009 revenues.*

*^Fiscal Year 2019-20 – Personnel and Operating: Other Funds include augmenting revenues of \$8,463 in anticipated Act 49 of 2009 revenues.*

## 7. ASSUMPTIONS

### Personnel:

|  |             |
|--|-------------|
| -Increase in augmentations from Act 49 funds in Fiscal Year 2019-20 (nonrecurring) -   | \$873,000   |
| -Decrease in state funds due to increased Act 49 funding anticipated in Fiscal Year 2019-20 (nonrecurring) -   | (\$873,000) |
| -Increase in salaries and related benefits (social security, pension contributions, WC) for 1.75% COLA, and to annualize the cost of Fiscal Year 2018-19 merit increments and to provide merit increments in Fiscal Year 2019-20 - | \$672,000   |
| -Increase in pension contributions due to rate increase from 34.63% to 34.68% for AA staff and from 23.94% to 23.97% for A3/A4 staff -   | \$6,000     |
| -Increase in cost of health/life insurance benefits for staff, and health insurance for annuitants -   | \$319,000   |
| -Increase in health insurance costs to restore funding due to credits received in Fiscal Year 2018-19 -  | \$263,000   |
| -Increase in salaries and all benefits to annualize the cost of one new position filled in Fiscal Year 2018-19 -   | \$10,000    |
| -Increase in salaries and all benefits to annualize the cost of one vacant position filled in Fiscal Year 2018-19 -  | \$5,000     |



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-Decrease in salaries and all benefits to annualize the cost of one vacant position filled in Fiscal Year 2018-19 at a lower rate than budgeted - (\$14,000)

Operating:

-Increase in augmentations from Act 49 funds in Fiscal Year 2019-20 for professional services costs (nonrecurring) - \$13,000

**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

**9. FRINGE BENEFITS**

|                 | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> |
|-----------------|----------------|----------------|-----------------------------------|
| Employee Factor | 81.68%         | 84.64%         | 87.02%                            |

**10. NONRECURRING PURCHASES**

2018-19: none

2019-20: none

**11. PROGRAM STATEMENT**

Funding for this appropriation in Fiscal Year 2018-19 will be supplemented by a transfer of \$7.577 million of Act 49 of 2009 revenues. This Fiscal Year 2019-20 budget request anticipates the availability and use of \$8.463 million in Act 49 revenues which offset the need for state funding.

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 195 positions, an increase of 20, or 11.4%, 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

**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Office of Elder Justice in the Courts (OEJC)**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 332            | 353            | 366                               | 0                                  |
| Federal Funds | 0              | 0              | 0                                 | 0                                  |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                           |
| Total         | 332            | 353            | 366                               | 0                                  |

(b) "Complement"

|               | December 31, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec  |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | 2019-20  |
| State Funds   | 3                 | 3             | 3                 | 2             | 3             | 2             | 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                 | 2             | 3             | 2             | 0        |

**3. OPERATING (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 144            | 143            | 130                               | 0                                  |
| Federal Funds | 0              | 0              | 0                                 | 0                                  |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                           |
| Total         | 144            | 143            | 130                               | 0                                  |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</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                                  |

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**5. GRANTS AND SUBSIDIES (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------|
| State Funds   | 0              | 0              | 0                                 | 0                           |
| Federal Funds | 0              | 0              | 0                                 | 0                           |
| Other Funds   | 0              | 0              | 0                                 | 0                           |
| Total         | 0              | 0              | 0                                 | 0                           |

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

|               | <u>*2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|-----------------|----------------|-----------------------------------|-----------------------------|
| State Funds   | 20              | 0              | 0                                 | 0                           |
| Federal Funds | 0               | 0              | 0                                 | 0                           |
| Other Funds   | 0               | 0              | 0                                 | 0                           |
| Total         | 20              | 0              | 0                                 | 0                           |

*\*Fiscal Year 20017-18 – Non-expense/Interagency, consists of \$20 transferred to other UJS appropriations in accordance with 72 P.S. Section 1793-E.*

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

**7. ASSUMPTIONS**

Personnel:

- Increase in salaries and related benefits (social security, pension contributions, WC) for 1.75% COLA, and to annualize the cost of Fiscal Year 2018-19 merit increments and provide merit increments in Fiscal Year 2019-20 for filled staff - \$8,000
- Increase in health benefits/life insurance for filled positions - \$3,000
- Increase in cost of health insurance benefits due to credits received in Fiscal Year 2018-19 - \$2,000

Operating:

- Decrease in professional services - (\$42,000)
- Increase in training and conference expenses - \$25,000
- Increase in furniture/equipment - \$4,000

**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

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## 9. FRINGE BENEFITS

|                 | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> |
|-----------------|----------------|----------------|-----------------------------------|
| Employee Factor | 64.66%         | 65.53%         | 67.38%                            |

## 10. NONRECURRING PURCHASES

2018-19: none

2019-20: Furniture and equipment (assistive listening devices) - \$4,000.

## 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 2018 were the following:

- Collaborated with AOPC/IT in development of the Guardianship Tracking System (GTS) to ensure the system aligns with recommendations of the Elder Justice Task Force (GTS is a comprehensive web-based system that is used by guardians, court staff, orphans' court clerks, and judges to file, manage, track and report on guardianships);
- completed the Guardianship Bench Book for orphans' court judges and an Elder Abuse Bench Book, which will be released in early 2019;
- presented "Elder Abuse and Exploitation: Practical Tools for Ensuring Access to Justice" to judges, court staff, orphans' court clerks' staff and district attorney victim witness coordinators around the state in conjunction with Temple University's Institute for Protective Services;
- piloted a free training program in several counties for family and lay guardians, "Fundamentals of Guardianship: What Family Guardians Need to Know";
- created informational elder abuse brochures (in English and Spanish) that encourage the reporting of elder abuse and provides the telephone number of the Department of Aging's statewide elder abuse hotline;
- members of the Advisory Council made presentations to the deans of Villanova, Penn, Temple, Widener, Duquesne, and Pittsburgh law schools to explain the work of the Elder Law Task Force and the Advisory Council;
- made over two dozen trainings, educational sessions and presentations, to various justice entities in 2018, including those about the work and mission of the Advisory Council and OEJC; and

- 
- based on recommendations by the Elder Law Task Force, the Supreme Court adopted Pa.R.D.E.403, which establishes an emeritus status for retired attorneys to provide *pro bono* legal representation, and PA.R.C.L.E. 105(d), which establishes an annual CLE requirement of eight hours for lawyers in emeritus status.

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

**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Court Management Education**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 73             | 73             | 73                                | 73                               |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | 0              | 0              | 0                                 | 0                                |
| Total         | <u>73</u>      | <u>73</u>      | <u>73</u>                         | <u>73</u>                        |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</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, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec  |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | 2019-20  |
| 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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 45             | 73             | 73                                | 0                                  |
| Federal Funds | 0              | 0              | 0                                 | 0                                  |
| Other Funds   | 0              | 0              | 0                                 | 0                                  |
| Total         | <u>45</u>      | <u>73</u>      | <u>73</u>                         | <u>0</u>                           |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</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>                           |

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**5. GRANTS AND SUBSIDIES (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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>*2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|-----------------|----------------|-----------------------------------|-----------------------------|
| State Funds   | 28              | 0              | 0                                 | 0                           |
| Federal Funds | 0               | 0              | 0                                 | 0                           |
| Other Funds   | 0               | 0              | 0                                 | 0                           |
| Total         | <u>28</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                    |

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

\*Fiscal Year 2017-18 – Non-expense/Interagency, consists of \$28 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 2018-19.

**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</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.

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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.



**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Judicial Education**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 1,247          | 1,247          | 1,827                             | 1,247                            |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | <u>222</u>     | <u>0</u>       | <u>0</u>                          | <u>0</u>                         |
| Total         | 1,469          | 1,247          | 1,827                             | 1,247                            |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 509            | 613            | 643                               | 0                                  |
| Federal Funds | 0              | 0              | 0                                 | 0                                  |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                           |
| Total         | 509            | 613            | 643                               | 0                                  |

(b) "Complement"

|               | December 31, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec #      |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | <u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 738            | 634            | 1,184                             | 0                                  |
| Federal Funds | 0              | 0              | 0                                 | 0                                  |
| Other Funds   | <u>222</u>     | <u>0</u>       | <u>0</u>                          | <u>0</u>                           |
| Total         | 960            | 634            | 1,184                             | 0                                  |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</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                                  |

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**5. GRANTS AND SUBSIDIES (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------|
| State Funds   | 0              | 0              | 0                                 | 0                           |
| Federal Funds | 0              | 0              | 0                                 | 0                           |
| Other Funds   | 0              | 0              | 0                                 | 0                           |
| Total         | 0              | 0              | 0                                 | 0                           |

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

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------|
| State Funds   | 0              | 0              | 0                                 | 0                           |
| Federal Funds | 0              | 0              | 0                                 | 0                           |
| Other Funds   | 0              | 0              | 0                                 | 0                           |
| Total         | 0              | 0              | 0                                 | 0                           |

*#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 1.75% COLA, and to annualize the cost of Fiscal Year 2018-19 merit increments and to provide merit increments in Fiscal Year 2019-20 for filled staff - \$20,000
- Increase in health benefits/life insurance for filled staff - \$6,000
- Increase in health insurance costs to restore funding due to credits received in Fiscal Year 2018-19 - \$4,000

Operating:

- Increase in conference expenses - \$57,000
- Increase in conference expenses to restore funding due to use of miscellaneous encumbrances in Fiscal Year 2018-19 - \$344,000
- Increase to fund New-judge Conference held every other year (not held in Fiscal Year 2018-19) - \$150,000
- Increase in travel, lodging, meals costs - \$9,000
- Decrease in furniture and equipment - (\$10,000)

**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

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## 9. FRINGE BENEFITS

|                 | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> |
|-----------------|----------------|----------------|-----------------------------------|
| Employee Factor | 67.67%         | 72.34%         | 74.04%                            |

## 10. NONRECURRING PURCHASES

2018-19: Furniture and equipment - \$10,000.

2019-20: 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.

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 newly-created Board of Judges designated to make accreditation decisions, grant waivers and deferrals, and hear non-compliance appeals.

STATUTORY AUTHORITY: Annual Appropriation Act.

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**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Problem-Solving Courts**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 1,103          | 1,103          | 1,103                             | 1,103                            |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                         |
| Total         | 1,103          | 1,103          | 1,103                             | 1,103                            |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 18             | 32             | 32                                | 0                                  |
| Federal Funds | 0              | 0              | 0                                 | 0                                  |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                           |
| Total         | 18             | 32             | 32                                | 0                                  |

(b) "Complement"

|               | December 31, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec # |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|-----------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | 2019-20   |
| 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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 669            | 231            | 331                               | 0                                  |
| Federal Funds | 0              | 0              | 0                                 | 0                                  |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                           |
| Total         | 669            | 231            | 331                               | 0                                  |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</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                                  |

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**5. GRANTS AND SUBSIDIES (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------|
| State Funds   | 416            | 840            | 740                               | 0                           |
| Federal Funds | 0              | 0              | 0                                 | 0                           |
| Other Funds   | 0              | 0              | 0                                 | 0                           |
| Total         | <u>416</u>     | <u>840</u>     | <u>740</u>                        | <u>0</u>                    |

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

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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 software licenses and maintenance - | \$150,000  |
| -Decrease in supplies -                          | (\$44,000) |
| -Decrease in furniture and equipment -           | (\$6,000)  |

Grants:

|                                   |             |
|-----------------------------------|-------------|
| -Decrease in grants to counties - | (\$100,000) |
|-----------------------------------|-------------|

**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

**9. FRINGE BENEFITS**

|                | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> |
|----------------|----------------|----------------|-----------------------------------|
| Employe Factor | NA             | NA             | NA                                |

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## 10. NONRECURRING PURCHASES

2018-19: none

2019-20: 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 2019, there were approximately 116 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 2019-20 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, discretionary grants designed to support program functions of existing problem-solving courts, and grants to counties for scholarships to allow problem-solving court staff to attend the Pennsylvania Association of Drug Court Professionals (PADCP) conference.

STATUTORY AUTHORITY: Annual Appropriation Act.

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**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Unified Judicial System Security**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 2,002          | 2,002          | 2,002                             | 2,002                            |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                         |
| Total         | 2,002          | 2,002          | 2,002                             | 2,002                            |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 465            | 482            | 503                               | 0                                  |
| Federal Funds | 0              | 0              | 0                                 | 0                                  |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                           |
| Total         | 465            | 482            | 503                               | 0                                  |

(b) "Complement"

|               | December 31, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec #      |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | <u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 132            | 81             | 53                                | 0                                  |
| Federal Funds | 0              | 0              | 0                                 | 0                                  |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                           |
| Total         | 132            | 81             | 53                                | 0                                  |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</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                                  |

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## 5. GRANTS AND SUBSIDIES (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 1,405          | 1,439          | 1,446                             | 0                                  |
| Federal Funds | 0              | 0              | 0                                 | 0                                  |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                           |
| Total         | 1,405          | 1,439          | 1,446                             | 0                                  |

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

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</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 2017-18 and 2018-19 appropriations were provided in the form of continuing appropriations per Act 1-A of 2017 and Act 1-A of 2018, respectively. Likewise, it is requested that the Fiscal Year 2019-20 funding also be provided in the form of a continuing appropriation.

## 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 2018-19 merit increments and to provide merit increments in Fiscal Year 2019-20 for filled staff - | \$12,000 |
| -Increase in cost of health and life insurance benefits for filled positions -   | \$6,000  |
| -Increase in health insurance costs to restore funding due to credits received in Fiscal Year 2018-19 -  | \$3,000  |

### Operating:

|  |            |
|--|------------|
| -Decrease for software and software maintenance* - | (\$28,000) |
|--|------------|

### Grants and Subsidies (nonrecurring):

|   |               |
|---|---------------|
| -Decrease for reimbursement to counties in Fiscal Year 2018-19 for purchase of foundational security equipment for common pleas and magisterial districts courts* - | (\$1,439,000) |
| -Reimbursement to counties for purchase of magnetometers for eligible magisterial district courts -   | \$240,000     |

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-Reimbursement to counties for purchase of software and hardware for mass notification systems in court facilities - \$1,206,000

\*Note: Although the amounts available in Fiscal Year 2018-19 are shown here as reductions in comparison to this Fiscal Year 2019-20 request, any funds remaining at June 30 will be available for use in Fiscal Year 2019-20 because the Fiscal Year 2018-19 funds were provided in the form of a continuing appropriation.

**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

**9. FRINGE BENEFITS**

|                 | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> |
|-----------------|----------------|----------------|-----------------------------------|
| Employee Factor | 65.06%         | 66.86%         | 69.23%                            |

**10. NONRECURRING PURCHASES**

2018-19: none  
 2019-20: 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***

Current year provides funds for the purchase of essential security equipment for common pleas and magisterial district courts where such equipment is non-functioning, insufficient, or non-existent. Equipment includes CCTVs, duress alarms, and ballistic-resistant glass/film.

***Fiscal Year 2019-20***

The funding request for Fiscal Year 2019-20 builds 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 2018, there were 385 incidents reported at common pleas courts, and 237 at magisterial district courts, for a total of 622.

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Provision of the requested Fiscal Year 2019-20 funding would provide for the purchase of mass notification systems in court facilities to deliver timely, critical alerts and real-time instructions during emergencies that pose imminent threats to the health and safety of court personnel, court users and members of the public. Other components of this funding request would provide for the purchase of magnetometers (walk-through or wands) for eligible magisterial district courts. Magnetometers are part of an overall security strategy to deter and respond to active physical threats.

STATUTORY AUTHORITY: Annual Appropriation Act.

**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Statewide Judicial Computer System**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|                       | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|-----------------------|----------------|----------------|-----------------------------------|-----------------------------|
| State Funds           | 0              | 0              | 0                                 | 0                           |
| Federal Funds         | 0              | 0              | 0                                 | 0                           |
| Other Funds           | <u>61,322</u>  | <u>35,427</u>  | <u>50,744</u>                     | <u>61,214</u>               |
| Other Funds Itemized: |                |                |                                   |                             |
| -JCS Restricted       |                |                |                                   |                             |
| Revenues              | 57,048         | 31,266         | 46,578                            | 57,048                      |
| -Miscellaneous        | 4,173          | 4,057          | 4,057                             | 4,057                       |
| -Act 119-1996         | <u>101</u>     | <u>104</u>     | <u>109</u>                        | <u>109</u>                  |
| Total                 | <u>61,322</u>  | <u>35,427</u>  | <u>50,744</u>                     | <u>61,214</u>               |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------|
| State Funds   | 0              | 0              | 0                                 | 0                           |
| Federal Funds | 0              | 0              | 0                                 | 0                           |
| Other Funds   | <u>28,807</u>  | <u>27,126</u>  | <u>28,444</u>                     | <u>0</u>                    |
| Total         | <u>28,807</u>  | <u>27,126</u>  | <u>28,444</u>                     | <u>0</u>                    |

(b) "Complement"

|               | December 31, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec #      |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | <u>2019-20</u> |
| State Funds   | 0                 | 0             | 0                 | 0             | 0             | 0             | 0              |
| Federal Funds | 0                 | 0             | 0                 | 0             | 0             | 0             | 0              |
| Other Funds   | <u>273.5</u>      | <u>224.5</u>  | <u>200.5</u>      | <u>193.5</u>  | <u>195.5</u>  | <u>193.5</u>  | <u>0</u>       |
| Total         | <u>273.5</u>      | <u>224.5</u>  | <u>200.5</u>      | <u>193.5</u>  | <u>195.5</u>  | <u>193.5</u>  | <u>0</u>       |

**3. OPERATING (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------|
| State Funds   | 0              | 0              | 0                                 | 0                           |
| Federal Funds | 0              | 0              | 0                                 | 0                           |
| Other Funds   | <u>32,055</u>  | <u>8,226</u>   | <u>21,180</u>                     | <u>0</u>                    |
| Total         | <u>32,055</u>  | <u>8,226</u>   | <u>21,180</u>                     | <u>0</u>                    |

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#### 4. FIXED ASSETS (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------|
| State Funds   | 0              | 0              | 0                                 | 0                           |
| Federal Funds | 0              | 0              | 0                                 | 0                           |
| Other Funds   | 460            | 75             | 1,120                             | 0                           |
| Total         | <u>460</u>     | <u>75</u>      | <u>1,120</u>                      | <u>0</u>                    |

#### 5. GRANTS AND SUBSIDIES (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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 2019-20 JCS budget request of \$50.744 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 Guardian Tracking System (GTS) - \$27,280,000
- Costs for the operations of “Jen & Dave’s Law,” mandated by Act 119-1996 - \$109,000

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- 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 - \$1,691,000
  - 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 - \$8,575,000
  - 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 - \$8,042,000
  - Facility/Administration – costs for shared support staff, rent, utilities, telephone, and building maintenance for primary and secondary data centers - \$5,047,000

The following presents the various increases and decreases required for the operations of JCS from the amounts appropriated in Fiscal Year 2018-19:

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 2018-19 merit increments and to provide merit increments in Fiscal Year 2019-20 for filled staff - | \$785,000  |
| -Increase in cost of health and life insurance benefits for filled positions and health insurance for annuitants -  | \$365,000  |
| -Increase in health insurance costs to restore funding due to credits received in Fiscal Year 2018-19 -   | \$224,000  |
| -Decrease for unemployment compensation -   | (\$52,000) |
| -Decrease for annual and sick leave payouts -   | (\$9,000)  |
| -Increase in salaries and all benefits for Jen & Dave staff (Act 119 of 1996 restricted revenues) -   | \$5,000    |

Operating:

|   |             |
|---|-------------|
| -Increase in software licenses and maintenance -                | \$3,620,000 |
| -Increase in maintenance services and support – FFE -           | \$3,145,000 |
| -Increase in bank fees -  | \$2,366,000 |
| -Increase in contract personnel -                               | \$2,088,000 |
| -Increase for purchase of equipment < \$25,000 (nonrecurring) - | \$1,018,000 |
| -Increase in professional services -                            | \$645,000   |
| -Increase in telecommunications – UJSNet -                      | \$141,000   |
| -Miscellaneous operating increases -                            | \$31,000    |

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-Decrease in travel, lodging, meals - (\$100,000)

Fixed Assets (Nonrecurring):

-Decrease for purchase of EDP equipment > \$25,000 in Fiscal Year 2018-19 - (\$75,000)  
-Increase for purchases of EDP equipment > \$25,000 - \$1,020,000  
-Increase for leasehold improvements > \$25,000 - \$100,000

See Attachment A for justification of the changes.

**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 76 positions, with annual cost reductions of over \$9 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.**

**The diversion and ongoing decline of revenues upon which JCS and the Judiciary's technology projects depend have jeopardized the ability to fund existing systems and services. Should Act 42 remain intact, 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 2021 to allow for the continued operation of the remaining systems and services under the diminished Act 42 revenue stream.**

Funds in the restricted revenue account will provide the primary funding for this budget request. Estimates of current-year revenue collections totaling \$31.915 million are shown below:

Act 64 - \$4,140,000  
Act 122 - \$27,775,000

Other revenues, estimated at \$4.166 million in Fiscal Year 2019-20, 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

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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>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

**9. FRINGE BENEFITS**

|                 | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> |
|-----------------|----------------|----------------|-----------------------------------|
| Employee Factor | 75.14%         | 78.93%         | 80.85%                            |

**10. NONRECURRING PURCHASES**

2018-19: EDP equipment < \$25,000 - \$135,000; EDP equipment > \$25,000 - \$75,000

2019-20: EDP equipment < \$25,000 - \$1,153,000; EDP equipment > \$25,000 - \$1,020,000; Leasehold improvements - \$100,000

**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.

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*

- **2.7 million cases were docketed in 2018 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 2018.

- 
- **207,000 electronic case transfers** from the MDJS to the CPCMS during 2018 **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 2018.

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 20 counties and agencies are e-filing original records.
- Throughout 2018, AOPC/IT's efforts were focused on the rollout of the Guardianship Tracking System (GTS). This system **provides the courts and guardians with expanded abilities for managing, tracking and reporting on new and existing guardianship cases.**
  - More than 16,000 cases from all 67 counties were migrated to the new GTS. As of December 2018, there were roughly **17,300 cases statewide in the new system.**
  - There are **15,834 active guardians** using the system.
- **In 2018, over 110 new law enforcement agencies** started to electronically file traffic citations, parking citations and criminal complaints.
- **Currently, over 470 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.
  - Testing continues to add the ability for law enforcement **to e-file non-traffic citations as well.** A pilot program with the Pennsylvania State Police is currently scheduled for early 2019.



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## Court Collections

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

- **PAePay** saw a **15 percent increase** in the number of online payments over last year with a **record \$130 million collected online in 2018**.
- Over the last 10 years, AOPC/IT collected and processed nearly \$4.65 billion in fines, costs, and restitution. This year saw a **\$12 million** increase in funds distributed over 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**<sup>®</sup> saves time by allowing the direct electronic filing of documents with the courts by attorneys and *pro se* litigants.

- By the end of 2018, **37 counties** were using PACFile to electronically submit filings into CPCMS, as well as the electronic records management system (ERMS) for electronic document management. AOPC/IT is working with six additional counties to implement this document management solution in 2019.
- By the end of 2018, **47 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 2019.

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

## Statewide Judicial Computer System Justification for Changes

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### SOFTWARE LICENSES AND MAINTENANCE

Increase **\$3.62 million**. This increase consists of a \$3.7 million increase to restore funding for multiple software license and support contracts including Sybase and Microsoft (Fiscal Year 2018-19 costs are being paid from prior year encumbrances). Offsetting this increase is a (\$31,000) decrease in payments for multi-year software maintenance contracts; and a (\$49,000) decrease to maintain current level.

### MAINTENANCE SERVICES AND SUPPLIES – FFE

Increase **\$3.145 million**. This increase consists of a \$2.886 million increase to restore funding for multiple hardware contracts including Checkpoint security devices and on-going equipment maintenance at Magisterial District Judge (MDJ) and Common Pleas (CP) sites (Fiscal Year 2018-19 costs are being paid from prior year encumbrances); a \$305,000 increase for two and three year equipment maintenance contracts; and a \$19,000 increase to maintain current level. Offsetting these increases is a (\$65,000) decrease to replace the batteries in UPS units in Fiscal Year 2018-19.

### BANK FEES

Increase **\$2.366 million** to restore funding for bank fees charged for online payments (Fiscal Year 2018-19 costs are being paid from prior year encumbrances).

### CONTRACT PERSONNEL

Increase **\$2.088 million** to restore funding for 14 contracted staff (Fiscal Year 2018-19 costs are being paid from prior year encumbrances).

### EQUIPMENT < \$25,000 (NONRECURRING)

Increase **\$1.018 million**. This increase consists of a \$1.04 million (nonrecurring) increase to replace routers at MDJ and CP sites; a \$75,000 (nonrecurring) increase to replace ePDU units at the disaster recovery site; and a \$38,000 (nonrecurring) increase to refresh telephones. Offsetting these increases is a (\$135,000) decrease for the refresh of laptops and multifunction peripherals (MFP) in Fiscal Year 2018-19.

## Statewide Judicial Computer System Justification for Changes

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|   |   |
|---|---|
| PROFESSIONAL SERVICES                               | Increase <b>\$645,000</b> . This increase consists of a \$636,000 increase to restore funding for Sybase, Microsoft and Website consulting services (Fiscal Year 2018-19 costs are being paid from prior year encumbrances) and a \$9,000 increase to maintain current contracts.   |
| TELECOMMUNICATIONS – UJSNET                         | Increase <b>\$141,000</b> . This increase consists of a \$171,000 increase to restore funding for Ethernet Private Line (EPL) Wavelength services (Fiscal Year 2018-19 contract costs are being paid from a prior year encumbrance); offset by a (\$30,000) decrease to maintain current contracts.   |
| MISCELLANEOUS                                       | Increase <b>\$31,000</b> for miscellaneous operating increases to maintain current level.   |
| TRAVEL, LODGING, MEALS                              | Decrease <b>(\$100,000)</b> for travel, lodging, meal costs associated with the rollout of the Guardianship Tracking System (GTS) to all 67 counties in Fiscal Year 2018-19.  |
| EQUIPMENT > \$25,000<br>(NONRECURRING)              | Increase \$945,000. This increase consists a <b>\$1.02 million</b> increase for the following (nonrecurring) purchases: \$500,000 to replace the Storage Area Network (SAN) (funding to be provided over two fiscal years), \$370,000 to replace chillers that provide cooling to the data center, and \$150,000 to replace generators at the data center. Offsetting these increases is a <b>(\$75,000)</b> (nonrecurring) decrease for the refresh of Electronic Case Integration (ECI) servers in Fiscal Year 2018-19. |
| LEASEHOLD IMPROVEMENTS ><br>\$25,000 (NONRECURRING) | Increase <b>\$100,000</b> for the (nonrecurring) purchase of rooftop units to replace end-of-life units.  |

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**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Integrated Criminal Justice System (JNET)**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 2,372          | 2,372          | 2,372                             | 2,372                            |
| Federal Funds | 0              | 54             | 191                               | 191                              |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                         |
| Total         | 2,372          | 2,426          | 2,563                             | 2,563                            |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 605            | 589            | 488                               | 0                                  |
| Federal Funds | 0              | 46             | 182                               | 0                                  |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                           |
| Total         | 605            | 635            | 670                               | 0                                  |

(b) "Complement"

|               | December 31, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec #      |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | <u>2019-20</u> |
| State Funds   | 4                 | 4             | 4                 | 4             | 3             | 3             | 0              |
| Federal Funds | 0                 | 0             | 0                 | 0             | 1             | 1             | 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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 1,767          | 1,783          | 1,884                             | 0                                  |
| Federal Funds | 0              | 8              | 9                                 | 0                                  |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                           |
| Total         | 1,767          | 1,791          | 1,893                             | 0                                  |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</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                                  |

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**5. GRANTS AND SUBSIDIES (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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 1.75% COLA, and to annualize the cost of Fiscal Year 2018-19 merit increments and to provide merit increments in Fiscal Year 2019-20 for filled staff - \$24,000
- Increase in cost of health/life insurance benefits for filled staff - \$7,000
- Increase in health insurance costs to restore funding due to credits received in Fiscal Year 2018-19 - \$4,000
- Decrease for salaries and all benefits for one staff person temporarily funded by federal funds and replaced with a contract programmer - (\$136,000)

Operating:

- Increase for temporary contract programmer - \$101,000

Federal Funds:

Personnel:

- Increase in federal funds for personnel costs for the 2018 National Criminal History Improvement Program (NCHIP) grant - \$136,000

Operating:

- Increase in federal funds for contracted programmer costs for the 2018 NCHIP grant - \$1,000

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**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

**9. FRINGE BENEFITS**

|                 | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> |
|-----------------|----------------|----------------|-----------------------------------|
| Employee Factor | 63.33%         | 66.92%         | 71.63%                            |

**10. NONRECURRING PURCHASES**

2018-19: none

2019-20: none

**11. PROGRAM STATEMENT**

This appropriation funds portions of the 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 2019-20 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:

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- The Court Case Event (CCE) messages are event-triggered messages published from the CPCMS and MDJS systems. 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. The PCS has requested new programming to support their mandate to implement a recidivism risk assessment tool, and AOPC/IT continues to work with the PCS to adapt new requirements to develop a 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.
  - Arrest Messages created by PSP through the LiveScan and CardScan systems continue to be used to register offenses in the Jen and Dave System.
  - 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 implemented a Public Defender version of their Unified Case Management system (UCM), and AOPC/IT created a public version of the CCE message to be used with this initiative that is transmitted utilizing the JNET infrastructure.
  - 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 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 the Pennsylvania Commission on Crime and Delinquency (PCCD) through a
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message. This information will be used in making restitution claims at the Courts of Common Pleas.

- Development 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 system, and AOPC/IT is working with a number of local police agencies to replicate this same functionality for criminal and traffic electronic filings. To date, over 470 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 is currently in the testing phase with PSP and a pilot is planned during the first quarter of 2019.
- 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 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.
- 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 (JCJC's) Juvenile Tracking System (JTS) 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.

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- 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 the State Employees Retirement System (SERS), the Pennsylvania Public School Employees' Retirement System (PSERS) and the Department of State (DOS) 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.
  - In 2018, AOPC/IT implemented a new JNET interface to support the Guardianship Tracking System (GTS). The interface provides a mechanism for the GTS to receive electronic case initiation data as new petitions are filed in the counties' Orphans' Courts proprietary case management systems. This reduces the necessity for the court staff to manually enter this information into both a local systems and the GTS.
  - A major initiative in 2019 will be the implementation of Act 56 of 2019, the Clean Slate law. AOPC/IT will be utilizing the JNET infrastructure to provide 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 to criminal justice agencies will be transmitted via JNET.

STATUTORY AUTHORITY: Annual Appropriation Act.

**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Common Pleas**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 117,739        | 117,739        | 127,197                           | 117,739                          |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | <u>14,918</u>  | <u>18,362</u>  | <u>17,474</u>                     | <u>17,474</u>                    |
| Total         | 132,657        | 136,101        | 144,671                           | 135,213                          |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>^2018-19</u> | <b>Judicial</b><br><u>^2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|-----------------|------------------------------------|------------------------------------|
| State Funds   | 117,647        | 117,637         | 127,095                            | 0                                  |
| Federal Funds | 0              | 0               | 0                                  | 0                                  |
| Other Funds   | <u>14,918</u>  | <u>18,362</u>   | <u>17,474</u>                      | <u>0</u>                           |
| Total         | 132,565        | 135,999         | 144,569                            | 0                                  |

(b) "Complement"

|               | <u>December 31, 2017</u> |               | <u>December 31, 2018</u> |               | <b>Budget</b> |               | <b>Gov Rec #</b> |
|---------------|--------------------------|---------------|--------------------------|---------------|---------------|---------------|------------------|
|               | <u>Auth</u>              | <u>Filled</u> | <u>Auth</u>              | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | <u>2019-20</u>   |
| State Funds   | 457                      | 434           | 457                      | 426           | 452           | 426           | 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                      | 434           | 457                      | 426           | 452           | 426           | 0                |

**3. OPERATING (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 92             | 102            | 102                               | 0                                  |
| Federal Funds | 0              | 0              | 0                                 | 0                                  |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                           |
| Total         | 92             | 102            | 102                               | 0                                  |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</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                                  |

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**5. GRANTS AND SUBSIDIES (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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 2018-19 – Personnel: Other Funds include augmenting revenues of \$18,013 in anticipated Act 49 of 2009 revenues.

^Fiscal Year 2019-20 – Personnel: Other Funds include augmenting revenues of \$17,125 in anticipated Act 49 of 2009 revenues.

**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, 2020. The resulting salaries are as follows. Salaries of certain president judges and administrative judges are slightly higher:

|                    | <u>July - December, 2019</u> | <u>January - June, 2020</u> |
|--------------------|------------------------------|-----------------------------|
| Common Pleas Judge | \$183,184                    | \$186,390                   |

Proposed personnel expenditures follow.

|  |             |
|--|-------------|
| -Decrease in Act 49 funds available in Fiscal Year 2019-20 to supplement state funding (nonrecurring) -                                    | (\$888,000) |
| -Increase in state funds required due to the decrease in Act 49 funds in Fiscal Year 2019-20 (nonrecurring) -                              | \$888,000   |
| -Increase in salaries and related benefits (social security, pension contributions) for 428 filled judges (six positions are not funded) - | \$2,050,000 |

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|  |             |
|--|-------------|
| -Increase in cost of health benefits/life insurance for 428 filled judges and health benefits for annuitants -   | \$869,000   |
| -Increase in health insurance costs to restore funding due to credits received in Fiscal Year 2018-19 -  | \$774,000   |
| -Increase in pension contributions due to rate increase from 43.9% to 43.95% for Class E and from 27.71% to 27.75% for Class A -   | \$41,000    |
| -Increase in salaries and all benefits to fund seven vacant positions not funded in Fiscal Year 2018-19 -  | \$2,161,000 |
| -Increase in salaries and all benefits to annualize the cost of 16 vacant positions funded for a half year in Fiscal Year 2018-19, but funded for a full year in Fiscal Year 2019-20 - | \$2,521,000 |
| -Increase in salaries and all benefits to fund one new position created effective January 2020 by Act 49 (2017) -  | \$154,000   |

**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

**9. FRINGE BENEFITS**

|                 | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> |
|-----------------|----------------|----------------|-----------------------------------|
| Employee Factor | 69.98%         | 71.55%         | 73.11%                            |

**10. NONRECURRING PURCHASES**

No purchases are made from this appropriation.

**11. PROGRAM STATEMENT**

Funding for this appropriation in Fiscal Year 2018-19 will be supplemented by a transfer of \$18.013 million in anticipated Act 49 revenues. This Fiscal Year 2019-20 budget request anticipates the availability and use of \$17.125 million in Act 49 revenues which offset the need for state funding.

The Courts of Common Pleas are courts of general trial jurisdiction, having original jurisdiction over all cases not exclusively assigned to another court. With the passage of Act 105 of 2000, there were 408 authorized judgeships in Pennsylvania effective January 2002. As shown in the chart below, subsequent legislative acts increased the complement by 42 over the next decade, so that there were 450 authorized judgeships as of January 2, 2012. The number of judgeships increased to 451 on January 6, 2014 with the reinstatement of one judgeship which was temporarily eliminated by Act 114 of 2010. Act 49 of 2017 increased the complement to 457 on October 30, 2017 with the creation of six additional judges, and

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will increase to 458 on January 6, 2020. This budget request includes funding for only 452 positions (six positions are not funded as a budgetary allowance for vacancies during Fiscal Year 2019-20).

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.

**2008-2017 UPDATE ON CASELOAD FILINGS & DISPOSITIONS**

**COMMON PLEAS -- FAMILY COURT**

|                                    |        | <u>S U P P O R T</u>       | <u>C U S T O D Y /</u>     | <u>J U V E N I L E</u> |                            |                              |
|------------------------------------|--------|----------------------------|----------------------------|------------------------|----------------------------|------------------------------|
|                                    |        | <u>T A N F<sup>a</sup></u> | <u>V I S I T A T I O N</u> | <u>D I V O R C E</u>   | <u>D E P E N D E N C Y</u> | <u>D E L I N Q U E N C Y</u> |
| CASES<br>FILED                     | 2008   | 242,720                    | 44,185                     | 39,932                 | 13,343                     | 44,899                       |
|                                    | 2009   | 233,300                    | 46,724                     | 40,183                 | 11,046                     | 39,669                       |
|                                    | 2010   | 221,401                    | 49,601                     | 42,423                 | 10,228                     | 36,226                       |
|                                    | 2011   | 219,820                    | 50,863                     | 41,350                 | 9,784                      | 32,905                       |
|                                    | 2012   | 212,345                    | 52,692                     | 40,617                 | 10,183                     | 31,969                       |
|                                    | 2013   | 202,912                    | 50,311                     | 40,450                 | 10,868                     | 26,998                       |
|                                    | 2014   | 196,268                    | 45,580                     | 38,152                 | 10,941                     | 25,945                       |
|                                    | 2015   | 189,282                    | 45,775                     | 38,560                 | 11,427                     | 24,522                       |
|                                    | 2016   | 179,713                    | 46,432                     | 38,070                 | 10,802                     | 23,150                       |
|                                    | 2017   | 166,673                    | 46,111                     | 37,683                 | 11,489                     | 20,095                       |
| CASES<br>PROCESSED                 | 2008   | 249,837                    | 46,264                     | 40,980                 | 14,435                     | 65,424                       |
|                                    | 2009   | 241,072                    | 46,997                     | 38,819                 | 9,840                      | 41,156                       |
|                                    | 2010   | 228,462                    | 51,039                     | 39,764                 | 8,532                      | 37,260                       |
|                                    | 2011   | 217,200                    | 48,227                     | 41,562                 | 9,848                      | 33,814                       |
|                                    | 2012   | 213,415                    | 49,357                     | 44,610                 | 10,240                     | 10,240                       |
|                                    | 2013   | 202,210                    | 45,771                     | 41,128                 | 10,879                     | 27,554                       |
|                                    | 2014   | 193,688                    | 50,141                     | 37,571                 | 12,618                     | NA <sup>c</sup>              |
|                                    | 2015   | 191,318                    | 43,664                     | 37,842                 | 12,883                     | NA <sup>c</sup>              |
|                                    | 2016   | 185,997                    | 46,526                     | 37,722                 | 12,631                     | 28,047                       |
|                                    | 2017   | 169,371                    | 50,469                     | 34,987                 | 13,288                     | 21,768                       |
| YEAR-END<br>INVENTORY <sup>d</sup> | 2008   | 70,536                     | 17,785                     | 73,107                 | 4,689                      | 14,974                       |
|                                    | 2009   | 62,383                     | 17,376                     | 74,389                 | 4,912                      | 13,024                       |
|                                    | 2010   | 55,363                     | 15,745                     | 77,049                 | 7,217                      | 13,309                       |
|                                    | 2011   | 57,972                     | 22,107                     | 76,891                 | 1,905                      | 12,404                       |
|                                    | 2012   | 56,945                     | 25,342                     | 72,346                 | 1,572                      | 12,595                       |
|                                    | 2013   | 57,760                     | 29,674                     | 72,180                 | 1,937                      | 11,006                       |
|                                    | 2014   | 60,514                     | 25,373                     | 71,374                 | 1,571                      | NA <sup>c</sup>              |
|                                    | 2015   | 58,636                     | 29,170                     | 74,516                 | 1,618                      | NA <sup>c</sup>              |
|                                    | 2016   | 52,475                     | 28,431                     | 74,796                 | 1,428                      | 13,751                       |
| 2017                               | 50,079 | 31,353                     | 79,350                     | 1,396                  | 8,724                      |                              |

**2008-2017 UPDATE ON CASELOAD FILINGS & DISPOSITIONS**  
**COMMON PLEAS -- FAMILY COURT**

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**Please note:** Data current as of January 2019. Please see AOPC's Web site at [www.pacourts.us](http://www.pacourts.us) for the most current caseload statistics, definitions, and county-specific annotations.

<sup>a</sup> Support data provided by Pennsylvania Child Support Enforcement System (PACSES).

<sup>b</sup> Year-End Inventory represents the number of cases awaiting adjudication at the end of the year.

<sup>c</sup> In 2014, counties transitioned delinquency case management to the statewide Common Pleas Case Management System (CPCMS). Therefore, only selected delinquency data are reported for 2014 and 2015.



**ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS  
RESEARCH DEPARTMENT**

Common Pleas Criminal Cases

| <u>YEAR</u> | <u>FILINGS</u> <sup>a</sup> | <u>DISPOSITIONS</u> | <u>YEAR-END INVENTORY</u> |
|-------------|-----------------------------|---------------------|---------------------------|
| 2008        | 172,846                     | 181,566             | 83,711                    |
| 2009        | 169,851                     | 178,717             | 86,878                    |
| 2010        | 164,478                     | 176,241             | 80,966                    |
| 2011        | 162,219                     | 170,202             | 80,273                    |
| 2012        | 169,600                     | 176,318             | 83,052                    |
| 2013        | 170,748                     | 179,921             | 81,908                    |
| 2014        | 168,435                     | 180,645             | 79,468                    |
| 2015        | 167,012                     | 175,391             | 81,282                    |
| 2016        | 168,038                     | 178,991             | 80,703                    |
| 2017        | 164,859                     | 175,085             | 80,171                    |

**Please Note:** Data current as of January 2019. Please see AOPC's Web site at [www.pacourts.us](http://www.pacourts.us) for the most current caseload statistics, definitions, and county-specific annotations.

<sup>a</sup> The number of filings per year includes all misdemeanors and felony cases exclusive of reopened cases.

Common Pleas Civil Cases

| <u>YEAR</u> | <u>FILINGS</u> <sup>a</sup> | <u>DISPOSITIONS</u>  | <u>YEAR-END INVENTORY</u> <sup>b</sup> |
|-------------|-----------------------------|----------------------|--|
| 2008        | 158,281                     | 66,187               | 55,310                                 |
| 2009        | 152,814                     | 68,620               | 50,085                                 |
| 2010        | 184,460                     | NA <sup>c</sup>      | NA <sup>c</sup>                        |
| 2011        | 160,125                     | 158,648 <sup>d</sup> | 265,770 <sup>d</sup>                   |
| 2012        | 157,948                     | 155,385              | 282,170                                |
| 2013        | 149,439                     | 150,602              | 303,701                                |
| 2014        | 139,980                     | 183,983              | 257,586                                |
| 2015        | 136,512                     | 168,145              | 236,570                                |
| 2016        | 134,485                     | 148,237              | 271,681                                |
| 2017        | 153,016                     | 166,980              | 213,077                                |

**Please Note:** Data current as of January 2019. Please see AOPC's Web site at [www.pacourts.us](http://www.pacourts.us) for the most current caseload statistics, definitions, and county-specific annotations.

<sup>a</sup> The number of filings per year includes new dockets for the year, exclusive of restored cases and arbitration.

<sup>b</sup> 2007 - 2009: The Year-End Inventory includes only those cases that were deemed to be "Trial Ready" and does not include cases in the pending inventory which were not praeciped for trial.

<sup>c</sup> 2010 Dispositions and Year-End Inventory: In June 2010, the Supreme Court introduced a new Statewide Civil Cover Sheet to enhance the data collection process and analysis of civil cases filed and processed. Therefore, the Dispositions and Year-End Inventory figures for 2010 are not available.

<sup>d</sup> YEAR-END INVENTORY: Beginning in 2011, the Year-End Inventory includes all pending cases from date of first filing versus only those cases praeciped for trial, which was the practice prior to 2010.

**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Common Pleas Senior Judges**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|---------------------------|
| State Funds   | 4,004          | 4,004          | 3,868                             | 4,004                     |
| Federal Funds | 0              | 0              | 0                                 | 0                         |
| Other Funds   | <u>1,910</u>   | <u>2,272</u>   | <u>2,161</u>                      | <u>2,161</u>              |
| Total         | 5,914          | 6,276          | 6,029                             | 6,165                     |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------|
| State Funds   | 3,903          | 3,866          | 3,730                             | 0                           |
| Federal Funds | 0              | 0              | 0                                 | 0                           |
| Other Funds   | <u>1,910</u>   | <u>2,272</u>   | <u>2,161</u>                      | <u>0</u>                    |
| Total         | 5,813          | 6,138          | 5,891                             | 0                           |

(b) "Complement"

|               | December 31, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec        |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | <u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------|
| State Funds   | 101            | 138            | 138                               | 0                           |
| Federal Funds | 0              | 0              | 0                                 | 0                           |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                    |
| Total         | 101            | 138            | 138                               | 0                           |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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                           |

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## 5. GRANTS AND SUBSIDIES (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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 2018-19– Personnel: Other Funds consist of augmenting revenues of \$2,272 from Act 49 of 2009 revenues.*

*^Fiscal Year 2019-20 – Personnel: Other Funds consist of augmenting revenues of \$2,161 in anticipated Act 49 of 2009 revenues.*

## 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, 2020. The resulting per diem compensation rates used in this budget are as follows:

July - December, 2019  
\$567

January - June, 2020  
\$577

Proposed personnel expenditures follow.

|   |             |
|---|-------------|
| -Decrease in Act 49 funds available in Fiscal Year 2019-20 to supplement state funding (nonrecurring) -     | (\$111,000) |
| -Increase in state funding required due to decrease in Act 49 funds in Fiscal Year 2019-20 (nonrecurring) - | \$111,000   |

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|   |             |
|---|-------------|
| -Increase in senior judge per diems and social security due to increased rates -  | \$83,000    |
| -Decrease in senior judge per diems and social security due to decrease in number of days (from 9,200 days in Fiscal Year 2018-19 to 8,602 days in Fiscal Year 2019-20) - | (\$362,000) |
| -Increase in costs of annuitant health benefits -   | \$32,000    |

**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

**9. FRINGE BENEFITS**

The number of judges receiving benefits paid from this appropriation is not related to the number of judges receiving per diem compensation. Also, only the specialized benefits (dental, vision, and prescription drugs) are charged to this appropriation. The basic medical premium is charged to the Common Pleas appropriation.

**10. NONRECURRING PURCHASES**

No purchases are made from this appropriation.

**11. PROGRAM STATEMENT**

Funding for this appropriation in Fiscal Year 2018-19 will be supplemented by a transfer of \$2.272 million of Act 49 of 2009 revenues. This Fiscal Year 2019-20 budget request anticipates the availability and use of \$2.161 million in Act 49 revenues which offset the need for state funding.

This appropriation funds the per diem compensation, benefits, and related operating costs (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.

Pennsylvania Rule of Judicial Administration 701 was amended December 17, 2009, effective January 4, 2010, to provide eligibility for senior judge status beginning at either age 65 or a combination of age and years of service equivalent to at least 80. The rule as amended November 20, 2007 ends senior judge status on the last day of the calendar year in which the senior judge attains age 78 (previous age limit was 75). The rule was further amended on December 27, 2007 to impose a maximum of 10 years to be certified as a senior

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judge, except those serving in senior judge status as of the effective date of the rule may continue to serve until subject to the applicable age cap (78 or 80). Pennsylvania Rule of Judicial Administration 701 as amended on April 18, 2002, effective January 6, 2003, imposes an absolute limit of age 80 on senior judge status for those judges then in active service previously exempted from the original age 75 cap on senior judge service. One Common Pleas senior judge reached age 80 mandatory retirement on 12/31/18 (the last judge to be certified under the Age 80 limitation requirement), and seven Common Pleas senior judges reached age 78 mandatory retirement on 12/31/18. Six Common Pleas senior judges will reach the age 78 mandatory retirement on 12/31/19.

The Supreme Court has approved a two-year pilot program to attempt to address inequities in the compensation program that have been 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 shall be paid for case-related activity whether it occurs in-court or in chambers. The new system will be effective for any assignment beginning on or after July 1, 2018 and last for two years, at the end of which the Court will analyze the fiscal impact of the changes as well as any other impact on the senior judge program. In addition, effective July 1, 2018, the Judicial Needs Assessment (developed by the CP Weighted Caseload Study) will need to be considered by President Judges requesting senior judge use, and AOPC when approving them.

Health benefits are provided to all judges who qualify, and liability insurance is provided for all judges who are assigned. No contracts are funded from this appropriation.

This budget request will fund 8,602 days, which is 598 less days than available for Fiscal Year 2018-19. There are currently 106 senior judges available to be assigned cases.

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

**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Ethics Committee of the PA Conference of State Trial Judges**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</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, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec  |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | 2019-20  |
| 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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</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>                           |

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**5. GRANTS AND SUBSIDIES (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------|
| State Funds   | 0              | 0              | 0                                 | 0                           |
| Federal Funds | 0              | 0              | 0                                 | 0                           |
| Other Funds   | 0              | 0              | 0                                 | 0                           |
| Total         | 0              | 0              | 0                                 | 0                           |

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

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------|
| State Funds   | 0              | 0              | 0                                 | 0                           |
| Federal Funds | 0              | 0              | 0                                 | 0                           |
| Other Funds   | 0              | 0              | 0                                 | 0                           |
| Total         | 0              | 0              | 0                                 | 0                           |

*#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 2018-19.

**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

**9. FRINGE BENEFITS**

No salaries are paid from this appropriation.

**10. NONRECURRING PURCHASES**

2018-19: none

2019-20: 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

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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.



**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Magisterial District Judges**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|---------------------------|
| State Funds   | 82,802         | 82,802         | 87,675                            | 82,802                    |
| Federal Funds | 0              | 0              | 0                                 | 0                         |
| Other Funds   | <u>7,568</u>   | <u>11,415</u>  | <u>9,295</u>                      | <u>9,295</u>              |
| Total         | 90,370         | 94,217         | 96,970                            | 92,097                    |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------|
| State Funds   | 82,410         | 82,470         | 87,343                            | 0                           |
| Federal Funds | 0              | 0              | 0                                 | 0                           |
| Other Funds   | <u>7,568</u>   | <u>11,415</u>  | <u>9,295</u>                      | <u>0</u>                    |
| Total         | 89,978         | 93,885         | 96,638                            | 0                           |

(b) "Complement"

|               | December 31, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec #      |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | <u>2019-20</u> |
| State Funds   | 516               | 488           | 512               | 503           | 502           | 503           | 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         | 516               | 488           | 512               | 503           | 502           | 503           | 0              |

**3. OPERATING (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------|
| State Funds   | 262            | 202            | 202                               | 0                           |
| Federal Funds | 0              | 0              | 0                                 | 0                           |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                    |
| Total         | 262            | 202            | 202                               | 0                           |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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                           |

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## 5. GRANTS AND SUBSIDIES (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|-----------------------------|
| State Funds   | 130            | 130            | 130                               | 0                           |
| Federal Funds | 0              | 0              | 0                                 | 0                           |
| Other Funds   | 0              | 0              | 0                                 | 0                           |
| Total         | <u>130</u>     | <u>130</u>     | <u>130</u>                        | <u>0</u>                    |

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

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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 2018-19 – Personnel: Other Funds include augmenting revenues of \$10,922 in anticipated Act 49 of 2009 revenues.*

*^^ Fiscal Year 2019-20 – Personnel: Other Funds include augmenting revenues of \$8,802 in anticipated Act 49 of 2009 revenues.*

## 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, 2020. Assumptions regarding judges' salaries and senior judge per diem compensation are as follows:

|   | <u>July - December, 2019</u> | <u>January - June, 2020</u> |
|---|------------------------------|-----------------------------|
| Magisterial District Judge              | \$91,597                     | \$93,200                    |
| Senior Magisterial Dist. Judge per diem | \$251.64                     | \$256.04                    |

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 2019 and 2020. The budgeted rate reflects an average of the rate of \$251.64 in effect for calendar 2019, and the projected rate of \$256.04 for calendar 2020. The latter rate reflects the 1.75% increase anticipated for all judicial salaries.

Proposed personnel expenditures follow.

|  |               |
|--|---------------|
| -Decrease for augmentations from Act 49 funds anticipated in Fiscal Year 2019-20 to supplement state funding (nonrecurring) -  | (\$2,120,000) |
| -Increase in state funds due to decreased augmentations anticipated in Fiscal Year 2019-20 (nonrecurring) -  | \$2,120,000   |
| -Increase in pension contributions due to rate increase from 43.90% to 43.95% for Class E and 27.71% to 27.75% for Class A -   | \$23,000      |
| -Increase in salaries and related benefits (social security, pension contributions) for 1.75% COLA effective 1/1/2020 for 502 MDJs (10 positions are not funded) –                   | \$1,277,000   |
| -Increase in health insurance costs due to credits received in Fiscal Year 2018-19 -   | \$1,007,000   |
| -Increase in the cost of health benefits/life insurance for 502 filled positions and health benefits for annuitants -  | \$625,000     |
| -Increase for senior judge per diem compensation and social security due to increased rates (from \$251.64 to \$256.04)  | \$34,000      |
| -Decrease for senior judge per diem compensation and social security due to decreased number of days (from 5,500 days in Fiscal Year 2018-19 to 4,700 days in Fiscal Year 2019-20) - | (\$213,000)   |

**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

**9. FRINGE BENEFITS**

|                 | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> |
|-----------------|----------------|----------------|-----------------------------------|
| Employee Factor | 98.86%         | 102.83%        | 105.50%                           |

**10. NONRECURRING PURCHASES**

No purchases are made from this appropriation.

**11. PROGRAM STATEMENT**

Funding for this appropriation in Fiscal Year 2018-19 will be supplemented by a transfer of \$10.922 million of Act 49 of 2009 revenues. This Fiscal Year 2019-20 budget request

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anticipates the availability and use of \$8.802 million in Act 49 revenues which offset the need for state funding. The sunset date for the Act 49 temporary surcharge was extended to December 31, 2020 by Acts 40 and 44 of 2017.

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. Magisterial district judges were most recently known as district justices. The change of title to magisterial district judge was brought about by Act 207 of 2004 and by Order of the Court dated January 6, 2005, and became effective January 29, 2005.

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.

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

**2008-2018 UPDATE ON CASELOAD FILINGS & DISPOSITIONS**

**MAGISTERIAL DISTRICT JUDGE**

|                        | <u>CRIMINAL</u> |                             |                |                         | <u>CIVIL</u>            |                             |
|------------------------|-----------------|-----------------------------|----------------|-------------------------|-------------------------|-----------------------------|
|                        | <u>CRIMINAL</u> | <u>PRIVATE<br/>CRIMINAL</u> | <u>TRAFFIC</u> | <u>NON-<br/>TRAFFIC</u> | <u>CIVIL<br/>ACTION</u> | <u>LANDLORD/<br/>TENANT</u> |
| <b>CASES FILED</b>     |                 |                             |                |                         |                         |                             |
| 2008                   | 217,329         | 79,541                      | 1,808,707      | 402,891                 | 166,450                 | 85,667                      |
| 2009                   | 211,151         | 71,050                      | 1,723,547      | 386,950                 | 146,693                 | 81,637                      |
| 2010                   | 207,448         | 105,486                     | 1,652,692      | 382,159                 | 154,984                 | 84,979                      |
| 2011                   | 213,531         | 64,331                      | 1,613,417      | 375,919                 | 162,280                 | 90,350                      |
| 2012                   | 211,447         | 56,682                      | 1,561,593      | 351,050                 | 138,468                 | 91,136                      |
| 2013                   | 211,426         | 58,171                      | 1,597,042      | 344,443                 | 120,014                 | 94,569                      |
| 2014                   | 213,053         | 56,180                      | 1,508,613      | 319,066                 | 105,664                 | 94,506                      |
| 2015                   | 213,539         | 53,435                      | 1,530,691      | 299,592                 | 102,771                 | 93,421                      |
| 2016                   | 215,153         | 57,228                      | 1,474,496      | 288,725                 | 92,167                  | 93,017                      |
| 2017*                  | 216,041         | 51,723                      | 1,555,696      | 281,513                 | 130,226                 | 96,621                      |
| 2018**                 | 207,089         | 40,550                      | 1,565,657      | 237,442                 | 127,580                 | 96,731                      |
| <b>CASES PROCESSED</b> |                 |                             |                |                         |                         |                             |
| 2008                   | 222,317         | 84,672                      | 1,816,012      | 402,436                 | 165,876                 | 85,226                      |
| 2009                   | 212,931         | 81,144                      | 1,764,899      | 391,635                 | 155,653                 | 81,282                      |
| 2010                   | 201,602         | 111,737                     | 1,688,514      | 383,454                 | 152,109                 | 84,242                      |
| 2011                   | 191,243         | 63,548                      | 1,493,232      | 339,361                 | 162,910                 | 89,818                      |
| 2012                   | 189,264         | 60,796                      | 1,562,934      | 352,737                 | 147,972                 | 90,140                      |
| 2013                   | 189,532         | 58,599                      | 1,625,925      | 334,769                 | 125,485                 | 93,827                      |
| 2014                   | 211,488         | 58,102                      | 1,551,545      | 323,127                 | 110,954                 | 94,421                      |
| 2015                   | 213,300         | 62,531                      | 1,515,165      | 306,915                 | 107,613                 | 93,497                      |
| 2016                   | 225,960         | 63,786                      | 1,651,870      | 346,003                 | 93,724                  | 93,013                      |
| 2017*                  | 224,847         | 67,337                      | 1,694,849      | 334,119                 | 124,185                 | 96,784                      |
| 2018**                 | 216,864         | 50,294                      | 1,705,212      | 291,875                 | 134,168                 | 96,074                      |
| <b>CASE INVENTORY</b>  |                 |                             |                |                         |                         |                             |
| 2008                   | 44,211          | 36,851                      | 322,924        | 121,340                 | 68,643                  | 6,031                       |
| 2009                   | 43,805          | 31,946                      | 301,199        | 119,369                 | 58,344                  | 5,736                       |
| 2010                   | 38,384          | 37,462                      | 298,526        | 106,619                 | 64,921                  | 7,480                       |
| 2011                   | 38,571          | 20,798                      | 254,022        | 94,910                  | 65,644                  | 9,707                       |
| 2012                   | 36,443          | 20,333                      | 240,168        | 84,772                  | 53,994                  | 9,549                       |
| 2013                   | 35,446          | 20,366                      | 227,558        | 82,988                  | 47,283                  | 9,072                       |
| 2014                   | 36,047          | 17,377                      | 205,538        | 74,045                  | 42,272                  | 8,354                       |
| 2015                   | 36,467          | 16,655                      | 220,313        | 70,977                  | 37,146                  | 8,175                       |
| 2016                   | 34,578          | 17,927                      | 212,386        | 70,518                  | 36,739                  | 7,798                       |
| 2017*                  | 35,125          | 14,068                      | 230,836        | 61,449                  | 42,815                  | 7,420                       |
| 2018**                 | 34,840          | 13,643                      | 247,912        | 51,201                  | 36,348                  | 7,968                       |

\* Data for 2017 reflect updates to preliminary data that were provided last year.

\*\* Data for 2018 are preliminary statistics as of 12/12/2018.

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**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Magisterial District Judge Education**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 744            | 744            | 744                               | 744                              |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | <u>320</u>     | <u>281</u>     | <u>357</u>                        | <u>357</u>                       |
| Total         | 1,064          | 1,025          | 1,101                             | 1,101                            |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 329            | 361            | 356                               | 0                                  |
| Federal Funds | 0              | 0              | 0                                 | 0                                  |
| Other Funds   | <u>2</u>       | <u>2</u>       | <u>2</u>                          | <u>0</u>                           |
| Total         | 331            | 363            | 358                               | 0                                  |

(b) "Complement"

|               | <u>December 31, 2017</u> |               | <u>December 31, 2018</u> |               | <b>Budget</b> |               | <b>Gov Rec #</b> |
|---------------|--------------------------|---------------|--------------------------|---------------|---------------|---------------|------------------|
|               | <u>Auth</u>              | <u>Filled</u> | <u>Auth</u>              | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | <u>2019-20</u>   |
| State Funds   | 2                        | 2             | 2                        | 2             | 2             | 2             | 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         | 2                        | 2             | 2                        | 2             | 2             | 2             | 0                |

**3. OPERATING (\$000)**

|               | <u>2017-18</u> | <u>^2018-19</u> | <b>Judicial</b><br><u>^2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|-----------------|------------------------------------|------------------------------------|
| State Funds   | 415            | 383             | 388                                | 0                                  |
| Federal Funds | 0              | 0               | 0                                  | 0                                  |
| Other Funds   | <u>318</u>     | <u>279</u>      | <u>355</u>                         | <u>0</u>                           |
| Total         | 733            | 662             | 743                                | 0                                  |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</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                                  |

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## 5. GRANTS AND SUBSIDIES (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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 2018-19 – Operating: Other Funds include augmenting revenues of \$250 in anticipated Act 49 of 2009 revenues.*

*^Fiscal Year 2019-20 – Operating: Other Funds include augmenting revenues of \$330 in anticipated Act 49 of 2009 revenues.*

## 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 2018-19 merit increments and to provide merit increments in Fiscal Year 2019-20 for filled staff - \$6,000
- Increase in medical benefits/life insurance for two filled staff and medical benefits for three annuitants - \$6,000
- Increase in health insurance costs to restore funding due to credits received in Fiscal Year 2017-18 - \$4,000
- Decrease in annual leave payout - (\$21,000)

### Operating:

- Increase (nonrecurring) in Act 49 funds available in Fiscal Year 2019-20 to supplement state funding - \$80,000
  - Decrease (nonrecurring) in state funds required due to increase in Act 49 funds in Fiscal Year 2019-20 - (\$80,000)
  - Increase in training - \$75,000
  - Increase in travel-lodging-meals - \$6,000
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|   |           |
|---|-----------|
| -Decrease in MDJ Education Program augmentations -                      | (\$4,000) |
| -Increase in state funds due to decrease in augments from MDJ Program - | \$4,000   |

This budget request is predicated upon the receipt of \$25,000 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>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

**9. FRINGE BENEFITS**

|                 | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> |
|-----------------|----------------|----------------|-----------------------------------|
| Employee Factor | 88.28%         | 93.46%         | 107.39%                           |

**10. NONRECURRING PURCHASES**

2018-19: none

2019-20: none

**11. PROGRAM STATEMENT**

Funding for this appropriation in Fiscal Year 2018-19 will be supplemented by \$250,000 of Act 49 of 2009 revenues. This Fiscal Year 2019-20 budget request anticipates the availability and use of \$330,000 in Act 49 revenues which offset the need for state funding.

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.

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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.

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 512 magisterial district judges, and six Philadelphia Municipal Court arraignment court magistrates. Additionally, continuing education is available for the current 96 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

**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Philadelphia Municipal Court**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 7,794          | 7,794          | 7,794                             | 7,794                            |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | <u>1,707</u>   | <u>2,211</u>   | <u>2,774</u>                      | <u>2,774</u>                     |
| Total         | 9,501          | 10,005         | 10,568                            | 10,568                           |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>^2018-19</u> | <b>Judicial</b><br><u>^2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|-----------------|------------------------------------|------------------------------------|
| State Funds   | 7,722          | 7,778           | 7,728                              | 0                                  |
| Federal Funds | 0              | 0               | 0                                  | 0                                  |
| Other Funds   | <u>1,707</u>   | <u>2,211</u>    | <u>2,774</u>                       | <u>0</u>                           |
| Total         | 9,429          | 9,989           | 10,502                             | 0                                  |

(b) "Complement"

|                     | December 31, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec #      |
|---------------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------------|
|                     | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | <u>2019-20</u> |
| State Funds:        |                   |               |                   |               |               |               |                |
| Judges              | 28                | 25            | 27                | 26            | 27            | 26            | 0              |
| Arrestment Ct. Mag. | 6                 | 6             | 6                 | 6             | 6             | 6             | 0              |
| Hearing Officers    | 5                 | 5             | 5                 | 5             | 5             | 5             | 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               | 39                | 36            | 38                | 37            | 38            | 37            | 0              |

**3. OPERATING (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 72             | 16             | 66                                | 0                                  |
| Federal Funds | 0              | 0              | 0                                 | 0                                  |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                           |
| Total         | 72             | 16             | 66                                | 0                                  |

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#### 4. FIXED ASSETS (\$000)

|               | 2017-18 | 2018-19 | Judicial<br>2019-20 | Gov Rec #<br>2019-20 |
|---------------|---------|---------|---------------------|----------------------|
| State Funds   | 0       | 0       | 0                   | 0                    |
| Federal Funds | 0       | 0       | 0                   | 0                    |
| Other Funds   | 0       | 0       | 0                   | 0                    |
| Total         | 0       | 0       | 0                   | 0                    |

#### 5. GRANTS AND SUBSIDIES (\$000)

|               | 2017-18 | 2018-19 | Judicial<br>2019-20 | Gov Rec #<br>2019-20 |
|---------------|---------|---------|---------------------|----------------------|
| State Funds   | 0       | 0       | 0                   | 0                    |
| Federal Funds | 0       | 0       | 0                   | 0                    |
| Other Funds   | 0       | 0       | 0                   | 0                    |
| Total         | 0       | 0       | 0                   | 0                    |

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

|               | 2017-18 | 2018-19 | Judicial<br>2019-20 | Gov Rec #<br>2019-20 |
|---------------|---------|---------|---------------------|----------------------|
| State Funds   | 0       | 0       | 0                   | 0                    |
| Federal Funds | 0       | 0       | 0                   | 0                    |
| Other Funds   | 0       | 0       | 0                   | 0                    |
| Total         | 0       | 0       | 0                   | 0                    |

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

*^ Fiscal Year 2018-19 – Personnel: Other Funds include augmenting revenues of \$2,185 in anticipated Act 49 of 2009 revenues.*

*^Fiscal Year 2019-20 – Personnel: Other Funds include augmenting revenues of \$2,748 in anticipated Act 49 of 2009 revenues.*

#### 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, 2020. Assumptions regarding judges' salaries and senior judge per diem compensation are as follows:

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|                                   | <u>July - December, 2019</u> | <u>January - June, 2020</u> |
|-----------------------------------|------------------------------|-----------------------------|
| President Judge                   | \$181,710                    | \$184,890                   |
| Judge (26)                        | \$178,946                    | \$182,078                   |
| Arraignment Court Magistrate (6)* | \$96,263                     | \$97,948                    |
| Senior Judge per diem             | \$567                        | \$577                       |

\*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 augmentations (Act 49) anticipated in Fiscal Year 2019-20 to supplement state funding (nonrecurring) -                                | \$563,000   |
| -Decrease in state funds due to increase in augmentations anticipated in Fiscal Year 2019-20 (nonrecurring) -                                      | (\$563,000) |
| -Increase in salaries and related benefits (social security, pension contributions) for annual COLA for 26 filled judges -                         | \$126,000   |
| -Increase in health/life insurance benefits for 26 filled judges and health insurance for annuitants -   | \$62,000    |
| -Increase to annualize costs for one judge vacancy funded for six months in Fiscal Year 2018-19 -  | \$153,000   |
| -Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2018-19 -                                 | \$67,000    |
| -Increase in pension contributions due to rate increase from 43.90% to 43.95% for judges -   | \$3,000     |
| -Increase in senior judge per diem compensation and social security due to increased rates -   | \$2,000     |
| -Increase in senior judge per diem compensation and social security due to increased days (from 200 days to 250 days) -                            | \$31,000    |
| -Increase in senior judge per diem compensation and social security due to increased days (from 60 days to 90 days) – traffic cases -              | \$8,000     |
| -Increase in salaries and related benefits (social security, pension contributions and WC) for annual COLA for six arraignment court magistrates - | \$22,000    |
| -Increase in health benefits/life insurance for six arraignment court magistrates and health insurance for annuitants -                            | \$19,000    |
| -Increase in salaries and related benefits (social security, pension contributions, and WC) for staff COLA for five hearing officers -             | \$12,000    |
| -Increase in health benefits/life insurance for five hearing officers -  | \$8,000     |

Operating:

|   |          |
|---|----------|
| -Increase in training and conference -  | \$2,000  |
| -Increase in operating costs to restore funding due to use of miscellaneous encumbrances in Fiscal Year 2018-19 - | \$48,000 |

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**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

**9. FRINGE BENEFITS**

|                               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> |
|-------------------------------|----------------|----------------|-----------------------------------|
| Employee Factor:              |                |                |                                   |
| Judges                        | 73.58%         | 73.57%         | 75.66%                            |
| Arraignment Court Magistrates | 88.95%         | 92.05%         | 95.73%                            |
| Hearing Officers              | 59.11%         | 60.68%         | 63.17%                            |

**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, five 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 judges who are assigned.

Funding for this appropriation in Fiscal Year 2018-19 will be supplemented by a transfer of \$2.185 million of Act 49 of 2009 revenues. This Fiscal Year 2019-20 budget request anticipates the availability and use of \$2.748 million in Act 49 revenues which offset the need for state funding. The sunset date for the Act 49 temporary surcharge was extended to December 31, 2020 by Acts 40 and 44 of 2017.

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.

The Municipal Court's Traffic Division, created for a limited duration by Act 17 of 2013 to assume the functions of the former Philadelphia Traffic Court (which was later abolished by constitutional amendment approved by the voters in May 2016), expired on December 31,

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2017, with the conclusion of the term of the last remaining judge who had been elected to the Traffic Court and transferred by Act 17 to the Municipal Court's Traffic Division.

Operating expenditures are for 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

**2009-2018 UPDATE ON CASELOAD FILINGS & DISPOSITIONS**

**PHILADELPHIA MUNICIPAL COURT**

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|             |       | <u>MISDEMEANOR/<br/>FELONY</u> | <u>SUMMARY<br/>CRIMINAL</u> | <u>CIVIL</u> | <u>EMERGENCY<br/>PROTECTION</u> |
|-------------|-------|--------------------------------|-----------------------------|--------------|---------------------------------|
| CASES       | 2009  | 58,868                         | 19,211                      | 123,473      | 3,383                           |
| FILED       | 2010  | 55,292                         | 20,128                      | 117,269      | 3,194                           |
|             | 2011  | 54,196                         | 18,216                      | 106,769      | 3,041                           |
|             | 2012  | 52,035                         | 20,857                      | 109,632      | 2,877                           |
|             | 2013  | 48,485                         | 26,710                      | 104,041      | 2,583                           |
|             | 2014  | 43,011                         | 28,601                      | 96,894       | 2,270                           |
|             | 2015  | 39,490                         | 27,102                      | 85,611       | 2,507                           |
|             | 2016  | 36,119                         | 12,695                      | 77,236       | 2,465                           |
|             | 2017  | 38,471                         | 9,445                       | 90,597       | 2,083                           |
|             | 2018* | 32,296                         | 9,671                       | 85,641       | 2,382                           |
| CASES       | 2009  | 66,020                         | 27,023                      | 113,046      | 3,383                           |
| PROCESSED   | 2010  | 69,935                         | 25,291                      | 105,037      | 3,194                           |
|             | 2011  | 59,346                         | 22,019                      | 100,721      | 3,041                           |
|             | 2012  | 58,696                         | 25,794                      | 106,156      | 2,877                           |
|             | 2013  | 55,487                         | 24,882                      | 111,758      | 2,583                           |
|             | 2014  | 47,840                         | 31,424                      | 105,166      | 2,270                           |
|             | 2015  | 43,795                         | 30,243                      | 98,811       | 2,507                           |
|             | 2016  | 39,236                         | 14,652                      | 87,169       | 2,465                           |
|             | 2017  | 39,750                         | 10,309                      | 86,813       | 2,083                           |
|             | 2018* | 35,811                         | 10,274                      | 85,457       | 2,382                           |
| END PENDING | 2009  | 30,196                         | 4,734                       | 79,494       | 0                               |
| INVENTORY   | 2010  | 19,461                         | 4,496                       | 91,726       | 0                               |
|             | 2011  | 19,239                         | 6,003                       | 97,774       | 0                               |
|             | 2012  | 16,886                         | 3,410                       | 101,250      | 0                               |
|             | 2013  | 13,383                         | 6,136                       | 93,533       | 0                               |
|             | 2014  | 11,732                         | 4,684                       | 85,261       | 0                               |
|             | 2015  | 10,302                         | 2,072                       | 72,061       | 0                               |
|             | 2016  | 9,754                          | 1,068                       | 62,128       | 0                               |
|             | 2017  | 10,929                         | 930                         | 65,912       | 0                               |
|             | 2018* | 10,011                         | 959                         | 66,096       | 0                               |

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**2009-2018 UPDATE ON CASELOAD FILINGS & DISPOSITIONS**

**PHILADELPHIA MUNICIPAL COURT**

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\* Data for 2018 are preliminary statistics as of 1/14/2019.

First Judicial District automated systems:

- CLAIMS - Civil E-Filing & Case Management System
- CCMS - Criminal Case Management System
- CPCMS - Common Pleas Criminal Court Case Management System

**2013-2018 UPDATE ON CASELOAD FILINGS & DISPOSITIONS**  
**PHILADELPHIA MUNICIPAL COURT - TRAFFIC DIVISION**

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|                                     | <u>YEAR</u>     | <u>CASES</u> |
|-------------------------------------|-----------------|--------------|
| TICKETS AVAILABLE<br>FOR PROCESSING | 2013            | 559,615      |
|                                     | 2014            | 156,751      |
|                                     | 2015            | 152,492      |
|                                     | 2016            | 128,392      |
|                                     | 2017            | 122,727      |
|                                     | 2018*           | 104,210      |
|                                     | CASES PROCESSED | 2013         |
| 2014                                |                 | 148,192      |
| 2015                                |                 | 131,350      |
| 2016                                |                 | 112,520      |
| 2017                                |                 | 107,185      |
| 2018*                               |                 | 90,667       |
| CASES PENDING                       |                 | 2013         |
|                                     | 2014            | 18,615       |
|                                     | 2015            | 15,836       |
|                                     | 2016            | 14,167       |
|                                     | 2017            | 13,660       |
|                                     | 2018*           | 13,543       |

\* Data for 2018 are preliminary statistics as of 1/14/2019.

**2019-20 JUDICIAL BUDGET PROPOSAL**  
**County Court Reimbursement**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 23,136         | 23,136         | 23,136                            | 23,136                           |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                         |
| Total         | 23,136         | 23,136         | 23,136                            | 23,136                           |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</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, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec  |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | 2019-20  |
| 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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</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                                |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</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                                |

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**5. GRANTS AND SUBSIDIES (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</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, 2018 authorized complement of Common Pleas judges calculated at the effective reimbursement rate of \$45,549 funded in the current fiscal year (a proportional reduction of 34.93%). 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 2018-19, which will allow payment of the grant at the same reimbursement rate paid in FY 2018-19. \*\* Funding this grant at the full statutory rate would require an appropriation of \$35.556 million, an amount \$12.42 million above the amount requested. \*\*

The amount requested was computed as follows:

|                               |                  |
|-------------------------------|------------------|
| 364 judges @ \$45,549         | \$16,579,943     |
| <u>93 Philadelphia judges</u> | <u>6,556,057</u> |
| 457 Total complement          | \$23,136,000     |

Proposed grant payments follow.

**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

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**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, presently 2010.

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

FY 2019-20 ESTIMATE  
COMMON PLEAS COUNTY COURT REIMBURSEMENT  
(Calendar 2018)

| County                         | Comp | Reimbursement       | County               | Comp | Reimbursement       |
|--------------------------------|------|---------------------|----------------------|------|---------------------|
| Adams                          | 4    | \$182,197           | Jefferson            | 1    | \$45,549            |
| Allegheny                      | 43   | 1,958,620           | Juniata/<br>Perry    | 2    | 31,885              |
| Armstrong                      | 2    | 91,099              | Lackawanna           | 9    | 409,944             |
| Beaver                         | 7    | 318,845             | Lancaster            | 15   | 683,239             |
| Bedford                        | 2    | 91,099              | Lawrence             | 4    | 182,197             |
| Berks                          | 13   | 592,141             | Lebanon              | 4    | 182,197             |
| Blair                          | 5    | 227,746             | Lehigh               | 10   | 455,493             |
| Bradford                       | 2    | 91,099              | Luzerne              | 10   | 455,493             |
| Bucks**                        | 15   | 683,239             | Lycoming             | 5    | 227,746             |
| Butler                         | 6    | 273,296             | McKean               | 2    | 91,099              |
| Cambria                        | 5    | 227,746             | Mercer               | 4    | 182,197             |
| Cameron/Elk                    | 1    | 45,549              | Mifflin              | 2    | 91,099              |
| Carbon                         | 3    | 136,648             | Monroe**             | 7    | 318,845             |
| Centre                         | 4    | 182,197             | Montgomery**         | 24   | 1,093,183           |
| Chester                        | 14   | 637,690             | Northampton          | 9    | 409,944             |
| Clarion                        | 1    | 45,549              | Northumberland       | 3    | 136,648             |
| Clearfield                     | 2    | 91,099              | Philadelphia*        | 93   | 6,556,057           |
| Clinton                        | 2    | 91,099              | Pike                 | 2    | 91,099              |
| Columbia/<br>Montour           | 2    | 71,968              | Potter               | 1    | 45,549              |
| Crawford                       | 3    | 136,648             | Schuylkill           | 6    | 273,296             |
| Cumberland                     | 6    | 273,296             | Snyder/Union         | 2    | 91,098              |
| Dauphin                        | 10   | 455,493             | Somerset             | 3    | 136,648             |
| Delaware**                     | 21   | 956,535             | Sullivan/<br>Wyoming | 1    | 8,654               |
| Erie                           | 9    | 409,944             | Susquehanna          | 1    | 45,549              |
| Fayette                        | 5    | 227,746             | Tioga                | 1    | 45,549              |
| Forest/<br>Warren              | 2    | 14,576              | Venango              | 2    | 91,099              |
| Franklin/<br>Fulton            | 5    | 207,249             | Washington**         | 7    | 318,845             |
| Greene                         | 2    | 91,099              | Wayne                | 1    | 45,549              |
| Huntingdon                     | 1    | 45,549              | Westmoreland         | 11   | 501,042             |
| Indiana                        | 3    | 136,648             | York                 | 15   | 683,239             |
| 364 @ \$45,549                 |      | \$16,579,943        | COMPLEMENT           |      | 457                 |
| 93 - \$6,556,057               |      | <u>\$6,556,057</u>  | COUNTY REIMBURSEMENT |      | <u>\$23,136,000</u> |
| TOTAL REQUIREMENT <sup>1</sup> |      | <u>\$23,136,000</u> |                      |      |                     |

<sup>1</sup> Total requirement calculated at \$45,549 per authorized Common Pleas judge. (The statutory rate is \$70,000 but sufficient funding was not provided in FY 2016-17, FY 2017-18, and FY 2018-19 to meet the statutory requirement.)

\* Denotes exception to \$70,000 rule.

\*\* Six new judgeships were created by Act 49 of 2017 in the following counties: Bucks (2), Delaware, Monroe, Montgomery, and Washington.

**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Rule 701 – Senior Judge Support Reimbursement**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 1,375          | 1,375          | 1,375                             | 1,375                            |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | 0              | 0              | 0                                 | 0                                |
| <b>Total</b>  | <u>1,375</u>   | <u>1,375</u>   | <u>1,375</u>                      | <u>1,375</u>                     |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 0              | 0              | 0                                 | 0                                |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | 0              | 0              | 0                                 | 0                                |
| <b>Total</b>  | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                         |

(b) "Complement"

|               | December 31, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec  |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | 2019-20  |
| 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        |
| <b>Total</b>  | <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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 0              | 0              | 0                                 | 0                                |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | 0              | 0              | 0                                 | 0                                |
| <b>Total</b>  | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                         |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 0              | 0              | 0                                 | 0                                |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | 0              | 0              | 0                                 | 0                                |
| <b>Total</b>  | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                         |

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**5. GRANTS AND SUBSIDIES (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 1,375          | 1,375          | 1,375                             | 0                                |
| 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>0</u>                         |

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

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</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 will provide partial reimbursement for county expenses based upon statutory reimbursement rates and actual support provided to common pleas senior judges while on assignment. Maintain level of funding provided in Fiscal Year 2018-19.

**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</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

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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 2016-17 (affected Allegheny and Philadelphia) and in Fiscal Year 2017-18 (affected only Philadelphia) exceeded the appropriation. In accordance with Act 37 of 2007, the grant payment to each county was proportionally reduced by approximately 29.6% in Fiscal Year 2016-17 and 32.3% in Fiscal Year 2017-18 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 2018 are to be submitted by April 1, 2019, 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 2017-18 ACTUAL  
 RULE 701 - SENIOR JUDGE SUPPORT REIMBURSEMENT  
 (Calendar 2017)

| County     | <u>Secretary</u> |        | <u>Law Clerk</u> |         | <u>Facilities</u> |        | Total<br>Reimbursement |
|------------|------------------|--------|------------------|---------|-------------------|--------|------------------------|
|            | Hours            | Amount | Hours            | Amount  | Days              | Amount |                        |
| Adams      | 27               | \$219  | 17               | \$230   | 11.0              | \$447  | \$896                  |
| Allegheny  | 4,160            | 33,793 | 8,320            | 112,642 | 754.0             | 30,625 | \$177,060              |
| Armstrong  | 770              | 6,255  | 309              | 4,183   | 184.5             | 7,494  | 17,932                 |
| Beaver     | 584              | 4,744  | 35               | 474     | 87.0              | 3,534  | 8,752                  |
| Bedford    | 0                | 0      | 0                | 0       | 0.0               | 0      | 0                      |
| Berks      | 2,080            | 16,896 | 3,813            | 51,623  | 425.0             | 17,262 | 85,781                 |
| Blair      | 393              | 3,192  | 14               | 190     | 103.0             | 4,183  | 7,565                  |
| Bradford   | 427              | 3,469  | 370              | 5,009   | 61.0              | 2,478  | 10,956                 |
| Bucks      | 1,923            | 15,621 | 1,566            | 21,202  | 438.0             | 17,790 | 54,613                 |
| Butler     | 5                | 41     | 10               | 135     | 9.0               | 366    | 542                    |
| Cambria    | 525              | 4,265  | 525              | 7,108   | 75.0              | 3,046  | 14,419                 |
| Cameron    | 1                | 8      | 0                | 0       | 2.0               | 81     | 89                     |
| Carbon     | 48               | 390    | 55               | 745     | 11.5              | 467    | 1,602                  |
| Centre     | 435              | 3,534  | 140              | 1,895   | 20.5              | 833    | 6,262                  |
| Chester    | 1,524            | 12,380 | 1,552            | 21,012  | 399.0             | 16,206 | 49,598                 |
| Clarion    | 42               | 341    | 70               | 948     | 56.0              | 2,274  | 3,563                  |
| Clinton    | 31               | 252    | 56               | 758     | 22.5              | 914    | 1,924                  |
| Columbia   | 78               | 634    | 0                | 0       | 23.0              | 934    | 1,568                  |
| Crawford   | 89               | 723    | 62               | 839     | 13.5              | 548    | 2,110                  |
| Cumberland | 1,950            | 15,840 | 1,040            | 14,080  | 69.5              | 2,823  | 32,743                 |
| Dauphin    | 582              | 4,728  | 329              | 4,454   | 216.0             | 8,773  | 17,955                 |
| Delaware   | 6,048            | 49,129 | 2,388            | 32,330  | 452.0             | 18,358 | 99,817                 |
| Elk        | 20               | 162    | 15               | 203     | 27.0              | 1,097  | 1,462                  |
| Erie       | 885              | 7,189  | 885              | 11,982  | 118.0             | 4,793  | 23,964                 |
| Fayette    | 716              | 5,816  | 181              | 2,451   | 166.5             | 6,763  | 15,030                 |
| Forest     | 4                | 32     | 4                | 54      | 11.0              | 447    | 533                    |
| Franklin   | 23               | 187    | 23               | 311     | 3.0               | 122    | 620                    |
| Greene     | 19               | 154    | 136              | 1,841   | 35.5              | 1,442  | 3,437                  |
| Huntingdon | 281              | 2,283  | 686              | 9,288   | 104.0             | 4,224  | 15,795                 |
| Indiana    | 73               | 593    | 212              | 2,870   | 87.0              | 3,534  | 6,997                  |
| Jefferson  | 165              | 1,340  | 165              | 2,234   | 23.5              | 954    | 4,528                  |
| Lackawanna | 2,856            | 23,200 | 4,866            | 65,879  | 408.0             | 16,571 | 105,650                |
| Lancaster  | 206              | 1,673  | 20               | 271     | 74.0              | 3,006  | 4,950                  |
| Lawrence   | 392              | 3,184  | 392              | 5,307   | 56.5              | 2,295  | 10,786                 |

FY 2017-18 ACTUAL  
 RULE 701 - SENIOR JUDGE SUPPORT REIMBURSEMENT  
 (Calendar 2017)

| County                     | <u>Secretary</u> |                  | <u>Law Clerk</u> |                  | <u>Facilities</u> |                  | Total<br>Reimbursement |
|----------------------------|------------------|------------------|------------------|------------------|-------------------|------------------|------------------------|
|                            | Hours            | Amount           | Hours            | Amount           | Days              | Amount           |                        |
| Luzerne                    | 4,956            | 40,259           | 1,645            | 22,271           | 793.0             | 32,209           | 94,739                 |
| Lycoming                   | 106              | 861              | 117              | 1,584            | 27.5              | 1,117            | 3,562                  |
| McKean                     | 148              | 1,202            | 119              | 1,611            | 103.0             | 4,183            | 6,996                  |
| Mercer                     | 125              | 1,015            | 6                | 81               | 11.0              | 447              | 1,543                  |
| Mifflin                    | 0                | 0                | 22               | 298              | 24.5              | 995              | 1,293                  |
| Monroe                     | 207              | 1,682            | 28               | 379              | 73.0              | 2,965            | 5,026                  |
| Montgomery                 | 2,851            | 23,159           | 3,041            | 41,171           | 704.0             | 28,594           | 92,924                 |
| Northampton                | 2,080            | 16,896           | 260              | 3,520            | 120.0             | 4,874            | 25,290                 |
| Northumberland             | 300              | 2,437            | 300              | 4,062            | 100.0             | 4,062            | 10,561                 |
| Philadelphia <sup>1/</sup> | 8,413            | 47,550           | 9,269            | 87,314           | 1,815.0           | 51,292           | 186,156                |
| Pike                       | 79               | 642              | 228              | 3,087            | 45.0              | 1,828            | 5,557                  |
| Potter                     | 0                | 0                | 0                | 0                | 45.0              | 1,828            | 1,828                  |
| Schuykill                  | 276              | 2,242            | 4                | 54               | 80.0              | 3,249            | 5,545                  |
| Snyder                     | 83               | 674              | 5                | 68               | 28.5              | 1,158            | 1,900                  |
| Somerset                   | 54               | 439              | 1                | 14               | 140.5             | 5,707            | 6,160                  |
| Tioga                      | 77               | 625              | 36               | 487              | 25.5              | 1,036            | 2,148                  |
| Union                      | 62               | 504              | 18               | 244              | 36.0              | 1,462            | 2,210                  |
| Venango                    | 70               | 569              | 88               | 1,191            | 100.0             | 4,062            | 5,822                  |
| Warren                     | 64               | 520              | 71               | 961              | 92.0              | 3,737            | 5,218                  |
| Washington                 | 1,606            | 13,046           | 1,606            | 21,743           | 135.0             | 5,483            | 40,272                 |
| Wayne                      | 38               | 309              | 25               | 338              | 31.0              | 1,259            | 1,906                  |
| Westmoreland               | 1,275            | 10,357           | 1,021            | 13,823           | 196.0             | 7,961            | 32,141                 |
| Wyoming                    | 64               | 520              | 41               | 555              | 16.0              | 650              | 1,725                  |
| York                       | 1,968            | 15,986           | 1,396            | 18,900           | 248.5             | 10,093           | 44,979                 |
| <b>TOTAL <sup>2/</sup></b> | <b>52,264</b>    | <b>\$403,761</b> | <b>47,603</b>    | <b>\$606,304</b> | <b>9,537.0</b>    | <b>\$364,935</b> | <b>\$1,375,000</b>     |

NOTES:

1/ In accordance with Acts 40 and 49 of 2017, the grant payment to Philadelphia was reduced from \$395,236 to 20% of the appropriation amount (\$1,375,000), or \$275,000. (The grant was further reduced by 32.3066% as explained in note 2.)

2/ For Calendar year 2017, the total reimbursements qualifying for payment totaled \$2,031,216, which exceeded the \$1,375,000 appropriation by \$656,216. In accordance with statute, the grant payment to each county was proportionally reduced by 32.3066% (i.e., each county received 67.6934% of its qualified reimbursement) so that the total of all grants did not exceed the appropriation. On this chart, only the payment amounts were adjusted; the number of hours and days claimed are as submitted.

**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Juror Cost Reimbursement**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 1,118          | 1,118          | 1,118                             | 1,118                            |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | 0              | 0              | 0                                 | 0                                |
| <b>Total</b>  | <u>1,118</u>   | <u>1,118</u>   | <u>1,118</u>                      | <u>1,118</u>                     |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 0              | 0              | 0                                 | 0                                |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | 0              | 0              | 0                                 | 0                                |
| <b>Total</b>  | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                         |

(b) "Complement"

|               | December 31, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec  |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | 2019-20  |
| 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        |
| <b>Total</b>  | <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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 0              | 0              | 0                                 | 0                                |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | 0              | 0              | 0                                 | 0                                |
| <b>Total</b>  | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                         |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 0              | 0              | 0                                 | 0                                |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | 0              | 0              | 0                                 | 0                                |
| <b>Total</b>  | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                         |

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**5. GRANTS AND SUBSIDIES (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 748            | 1,118          | 1,118                             | 0                                |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | 0              | 0              | 0                                 | 0                                |
| Total         | <u>748</u>     | <u>1,118</u>   | <u>1,118</u>                      | <u>0</u>                         |

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

|               | <u>*2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|-----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 370             | 0              | 0                                 | 0                                |
| Federal Funds | 0               | 0              | 0                                 | 0                                |
| Other Funds   | 0               | 0              | 0                                 | 0                                |
| Total         | <u>370</u>      | <u>0</u>       | <u>0</u>                          | <u>0</u>                         |

*\*Fiscal Year 2017-18 – Non-expense/Interagency, consists of \$370 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 2018-19.

**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</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.

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**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Court Interpreter County Grant**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 1,500          | 1,500          | 2,000                             | 1,500                            |
| 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          | 2,000                             | 1,500                            |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</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, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec        |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | <u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</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                                |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</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                                |

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**5. GRANTS AND SUBSIDIES (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec<br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|---------------------------|
| State Funds   | 1,500          | 1,500          | 2,000                             | 1,500                     |
| 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          | 2,000                             | 1,500                     |

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

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec<br><u>2019-20</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:

-Increase to reimburse counties a greater proportion of their rising costs to provide qualified court interpreters in conformance with federal and state law -

\$500,000

**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

**9. FRINGE BENEFITS**

No salaries are funded from this appropriation.

**10. NONRECURRING PURCHASES**

2018-19: none

2019-20: none

**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

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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 using a template provided by the AOPC. The federal government has been closely monitoring compliance of state court systems with this requirement, and threatening penalties for states not fulfilling their duties. In accordance with federal and state law, the judicial districts must provide a number of language access services, and the district-specific LAPs, effective March 2015, 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.

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 2017-18, counties requested reimbursement for \$3.855 million in eligible expenses. After imposition of the 30% cap (affected only Philadelphia), qualified reimbursements totaled \$3.322 million, which exceeded available funding by \$1.822 million. Accordingly the grant payment to each county was proportionally reduced by 55% (i.e., each county received approximately 45% of its qualified reimbursement) so that the total of all grants did not exceed the appropriation. In comparison, in Fiscal Year 2015-16, counties

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reported \$3.195 million in eligible expenses and the grant reimbursed counties 53% of their qualified expenses.

This request seeks a \$500,000 increase in funding in order to reimburse counties a greater percentage of their costs.

STATUTORY AUTHORITY:Annual Appropriation Act.

FY 2017-18 ACTUAL  
 COURT INTERPRETER COUNTY GRANT  
*Qualifying Reimbursements and Applied Reductions*  
 (Calendar 2017)

| County     | Courtroom<br>Interpreters<br>Amount | Telephone<br>Interpreting Services<br>Amount | Other Language<br>Access Services<br>Amount | Total Qualified<br>Reimbursement<br>Amount | Reduced<br>Reimbursement<br>Amount |
|------------|-------------------------------------|--|---|--|------------------------------------|
| Adams      | \$29,718                            | \$2,038                                      | \$7,590                                     | \$39,346                                   | \$17,765                           |
| Allegheny  | 99,140                              | 5,261  | 450   | 104,851                                    | 47,340                             |
| Beaver     | 5,777                               | 212  | 0   | 5,989                                      | 2,704                              |
| Bedford    | 5,411                               | 0  | 0   | 5,411                                      | 2,443                              |
| Berks      | 380,536                             | 5,611  | 0   | 386,147                                    | 174,344                            |
| Blair      | 791                                 | 954  | 0   | 1,745                                      | 788                                |
| Bradford   | 1,020                               | 67   | 60  | 1,147                                      | 518                                |
| Bucks      | 190,652                             | 1,022  | 292   | 191,966                                    | 86,672                             |
| Butler     | 7,695                               | 0  | 0   | 7,695                                      | 3,474                              |
| Cambria    | 1,737                               | 293  | 150   | 2,180                                      | 984                                |
| Carbon     | 5,132                               | 875  | 2,281                                       | 8,288                                      | 3,742                              |
| Centre     | 36,534                              | 3,145  | 0   | 39,679                                     | 17,915                             |
| Chester    | 202,054                             | 1,714  | 0   | 203,768                                    | 92,000                             |
| Clarion    | 602                                 | 37   | 0   | 639  | 289                                |
| Clinton    | 1,786                               | 0  | 0   | 1,786                                      | 806                                |
| Columbia   | 1,903                               | 55   | 0   | 1,958                                      | 884                                |
| Crawford   | 3,432                               | 0  | 0   | 3,432                                      | 1,550                              |
| Cumberland | 69,087                              | 943  | 0   | 70,030                                     | 31,618                             |
| Dauphin    | 168,565                             | 4,012  | 0   | 172,577                                    | 77,918                             |
| Delaware   | 160,609                             | 1,615  | 4,618                                       | 166,842                                    | 75,329                             |
| Erie       | 20,796                              | 832  | 0   | 21,628                                     | 9,765                              |
| Fayette    | 10,952                              | 0  | 0   | 10,952                                     | 4,945                              |
| Forest     | 1,624                               | 0  | 0   | 1,624                                      | 733                                |
| Franklin   | 84,404                              | 1,558  | 13,188                                      | 99,150                                     | 44,766                             |
| Huntingdon | 6,930                               | 0  | 0   | 6,930                                      | 3,129                              |
| Jefferson  | 1,949                               | 0  | 0   | 1,949                                      | 880                                |
| Juniata    | 3,572                               | 0  | 0   | 3,572                                      | 1,613                              |
| Lackawanna | 38,156                              | 0  | 0   | 38,156                                     | 17,227                             |
| Lancaster  | 162,553                             | 592  | 0   | 163,145                                    | 73,659                             |
| Lawrence   | 2,158                               | 7  | 0   | 2,165                                      | 977                                |
| Lebanon    | 44,858                              | 263  | 0   | 45,121                                     | 20,372                             |
| Lehigh     | 164,998                             | 3,043  | 155   | 168,196                                    | 75,940                             |
| Luzerne    | 98,618                              | 5,791  | 1,285                                       | 105,694                                    | 47,720                             |

FY 2017-18 ACTUAL  
 COURT INTERPRETER COUNTY GRANT  
*Qualifying Reimbursements and Applied Reductions*  
 (Calendar 2017)

| County                     | Courtroom<br>Interpreters<br>Amount | Telephone<br>Interpreting Services<br>Amount | Other Language<br>Access Services<br>Amount | Total Qualified<br>Reimbursement<br>Amount | Reduced<br>Reimbursement<br>Amount |
|----------------------------|-------------------------------------|--|---|--|------------------------------------|
| Lycoming                   | 1,538                               | 464  | 0   | 2,002                                      | 904                                |
| McKean                     | 3,490                               | 336  | 0   | 3,826                                      | 1,727                              |
| Mifflin                    | 480                                 | 0  | 0   | 480  | 217                                |
| Monroe                     | 48,510                              | 876  | 0   | 49,386                                     | 22,298                             |
| Montgomery                 | 174,312                             | 6,336  | 2,716                                       | 183,364                                    | 82,788                             |
| Montour                    | 172                                 | 300  | 0   | 472  | 213                                |
| Northampton                | 165,700                             | 4,604  | 1,680                                       | 171,984                                    | 77,650                             |
| Northumberland             | 12,747                              | 0  | 0   | 12,747                                     | 5,755                              |
| Perry                      | 1,696                               | 0  | 0   | 1,696                                      | 766                                |
| Philadelphia <sup>1/</sup> | 284,443                             | 406,572                                      | 292,276                                     | 450,000                                    | 203,173                            |
| Pike                       | 4,665                               | 42   | 0   | 4,707                                      | 2,125                              |
| Schuylkill                 | 28,076                              | 244  | 0   | 28,320                                     | 12,786                             |
| Snyder                     | 2,568                               | 115  | 0   | 2,683                                      | 1,211                              |
| Somerset                   | 0                                   | 32   | 0   | 32   | 14                                 |
| Union                      | 2,933                               | 33   | 0   | 2,966                                      | 1,339                              |
| Venango                    | 0                                   | 136  | 0   | 136  | 61                                 |
| Warren                     | 4,223                               | 0  | 0   | 4,223                                      | 1,907                              |
| Washington                 | 6,160                               | 520  | 600   | 7,280                                      | 3,287                              |
| Wayne                      | 753                                 | 0  | 0   | 753  | 340                                |
| Westmoreland               | 7,009                               | 457  | 0   | 7,466                                      | 3,371                              |
| Wyoming                    | 185                                 | 0  | 0   | 185  | 84                                 |
| York                       | 279,416                             | 315  | 24,090                                      | 303,821                                    | 137,175                            |
| <b>TOTAL <sup>2/</sup></b> | <b>\$3,042,825</b>                  | <b>\$461,322</b>                             | <b>\$351,431</b>                            | <b>\$3,322,287</b>                         | <b>\$1,500,000</b>                 |

NOTES:

1/ In accordance with the Court Interpreter Services Grant Policies and Procedures, the grant payment to Philadelphia was reduced from \$983,291 to 30% of the appropriation amount (\$1,500,000) or \$450,000. (The reimbursement was further reduced by 54.8504% as explained in note 2.)

2/ For Calendar year 2017 counties requested reimbursements for \$3,855,578 for eligible expenses. The total reimbursement qualifying for payment after imposition of the 30% cap totaled \$3,322,287, which exceeded the appropriation amount of \$1,500,000 by \$1,822,287. 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 54.8504% (i.e., each county received 45.1496% of its qualified reimbursement) so that the total of all grants did not exceed the appropriation.

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**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Judicial Conduct Board**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 2,182          | 2,182          | 2,468                             | 2,182                            |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | 4              | 3              | 3                                 | 3                                |
| <b>Total</b>  | <u>2,186</u>   | <u>2,185</u>   | <u>2,471</u>                      | <u>2,185</u>                     |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 1,932          | 2,095          | 2,283                             | 0                                  |
| Federal Funds | 0              | 0              | 0                                 | 0                                  |
| Other Funds   | 4              | 3              | 3                                 | 0                                  |
| <b>Total</b>  | <u>1,936</u>   | <u>2,098</u>   | <u>2,286</u>                      | <u>0</u>                           |

(b) "Complement"

|               | December 31, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec # |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|-----------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | 2019-20   |
| State Funds   | 14                | 14            | 17                | 15            | 15            | 14            | 0         |
| Federal Funds | 0                 | 0             | 0                 | 0             | 0             | 0             | 0         |
| Other Funds   | 0                 | 0             | 0                 | 0             | 0             | 0             | 0         |
| <b>Total</b>  | <u>14</u>         | <u>14</u>     | <u>17</u>         | <u>15</u>     | <u>15</u>     | <u>14</u>     | <u>0</u>  |

**3. OPERATING (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 250            | 87             | 185                               | 0                                  |
| Federal Funds | 0              | 0              | 0                                 | 0                                  |
| Other Funds   | 0              | 0              | 0                                 | 0                                  |
| <b>Total</b>  | <u>250</u>     | <u>87</u>      | <u>185</u>                        | <u>0</u>                           |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 0              | 0              | 0                                 | 0                                  |
| Federal Funds | 0              | 0              | 0                                 | 0                                  |
| Other Funds   | 0              | 0              | 0                                 | 0                                  |
| <b>Total</b>  | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                           |

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## 5. GRANTS AND SUBSIDIES (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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 for one new position to be filled in Fiscal Year 2019-20 -  | \$71,000 |
| -Increase in salaries and related benefits (social security, pension contributions, WC) for a 1.75% COLA, and to annualize the cost of Fiscal Year 2018-19 merit increments and to provide merit increments in Fiscal Year 2019-20 - | \$64,000 |
| -Increase in pension contribution due to rate increase from 34.63% to 34.68% for AA staff and from 23.94% to 23.97% for A3/A4 staff-   | \$1,000  |
| -Increase in cost of health/life insurance benefits for staff and health insurance for annuitants -  | \$35,000 |
| -Increase in health insurance costs to restore funding due to credits received in Fiscal Year 2018-19 -  | \$17,000 |

### Operating:

|  |          |
|--|----------|
| -Increase in other services -                      | \$2,000  |
| -Increase in training & conference expenses -      | \$4,000  |
| -Increase in printing -                            | \$2,000  |
| -Increase in postage/freight -                     | \$2,000  |
| -Increase in telecommunications -                  | \$4,000  |
| -Increase in travel, lodging & meals -             | \$30,000 |
| -Increase in software & software maintenance -     | \$15,000 |
| -Increase in reference materials & subscriptions - | \$5,000  |
| -Increase in membership dues -                     | \$3,000  |
| -Increase in vehicle supplies & repairs -          | \$3,000  |
| -Increase in maintenance services & supplies -     | \$5,000  |
| -Increase in vehicle rentals -                     | \$15,000 |
| -Increase in supplies -                            | \$8,000  |

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## 8. HISTORY OF LAPSES

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

## 9. FRINGE BENEFITS

|                 | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> |
|-----------------|----------------|----------------|-----------------------------------|
| Employee Factor | 71.09%         | 73.38%         | 79.05%                            |

## 10. NONRECURRING PURCHASES

2017-18: none

2018-19: none

## 11. PROGRAM STATEMENT

### *Funding Needs*

The submitted budget for the Judicial Conduct Board reflects increases in the cost of agency operations since Fiscal Year 2016-17, the last year the board received a budget increase. The requested funding will enable the board to effectively execute its constitutional charge to investigate complaints against judicial officers and advocate to further the integrity and independence of Pennsylvania's judiciary.

Calendar year 2018 was another investigation-heavy year for the board. A total of 789 new requests for investigation were received or initiated by the board. Since calendar year 2013, the number of investigations opened per year has ranged from 783 to 845. In order to dispose of the increasing number of investigations in a timely manner, and to maintain the high standards expected of the board, funding for an increase in staffing was sought in the Fiscal Year 2015-16 budget. The board filled two new attorney positions in Fiscal Year 2016-17 and one new investigator position in Fiscal Year 2017-18.

Recent years have seen the board undertake several initiatives to enhance its performance. These included acquiring a case management system, along with new computer technology to support it; increasing outreach to the public and legal profession via speaking engagements and presentations by the board throughout the Commonwealth; affording board members and staff formal training to carry out their constitutional duties; and hiring additional staff. The case management system and associated hardware were purchased in Fiscal Year 2011-12 and updated in subsequent years, including the current fiscal year. The board funds the ongoing maintenance and upkeep of the system with current appropriations. Increased funding has allowed the board to maintain the case management system and to acquire additional computer hardware to enhance the board's operation, and to hire additional staff, including a clerical assistant, two additional counsel and an additional investigator. Increased funding has also allowed the board to engage the services of a part-time, contract attorney. The contract attorney has made a positive impact on the board's ability to review

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and close, as appropriate, in a more expeditious manner. This has resulted in a significant reduction in the backlog of cases. All of these additions to the staff have helped in achieving more timely resolution of investigations.

***Background***

The Pennsylvania Judicial Conduct Board 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 for investigating allegations of judicial misconduct, disability or impairment.

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. Until December 31, 2017, when the term of the last remaining Philadelphia Traffic Court Judge ended, the board also had jurisdiction over Philadelphia Traffic Court 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 sensitive to its ethical obligations.

As mandated by the Constitution, the board is comprised of 12 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. There is currently one citizen elector gubernatorial vacancy on the board.

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 14. Six of the approved positions are for licensed attorneys, including the Chief Counsel, the Deputy Chief Counsel and four Deputy Counsels. There are four investigators and four administrative staff. A new legal assistant position (administrative staff) is included in this submission.

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

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board's legal staff is responsible for preparing cases and presenting the evidence that supports charges authorized by the board 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 decisions.

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.

As noted above, during calendar year 2018, the board received or initiated 789 confidential requests for investigation. A total of 1,019 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, 969 were dismissed after preliminary inquiry, 5 dismissed after full investigation, 26 were dismissed with Letters of Caution, and 11 were dismissed with Letters of Counsel. One matter was dismissed after the resignation of the judicial officer under investigation. Six pending investigations were administratively closed with the filing of a board complaint in the Court of Judicial Discipline. One matter was closed after disposition by the Court of Judicial Discipline.

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.

### ***Conclusion***

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 appropriate allocation of resources to the Judicial Conduct Board helps demonstrate to all Pennsylvanians that their leaders 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.*

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**2019-20 JUDICIAL BUDGET PROPOSAL**  
**Court of Judicial Discipline**

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**1. SUMMARY FINANCIAL DATA (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|----------------------------------|
| State Funds   | 468            | 468            | 495                               | 468                              |
| Federal Funds | 0              | 0              | 0                                 | 0                                |
| Other Funds   | <u>1</u>       | <u>1</u>       | <u>1</u>                          | <u>1</u>                         |
| Total         | 469            | 469            | 496                               | 469                              |

**2. PERSONNEL**

(a) "Costs" (\$000)

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 414            | 432            | 465                               | 0                                  |
| Federal Funds | 0              | 0              | 0                                 | 0                                  |
| Other Funds   | <u>1</u>       | <u>1</u>       | <u>1</u>                          | <u>0</u>                           |
| Total         | 415            | 433            | 466                               | 0                                  |

(b) "Complement"

|               | December 31, 2017 |               | December 31, 2018 |               | Budget        |               | Gov Rec #      |
|---------------|-------------------|---------------|-------------------|---------------|---------------|---------------|----------------|
|               | <u>Auth</u>       | <u>Filled</u> | <u>Auth</u>       | <u>Filled</u> | <u>Funded</u> | <u>Filled</u> | <u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</u> |
|---------------|----------------|----------------|-----------------------------------|------------------------------------|
| State Funds   | 54             | 36             | 30                                | 0                                  |
| Federal Funds | 0              | 0              | 0                                 | 0                                  |
| Other Funds   | <u>0</u>       | <u>0</u>       | <u>0</u>                          | <u>0</u>                           |
| Total         | 54             | 36             | 30                                | 0                                  |

**4. FIXED ASSETS (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | <b>Gov Rec #</b><br><u>2019-20</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                                  |

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**5. GRANTS AND SUBSIDIES (\$000)**

|               | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> | Gov Rec #<br><u>2019-20</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, WC) for a 1.75% COLA, and to annualize the cost of Fiscal Year 2018-19 merit increments and to provide merit increments in Fiscal Year 2019-20 – filled staff - | \$26,000 |
| -Increase in health/life insurance costs for filled positions and health insurance benefits for annuitants -  | \$3,000  |
| -Increase in health insurance costs to restore funding due to credits received in Fiscal Year 2018-19 -   | \$4,000  |

## Operating:

|                                      |           |
|--------------------------------------|-----------|
| -Miscellaneous operating decreases - | (\$6,000) |
|--------------------------------------|-----------|

**8. HISTORY OF LAPSES**

|             | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|-------------|----------------|----------------|----------------|
| State Funds | 0              | 0              | 0              |

**9. FRINGE BENEFITS**

|                 | <u>2017-18</u> | <u>2018-19</u> | <b>Judicial</b><br><u>2019-20</u> |
|-----------------|----------------|----------------|-----------------------------------|
| Employee Factor | 65.90%         | 67.70%         | 68.79%                            |

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## 10. NONRECURRING PURCHASES

2018-19: none

2019-20: none

## 11. PROGRAM STATEMENT

### *Funding Needs*

This budget seeks a \$27,000 funding increase for a requested 2019-20 state funds appropriation of \$495,000. This includes required salary and benefits increases in the amount of \$33,000 and a decrease of \$6,000 for operating costs. The decrease will come from reducing discretionary spending from the current year's level.

### *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, 98 formal complaints and 34 petitions for interim relief have been submitted for review. In total for the calendar year 2018 the court handled trials and/or dispositions in five 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.

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***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.

***Budget Request***

The court maintains an office at the seat of government in Harrisburg. This budget request represents the court's budgetary needs for Fiscal Year 2019-20 in order to accomplish constitutionally-mandated responsibilities and functions.

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

## 2019-20 JUDICIAL BUDGET PROPOSAL

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

### **FISCAL YEAR 2017-18 OBLIGATIONS ROLLED FORWARD TO FISCAL YEAR 2018-19**

- NONE -