

**Proposed Budget
of the
Unified Judicial System
2022-23**

SUPREME COURT OF PENNSYLVANIA

*Chief Justice Max Baer
Justice Debra Todd
Justice Christine Donohue
Justice Kevin M. Dougherty
Justice David N. Wecht
Justice Sallie Updyke Mundy
Justice P. Kevin Brobson*



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AOPC

ADMINISTRATIVE OFFICE
of PENNSYLVANIA COURTS

PROPOSED BUDGET OF THE UNIFIED JUDICIAL SYSTEM, FY 2022-23

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FISCAL YEAR 2022-23 JUDICIARY BUDGET REQUEST

(in thousands)

<u>APPROPRIATION</u>	AVAILABLE	REQUESTED	GOV. REC.
	<u>2021-22</u>	<u>2022-23</u>	<u>2022-23</u>
<i>Supreme Court</i>	17,150	18,649	18,649
<i>(A) Filing Fees</i>	359	359	359
<i>(A) Miscellaneous</i>	4,187	4,196	4,196
<i>Justices' Expenses</i>	118	118	118
<i>Judicial Council</i>	141	141	141
<i>Interbranch Commission for Gender, Racial, Ethnic Fairness</i>	350	350	350
<i>(A) Miscellaneous</i>	0	0	0
<i>Rules Committees</i>	1,595	1,595	1,595
<i>(A) Miscellaneous</i>	6	6	6
<i>Subtotal</i>	<u>23,906</u>	<u>25,414</u>	<u>25,414</u>
<i>Superior Court</i>	32,377	36,625	36,625
<i>(A) Filing Fees</i>	155	155	155
<i>(A) Miscellaneous</i>	9,108	9,111	9,111
<i>Judges' Expenses</i>	183	183	183
<i>Subtotal</i>	<u>41,823</u>	<u>46,074</u>	<u>46,074</u>
<i>Commonwealth Court</i>	21,192	23,526	23,526
<i>(A) Filing Fees</i>	150	150	150
<i>(A) Miscellaneous</i>	1,696	1,698	1,698
<i>Judges' Expenses</i>	132	132	132
<i>Subtotal</i>	<u>23,170</u>	<u>25,506</u>	<u>25,506</u>
<i>Court Administrator</i>	11,577	12,290	12,290
<i>(F) Court Improvement Program</i>	1,130	1,130	1,130
<i>(F) STOP Violence Against Women Program</i>	237	237	237
<i>(F) Adult Drug Court</i>	175	0	0
<i>(F) Veterans Treatment Court Strategic Planning</i>	200	196	196
<i>(A) Miscellaneous</i>	5,398	5,329	5,329
<i>Judicial Center Operations</i>	814	1,105	1,105
<i>(A) Miscellaneous</i>	1,101	1,101	1,101
<i>District Court Management - Administrators</i>	19,657	21,994	21,994
<i>(A) Miscellaneous</i>	10,224	10,226	10,226
<i>Office of Elder Justice in the Courts</i>	496	496	496
<i>Court Management Education</i>	73	73	73
<i>Judicial Education</i>	1,247	1,899	1,899
<i>(A) Miscellaneous</i>	212	212	212
<i>Problem-Solving Courts</i>	1,103	1,103	1,103
<i>Unified Judicial System Security</i>	2,002	2,002	2,002
<i>(A) Miscellaneous</i>	1	1	1
<i>Subtotal</i>	<u>55,647</u>	<u>59,394</u>	<u>59,394</u>

FISCAL YEAR 2022-23 JUDICIARY BUDGET REQUEST

(in thousands)

<u>APPROPRIATION</u>	<u>AVAILABLE</u> <u>2021-22</u>	<u>REQUESTED</u> <u>2022-23</u>	<u>GOV. REC.</u> <u>2022-23</u>
<i>(R) Statewide Judicial Computer System</i>	45,626	45,626	45,626
<i>(A) Act 119-1996</i>	114	120	120
<i>(A) Miscellaneous</i>	4,672	4,365	4,365
<i>Integrated Criminal Justice System (JNET)</i>	2,372	2,372	2,372
<i>Subtotal</i>	<u>52,784</u>	<u>52,483</u>	<u>52,483</u>
<i>Courts of Common Pleas</i>	117,739	130,270	130,270
<i>(A) Miscellaneous</i>	26,745	26,750	26,750
<i>Common Pleas Senior Judges</i>	4,004	4,291	4,291
<i>(A) Miscellaneous</i>	664	664	664
<i>Subtotal</i>	<u>149,152</u>	<u>161,975</u>	<u>161,975</u>
<i>Magisterial District Judges</i>	82,802	92,186	92,186
<i>(A) Miscellaneous</i>	13,003	13,003	13,003
<i>Magisterial District Judge Education</i>	744	1,020	1,020
<i>(A) Registration Fees</i>	18	12	12
<i>(A) Miscellaneous</i>	3	4	4
<i>Philadelphia Municipal Court</i>	7,794	9,122	9,122
<i>(A) Miscellaneous</i>	2,346	2,346	2,346
<i>Subtotal</i>	<u>106,710</u>	<u>117,693</u>	<u>117,693</u>
<i>County Court Reimbursement Grant</i>	23,136	23,136	23,136
<i>Rule 701 - Sr. Judge Support Reimbursement</i>	1,375	1,375	1,375
<i>Juror Cost Reimbursement</i>	1,118	1,118	1,118
<i>Court Interpreter County Grant</i>	1,500	1,500	1,500
<i>Subtotal</i>	<u>27,129</u>	<u>27,129</u>	<u>27,129</u>
<i>Judicial Ethics Advisory Board</i>	62	62	62
<i>Judicial Conduct Board</i>	2,505	2,505	2,555
<i>(A) Miscellaneous</i>	8	9	9
<i>Court of Judicial Discipline</i>	606	606	618
<i>(A) Miscellaneous</i>	2	2	2
<i>Subtotal</i>	<u>3,183</u>	<u>3,184</u>	<u>3,246</u>
STATE FUNDS	355,964	391,844	391,906
AUGMENTATIONS - ACT 49	72,271	72,271	72,271
SUBTOTAL	428,235	464,115	464,177
FEDERAL FUNDS	1,742	1,563	1,563
AUGMENTATIONS - OTHER	7,901	7,548	7,548
RESTRICTED REVENUES	45,626	45,626	45,626
TOTAL, ALL SOURCES	<u>483,504</u>	<u>518,852</u>	<u>518,914</u>

2022-23 JUDICIAL BUDGET PROPOSAL
Supreme Court

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	17,150	17,150	18,649	18,649
Federal Funds	0	0	0	0
Other Funds	<u>1,974</u>	<u>4,546</u>	<u>4,555</u>	<u>4,555</u>
Total	19,124	21,696	23,204	23,204

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>^2021-22</u>	Judicial <u>^^2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	14,523	17,150	18,431	0
Federal Funds	0	0	0	0
Other Funds	<u>1,615</u>	<u>2,087</u>	<u>2,096</u>	<u>0</u>
Total	16,138	19,237	20,527	0

(b) "Complement"

	<u>December 31, 2020</u>		<u>December 31, 2021</u>		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2022-23</u>
State Funds:							
Justices	7	7	7	7	7	7	0
Staff	* 132	102	* 133	101	** 111	101	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	139	109	140	108	118	108	0

* Includes 9 summer interns

** Includes 7 summer interns

3. OPERATING (\$000)

	<u>2020-21</u>	<u>^2021-22</u>	Judicial <u>^^2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	2,594	0	218	0
Federal Funds	0	0	0	0
Other Funds	<u>359</u>	<u>2,459</u>	<u>2,459</u>	<u>0</u>
Total	2,953	2,459	2,677	0

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	33	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>33</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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 2021-22 – Personnel and Operating: Other Funds include augmenting revenues of \$4,140 in Act 49 of 2009 revenues.

^Fiscal Year 2022-23 – Personnel and Operating: Other Funds include augmenting revenues of \$4,140 in anticipated Act 49 of 2009 revenues. This budget is predicated on the expectation that the Act 49 sunset date will be extended beyond June 30, 2022.

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 3% increase in judicial salaries and per diems effective January 1, 2023. Assumptions regarding Justices' salaries are as follows:

	<u>July – December, 2022</u>	<u>January - June, 2023</u>
Chief Justice	\$233,688	\$240,699
Justices (6)	\$227,080	\$233,893

Proposed personnel expenditures follow:

-Increase in salaries and related benefits for Judicial COLAs (5.6% effective 1/1/2022 and 3.0% effective 1/1/2023) -	\$138,000
-Increase in pension contributions for Justices due to increase in rates -	\$67,000
-Increase in salaries and related benefits for 1.75% COLA, and to annualize the cost of Fiscal Year 2021-22 merit increments and provide merit increments in Fiscal Year 2022-23 - filled staff and law clerks -	\$319,000
-Increase in pension contributions for filled staff due to increase in rates -	\$111,000
-Increase in salaries and all benefits to annualize the cost for five staff vacancies filled/to be filled in Fiscal Year 2021-22 -	\$320,000
-Increase in cost of health/life insurance benefits for Justices and staff and health insurance benefits for annuitants -	\$233,000
-Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2021-22 -	\$99,000
-Decrease in cost of annual and sick leave payouts -	(\$11,000)
-Increase in cost of unemployment compensation -	\$5,000
-Increase in Medicare D subsidy -	\$9,000

Operating:

-Increase in operating costs to restore funding due to use of prior-year encumbrances in Fiscal Year 2021-22 -	\$218,000
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8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2020-21</u>	<u>2021-22</u>	<u>Judicial 2022-23</u>
Employee Factor			
Justices	74.02%	77.73%	83.70%
Staff	74.64%	81.20%	83.93%

10. NONRECURRING PURCHASES

2021-22: none

2022-23: none

11. PROGRAM STATEMENT

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

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

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

2022-23 JUDICIAL BUDGET PROPOSAL
Justices' Expenses

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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, 2020		December 31, 2021		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	13	118	118	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>13</u>	<u>118</u>	<u>118</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	105	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	105	0	0	0

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

Fiscal Year 2020-21 – Non-expense/Interagency, consists of \$105 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 2021-22.

8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

No salaries are paid from this appropriation.

10. NONRECURRING PURCHASES

2021-22: none

2022-23: none

11. PROGRAM STATEMENT

This appropriation provides funding to cover the actual expenses incurred by the seven 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.

2022-23 JUDICIAL BUDGET PROPOSAL
Judicial Council

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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, 2020		December 31, 2021		Budget		Gov Rec #
	<u>Auth</u>	<u>Filed</u>	<u>Auth</u>	<u>Filed</u>	<u>Funded</u>	<u>Filed</u>	<u>2022-23</u>
State Funds	1	0	1	0	0	0	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0	0
Total	<u>1</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

3. OPERATING (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	0	141	141	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>141</u>	<u>141</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	141	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>141</u>	<u>0</u>	<u>0</u>	<u>0</u>

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

Fiscal Year 2020-21 – Non-expense/Interagency consists of \$141 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 2021-22.

8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>
Employee Factor	0.0%	0.0%	0.0%

10. NONRECURRING PURCHASES

2021-22: none

2022-23: 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 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.

2022-23 JUDICIAL BUDGET PROPOSAL
Interbranch Commission for Gender, Racial and Ethnic Fairness

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	350	350	350	350
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>350</u>	<u>350</u>	<u>350</u>	<u>350</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec# <u>2022-23</u>
State Funds	282	274	284	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>282</u>	<u>274</u>	<u>284</u>	<u>0</u>

(b) "Complement"

	December 31, 2020		December 31, 2021		Budget		Gov Rec#
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2022-23</u>
State Funds	3	2	3	2	2	2	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0	0
Total	<u>3</u>	<u>2</u>	<u>3</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>0</u>

3. OPERATING (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec# <u>2022-23</u>
State Funds	68	76	66	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>68</u>	<u>76</u>	<u>66</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec# <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec# <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec# <u>2022-23</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 for 1.75% COLA, and to annualize the cost of Fiscal Year 2021-22 merit increments and to provide merit increments in Fiscal Year 2022-23 for filled staff -	\$6,000
-Increase in cost of health/life insurance benefits for filled staff -	\$1,000
-Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2021-22 -	\$1,000
-Increase in pension contributions for filled staff due to rate increase -	\$2,000

Operating:

-Decrease in miscellaneous operating expense -	(\$10,000)
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8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>
Employee Factor	65.75%	56.94%	58.73%

10. NONRECURRING PURCHASES

2021-22: none

2022-23: none

11. PROGRAM STATEMENT

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

Criminal Justice Committee: Since submitting its "Memorandum on Indigent Defense Reform in Pennsylvania" (which includes juvenile defense reform), the Committee has convened several meetings with relevant stakeholders and key legislators to secure bipartisan support for the recommended reforms. Education continues for all three branches of the government and the public on the reforms recommended in the 2018 study of racial, ethnic and socio-economic disparities in the death penalty system. A second, broader phase of the study is currently underway. The Committee also continues to promote the reform of existing cash bail and legal financial obligation procedures that result in the unwarranted incarceration of indigent individuals. Specifically, this year, the Committee provided written testimony to the Board of Pardons opposing its new policy prohibiting clemency hearings for inmates who owe outstanding costs and fees to the courts, and has submitted formal comments and recommendations in connection with an initiative to update Allegheny County's Rules of Court for Bail, Probation and Incarceration. The Committee is also working on a bill requiring police departments to either contract with a mental health practitioner or train in-house personnel to accompany officers on calls involving individuals experiencing mental health crises.

Jury Service Committee: In November 2021, the Committee published and distributed a pamphlet designed to educate individuals who speak English as a second language about jury service and the level of English language proficiency needed to serve on a jury. As part of its efforts to increase juror diversity, and to assess the impact of the districts' increased use of the statewide juror list, the Committee sent a juror demographic survey to each district court administrator, inquiring whether they collect juror demographic data and whether the data has yielded any information about the diversity of their juries. The Committee has also submitted a letter in support of legislation that would reduce the range of criminal offenses that currently disqualify former offenders from jury service for life.

Equal Opportunity and Diversity Committee: In connection with its effort to educate the public and court employees about the UJS Policy on Non-Discrimination and EEO, the Committee is currently designing a one-page summary of the policy and complaint process to distribute to judges, court personnel, attorneys, and court users throughout Pennsylvania. The Committee also continues to monitor and offer comment on the various proposed versions of new PA Rule of Professional Conduct 8.4(g), prohibiting attorneys from knowingly engaging in discriminatory conduct in the practice of law. In addition, the Committee is distributing to relevant stakeholders the finalized Pennsylvania Rule of Evidence 413, which limits the admissibility of one's immigration status into evidence. The new Rule was initially recommended to the Supreme Court by the Committee. The Committee has also convened additional meetings of its Implicit Bias in Legal Education Work Group, which is drafting a multi-faceted implicit bias training program for law schools based on a range of model programs around the country. The Committee additionally produced and distributed to bar association committees and other groups a one-page summary of Pennsylvania attorney demographic data.

Domestic Violence and Sexual Assault Victims Committee: The Committee is collaborating with and disseminating information about an Anti-Human Trafficking Initiative, which provides pro bono civil court representation to victims of human trafficking. The Committee has also worked on and is currently advocating for a pending bill that would require the Department of Health to launch a statewide rape kit tracking system. In addition, the Committee is actively pursuing opportunities to educate juvenile service providers, law enforcement, and the courts about a rule clarification that it sought and obtained from the Interstate Commission for Juveniles in 2020. As clarified, the rule permits juvenile human trafficking victims who are not under supervision in their home states to remain in the state in which they were found, rather than be involuntarily returned to their home state.

L.G.B.T.Q. Rights Committee: The Committee recently submitted letters to the relevant legislative committees in support of pending legislation to amend the Pennsylvania Human Relations Act to extend non-discrimination protections for LGBTQ individuals. The Committee also convened several meetings of its Work Group for LGBTQ Youth in Out-of-Home Placements, which it established to secure non-discrimination protections for LGBTQ youth and families within the state foster care system. The work group has compiled and reviewed the relevant portions of the Pennsylvania Code, model regulations implemented in other states, and best practices in place in Allegheny County, and will approach the relevant authorities with suggested regulatory changes.

Interpreter Services Committee: Since the passage of Act 172, which mandates the use of certified or otherwise qualified interpreters in most court and administrative proceedings, the Committee has been working with the AOPC's Language Access Coordinator to ensure compliance with the Act's requirements. The Committee submitted formal comments to the AOPC's recently proposed amendments to the regulations, which among other things, would

ensure that interpreters are sufficiently compensated for their work both on-site and remotely. The amended regulations, effective January 1, 2022, incorporated several of the Committee's proposed changes.

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

2022-23 JUDICIAL BUDGET PROPOSAL
Rules Committees

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	1,595	1,595	1,595	1,595
Federal Funds	0	0	0	0
Other Funds	<u>5</u>	<u>6</u>	<u>6</u>	<u>6</u>
Total	1,600	1,601	1,601	1,601

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec# <u>2022-23</u>
State Funds	1,335	1,320	1,389	0
Federal Funds	0	0	0	0
Other Funds	<u>5</u>	<u>6</u>	<u>6</u>	<u>0</u>
Total	1,340	1,326	1,395	0

(b) "Complement"

	December 31, 2020		December 31, 2021		Budget		Gov Rec#
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2022-23</u>
State Funds	11	7	11	7	7	7	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	11	7	11	7	7	7	0

3. OPERATING (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec# <u>2022-23</u>
State Funds	110	275	206	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	110	275	206	0

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec# <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec# <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec# <u>2022-23</u>
State Funds	150	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	150	0	0	0

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

Fiscal Year 2020-21 – Non-expense/Interagency consists of \$150 transferred to other UJS appropriations in accordance with 72 P.S. Section 1793-E.

7. ASSUMPTIONS

Personnel:

-Increase in salaries and related benefits for a 1.75% COLA, and to annualize the cost of Fiscal Year 2021-22 merit increments and provide merit increments in Fiscal Year 2022-23 for filled staff -	\$31,000
-Increase in cost of health/life insurance benefits for active staff positions and health insurance benefits for annuitants -	\$19,000
-Increase in cost of health insurance benefits due to credits received in Fiscal Year 2021-22 -	\$10,000
-Increase in pension contributions for filled staff due to rate increase -	\$9,000

Operating:

-Decrease in miscellaneous operating costs -	(\$69,000)
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8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>
Employee Factor	83.07%	95.14%	98.88%

10. NONRECURRING PURCHASES

2021-22: none

2022-23: none

11. PROGRAM STATEMENT

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

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

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

In aggregate, the eight rules committees have approximately 100 members serving without compensation and supported by five attorneys and two administrative staff. The rules committees meet several times a year, generally for one-to-two day meetings. Some committees use standing or *ad hoc* subcommittees, which meet at other times to work on specific issues. In Fiscal Year 2021-22, the various rules committees will have convened

approximately 28 times at either the Pennsylvania Judicial Center or by videoconferencing. During 2021 the rules committees extensively used videoconferencing due to COVID and its associated restrictions.

The work of the rules committees in 2021 has included:¹

- The **Juvenile Court Procedural Rules Committee** published proposed rule changes on the following topics: 1) extracting the rules of construction from the Pennsylvania Rules of Juvenile Court Procedure and placing them in the Pennsylvania Rules of Judicial Administration, including corollary amendments to the various bodies of rules to reference the newly placed rules of construction; (2) permitting the ongoing use of videoconferencing and other electronic communications (Advanced Communication Technology) in various proceedings; and (3) providing for statewide judicial access to limited information contained in the Common Pleas Case Management System (CPCMS) related to dependency and delinquency proceedings.

The Court adopted the following committee recommendations: 1) adding a provision concerning requirements pursuant to the Sex Offender Registration and Notification Act, 42 Pa.C.S. §§ 9799.10 - 9799.42, for a sexually violent delinquent child committed for involuntary treatment; 2) concerning the amendment of Title 67 of the Pennsylvania Consolidated Statutes regarding the family finding requirements resulting from the Act of June 29, 2019, P.L. 93, No. 14; 3) assisting the application of the principles of the Juvenile Act when imposing financial obligations at the time of disposition in a delinquency proceeding; 4) clarifying the procedures to permit the extended detention of a juvenile when procedural requirements are not met; and (5) addressing amendments to the Public School Code of 1949 prohibiting a juvenile adjudicated delinquent of sexual assault from attending the same public school as the victim.

- The **Orphans' Court Procedural Rules Committee** published proposed rule changes on the following topics: 1) clarifying that all personal representatives, including successor personal representatives, are required to send written notice of estate administration; 2) providing a cross-reference to 20 Pa.C.S. § 3908 and relating to the filing of an affidavit with the register of wills for the purpose of obtaining access to a decedent's digital assets; 3) replacing the term master with hearing officer; 4) extracting the rules of construction from the Pennsylvania Rules of Orphans' Court Procedure and placing them in the Pennsylvania Rules of Judicial Administration, including corollary amendments to the various bodies of rules to reference the newly placed rules of construction; and 5) permitting the ongoing use of videoconferencing and other electronic communications (Advanced Communication Technology) in various proceedings.

¹ To avoid repetition, recommendations both published and adopted in calendar year 2021 are listed only once hereafter as adopted.

The Court adopted the following committee recommendations: 1) clarifying the use of commentary in rulemaking and concerning citation format; 2) amending references to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*; and 3) a comprehensive rewrite of the rules and forms relating to adoption proceedings.

- The **Domestic Relations Procedural Rules Committee** published proposed rule changes on the following topics: 1) addressing issues related to the federal Servicemembers' Civil Relief Act; 2) addressing service of original process resulting from changes in the U.S. Postal Service policy and incorporating another service option via commercial carriers; and 3) permitting the ongoing use of videoconferencing and other electronic communications (Advanced Communication Technology) in various proceedings.

The Court adopted the following committee recommendations: 1) the quadrennial Support Guidelines; 2) changing the title of master to hearing officer in all domestic relations matters; and 3) amending references to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*.

- The **Minor Court Rules Committee** published proposed rule changes on the following topics: 1) relating to the right of an individual to intervene in a landlord-tenant action and also updates notices to defendants and tenants given with service of the complaint; 2) relating to orders denying petitions for emergency protection from abuse or petitions for protection from sexual violence or intimidation; 3) establishing procedural rules for appeals under 75 Pa.C.S. § 3369(j)(4), relating to violations issued via automated work zone speed enforcement systems; 4) referencing rules of construction in the Pennsylvania Rules of Judicial Administration, including corollary amendments to the various bodies of rules to reference the newly placed rules of construction; and 5) permitting the ongoing use of videoconferencing and other electronic communications (Advanced Communication Technology) in various proceedings.

The Court adopted the following committee recommendations: 1) relating to political and campaign activities of candidates for magisterial district judge in public elections; 2) clarifying the use of commentary in rulemaking and concerning citation format; 3) provide for 120 days within which a landlord in a residential lease case must request an order for possession, which was the deadline in place prior to January 1, 2021; 4) relating to the use of a security deposit as an offset against a judgment in a landlord-tenant action; and 5) amending references to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*.

- The **Appellate Court Procedural Rules Committee** published proposed rule changes on the following topics: 1) consolidating and codifying procedures for the entry of appearance and withdrawal of appearance in the appellate court; 2) requiring that the entire record
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included in PACFile be consecutively paginated, converted into the fewest number of PDF files as practicable, and that the PDF files shall be text searchable and paginated so that the page numbers displayed by the PDF reader exactly match the pagination of the certified record; and 3) extracting the rules of construction from the Pennsylvania Rules of Appellate Procedure and placing them in the Pennsylvania Rules of Judicial Administration, including corollary amendments to the various bodies of rules to reference the newly placed rules of construction.

The Court adopted the following committee recommendations: 1) relating to a party's failure to timely file an appeal to a Post Conviction Relief Act Order, which would constitute a waiver of all objections to such an order; 2) regarding a Stay Ancillary to Appeal or Review; 3) amending references to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*; 4) addressing the Content of the Petition for Allowance of Appeal as it relates to issues not reviewable on appeal unless raised or preserved in the lower court; and (5) requiring the filing of a statement of counsel's intent to withdraw in a criminal matter remanded to the lower court.

- The **Criminal Procedural Rules Committee** published proposed rule changes on the following topics: 1) extracting the rules of construction from the Pennsylvania Rules of Criminal Procedure and placing them in the Pennsylvania Rules of Judicial Administration, including corollary amendments to the various bodies of rules to reference the newly placed rules of construction; and 2) implementing Act 83 that amended 18 Pa.C.S. § 9122 to provide for the “automatic” expungement of criminal history record information when a judicial determination has been made that a person has been acquitted of an offense.

The Court adopted the following committee recommendations: 1) clarifying the proper rule authority to dismiss a summary case upon satisfaction or by agreement when the case is on appeal to the court of common pleas; 2) amending references to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*; and 3) clarifying that jurors are permitted to take notes during trial regardless of the duration of the trial and that “trial” includes opening statements and closing arguments for purposes of note taking.

- The **Committee on Rules of Evidence** published a proposed rule changes on extracting the rules of construction from the Pennsylvania Rules of Evidence and placing them in the Pennsylvania Rules of Judicial Administration, including corollary amendments to the various bodies of rules to reference the newly placed rules of construction.

The Court adopted the following committee recommendations: 1) governing the admissibility of evidence of immigration status; 2) concerning the hearsay exception for a statement of the declarant's then-existing mental, emotional, or physical condition; and 3) concerning the prosecutor's notice of intended use of evidence of other crimes, wrongs, or acts in criminal cases.

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- The **Civil Procedural Rules Committee** published proposed rule changes on the following topics: 1) whether certain requirements of the Servicemembers Civil Relief Act, 50 U.S.C. § 3901 *et seq.* should be added to the Rules of Civil Procedure to ensure that an eligible defendant receives the protections of the Act; 2) a rule allowing the citation of non-precedential appellate court decisions for their persuasive value in the trial courts; 3) incorporating the specific requirements in *Jones v. Ott*, 191 A.3d 782 (Pa. 2018) regarding jury instructions and exceptions; 4) establishing the maximum amount of damages recoverable equal to the jurisdictional limit of compulsory arbitration in the judicial district in which the action was brought; 5) replacing the term master or special master with hearing officer; 6) permitting a party to request the trial court indicate on the record the reasons for the denial of summary judgment; and 7) extracting the rules of construction from the Pennsylvania Rules of Civil Procedure and placing them in the Pennsylvania Rules of Judicial Administration, including corollary amendments to the various bodies of rules to reference the newly placed rules of construction.

The Court adopted the following committee recommendations: 1) clarifying the use of commentary in rulemaking and concerning citation format; 2) amending references to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*; 3) clarifying and expanding when note taking by jurors is permitted during trial; and 4) updating the rules to accommodate electronic filing systems with regard to the reissuance of a writ of summons and the reinstatement of a complaint, and clarifying when a new defendant may be added to a reissued writ or reinstated complaint.

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

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

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2022-23 JUDICIAL BUDGET PROPOSAL
Superior Court

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	32,377	32,377	36,625	36,625
Federal Funds	0	0	0	0
Other Funds	<u>6,004</u>	<u>9,263</u>	<u>9,266</u>	<u>9,266</u>
Total	38,381	41,640	45,891	45,891

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>^2021-22</u>	Judicial <u>^^2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	32,377	32,377	36,207	0
Federal Funds	0	0	0	0
Other Funds	<u>1,258</u>	<u>3,912</u>	<u>3,915</u>	<u>0</u>
Total	33,635	36,289	40,122	0

(b) "Complement"

	December 31, 2020		December 31, 2021		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2022-23</u>
State Funds:							
Judges	15	14	15	13	15	13	0
Staff	* 254	212	* 256	200	** 242	197	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	269	226	271	213	257	210	0

* Includes 21 summer interns

** Includes 16 summer interns

3. OPERATING (\$000)

	<u>2020-21</u>	<u>^2021-22</u>	Judicial <u>^^2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	0	0	418	0
Federal Funds	0	0	0	0
Other Funds	<u>4,746</u>	<u>5,351</u>	<u>5,351</u>	<u>0</u>
Total	4,746	5,351	5,769	0

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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 2021-22 – Personnel and Operating: Other Funds include augmenting revenues of \$8,993 in Act 49 of 2009 revenues.

^Fiscal Year 2022-23 – Personnel and Operating: Other Funds include augmenting revenues of \$8,993 in anticipated Act 49 of 2009 revenues. This budget is predicated on the expectation that the Act 49 sunset date will be extended beyond June 30, 2022.

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 3% increase in judicial salaries and per diem compensation effective January 1, 2023. Assumptions regarding judges' salaries and senior judge per diems are as follows:

	<u>July - December, 2022</u>	<u>January - June, 2023</u>
President Judge	\$220,866	\$227,492
Judge (14)	\$214,261	\$220,689
Senior Judge per diem	\$611	\$630

Proposed personnel expenditures follow:

-Increase in salaries and related benefits for judicial COLAs for 13 filled Judges (5.6% effective 1/1/2022 and 3% effective 1/1/2023) -	\$241,000
-Increase in pension contributions due to rate increase – filled judges -	\$113,000
-Increase in salaries and all benefits to annualize the cost of one vacant judge position filled in the November 2021 election -	\$159,000
-Increase in salaries and all benefits for the cost of one vacant judge -	\$304,000
-Increase in salaries and related benefits for 1.75% COLA, and to annualize the cost of Fiscal Year 2021-22 merit increments and provide merit increments in Fiscal Year 2022-23 – filled staff and law clerks -	\$564,000
-Increase in pension contributions due to rate increase – filled staff and law clerks -	\$200,000
-Increase in salaries and all benefits to annualize the cost to fill the staff complement of six for a commissioned judge vacancy filled by election in November 2021 -	\$333,000
-Increase in salaries and all benefits to annualize the cost of 11 vacant staff positions partially funded in Fiscal Year 2021-22 but funded for a full-year in Fiscal Year 2022-23 -	\$289,000
-Increase in salaries and all benefits for the cost of eight staff positions not funded in Fiscal Year 2021-22 but funded for a full year in Fiscal Year 2022-23 -	\$889,000
-Increase in health/life insurance benefits for filled judges and staff and health insurance for annuitants -	\$505,000
-Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2021-22 -	\$201,000
-Increase in senior judge per diem compensation and social security due to increased rates -	\$32,000
-Increase in Medicare D subsidy -	\$3,000

Operating:

-Start-up costs for one new senior judge and one vacant judge (nonrecurring) -	\$276,000
-Increase in miscellaneous operating costs -	\$98,000
-Increase in software licenses & maintenance costs -	\$44,000

8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>
Employee Factor			
Judges	75.28%	79.10%	78.40%
Staff	81.25%	85.28%	89.42%

10. NONRECURRING PURCHASES

2021-22: none

2022-23: Start-up costs for one new senior judge and one vacant judge - \$276,000

11. PROGRAM STATEMENT

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

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

Each year, the Superior Court receives approximately 8,000 appeals and decides over 5,000 on the merits. The Court also receives close to 18,000 motions per year. According to the National Center for State Courts, the Superior Court is the busiest intermediate appellate court, per judge, in the nation. Specifically, in calendar year 2021, the Superior Court concluded 5,857 appeals. To meet this rigorous workload of the Court, each Judge had to author, on average, 190 decisions.

Overall, this appropriation provides funding for salaries and benefits for judges and staff, annuitant benefits, operating expenses, and fixed assets necessary for judicial and administrative operations. With the exception of approximately \$155,000 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.

2022-23 JUDICIAL BUDGET PROPOSAL
Superior Court – Judges’ Expenses

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</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, 2020		December 31, 2021		Budget		Gov Rec
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	13	183	183	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	13	183	183	0

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	170	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>170</u>	<u>0</u>	<u>0</u>	<u>0</u>

Fiscal Year 2020-21 – Non-expense/Interagency, consists of \$170 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 2021-22.

8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

No salaries are paid from this appropriation.

10. NONRECURRING PURCHASES

2021-22: none

2022-23: 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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2022-23 JUDICIAL BUDGET PROPOSAL
Commonwealth Court

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	21,192	21,192	23,526	23,526
Federal Funds	0	0	0	0
Other Funds	<u>280</u>	<u>1,846</u>	<u>1,848</u>	<u>1,848</u>
Total	21,472	23,038	25,374	25,374

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	18,952	21,192	23,309	0
Federal Funds	0	0	0	0
Other Funds	<u>69</u>	<u>294</u>	<u>296</u>	<u>0</u>
Total	19,021	21,486	23,605	0

(b) "Complement"

	December 31, 2020		December 31, 2021		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2022-23</u>
State Funds:							
Judges	9	9	9	9	9	9	0
Staff	* 141	103	* 141	105	** 130	104	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	150	112	150	114	139	113	0

* Includes 10 summer interns

** Includes 9 summer interns

3. OPERATING (\$000)

	<u>2020-21</u>	<u>^2021-22</u>	Judicial <u>^^2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	1,366	0	175	0
Federal Funds	0	0	0	0
Other Funds	<u>211</u>	<u>1,552</u>	<u>1,552</u>	<u>0</u>
Total	1,577	1,552	1,727	0

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	<u>Judicial 2022-23</u>	<u>Gov Rec # 2022-23</u>
State Funds	0	0	42	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>42</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2020-21</u>	<u>2021-22</u>	<u>Judicial 2022-23</u>	<u>Gov Rec # 2022-23</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>2020-21</u>	<u>2021-22</u>	<u>Judicial 2022-23</u>	<u>Gov Rec # 2022-23</u>
State Funds	874	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0

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

Fiscal Year 2020-21 – Non-expense/Interagency, consists of \$874 transferred to other UJS appropriations in accordance with 72 P.S. Section 1793-E.

^Fiscal Year 2021-22 – Personnel and Operating: Other Funds include augmenting revenues of \$1,620 in anticipated Act 49 of 2009 revenues.

^Fiscal Year 2022-23 – Personnel and Operating: Other Funds include augmenting revenues of \$1,620 in anticipated Act 49 of 2009 revenues. This budget is predicated on the expectation that the Act 49 sunset date will be extended beyond June 30, 2022.

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 3% increase in judicial salaries and per diems effective January 1, 2023. Assumptions regarding judges' salaries and senior judge per diem compensation are as follows:

	<u>July - December, 2022</u>	<u>January - June, 2023</u>
President Judge	\$220,866	\$227,492
Judge (8)	\$214,261	\$220,689
Senior Judge per diem	\$611	\$630

Proposed personnel expenditures follow:

- Increase in Medicare D subsidy -	\$2,000
- Increase in cost of health/life insurance benefits to restore funding due to credits received in Fiscal Year 2021-22 -	\$130,000
- Increase in health/life insurance benefits for judges and staff, and health insurance benefits for annuitants -	\$122,000
- Increase in pension contributions for filled staff due to increase in rates -	\$135,000
- Increase in salaries and related benefits for 1.75% COLA and to annualize the cost of Fiscal Year 2021-22 merit increments and to provide merit increments in Fiscal Year 2022-23 - filled staff and law clerks -	\$247,000
- Increase in pension contributions for filled judges due to increase in rates -	\$72,000
- Increase in salaries and related benefits for judicial COLAs (5.6% effective 1/1/2022 and 3% effective 1/1/2023) -	\$167,000
- Increase in salaries and all benefits to annualize the cost of staff vacancies filled for partial year in Fiscal Year 2021-22 -	\$330,000
- Increase in salaries and all benefits for six positions not funded in Fiscal Year 2021-22 but funded for a full year in Fiscal Year 2022-23 (new senior judge staff) -	\$838,000
- Increase in senior judge per diems and social security due to increased days (from 120 days in Fiscal Year 2021-22 to 250 days in Fiscal Year 2022-23) -	\$85,000
- Increase in senior judge per diems and social security due to increased rates -	\$7,000
- Decrease in sick leave and annual leave payouts -	(\$16,000)

Operating:

- Increase in operating costs due to replacement of aging routers and renewal of cyclical contracts -	\$175,000
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Fixed Assets:

- Increase in furniture & equipment for purchase of UPS units (nonrecurring) -	\$42,000
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8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>
Employee Factor			
Judges	72.02%	73.54%	76.62%
Staff	87.90%	85.71%	88.30%

10. NONRECURRING PURCHASES

2021-22: none

2022-23: EDP Equipment > \$25,000 - \$42,000

11. PROGRAM STATEMENT

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

The Court's caseload remained lower than usual again in 2021 because of the ongoing COVID-19 pandemic and decreased activity in the courts of common pleas and state administrative agencies, which resulted in fewer appeals. However, the court continued to handle – in a very expedited manner – considerable original jurisdiction litigation involving issues related to the pandemic and ongoing election-related disputes. Overall, 2,691 new actions were filed in the court in calendar year 2021. Of these, 493 were new original jurisdiction cases, 350 of which were filed by prisoners. In the court's appellate jurisdiction, 752 new agency appeals were filed in 2021, including 230 unemployment compensation appeals and 231 workers' compensation appeals, among other categories. In other major appellate categories, the court received 711 new appeals from the courts of common pleas, and 702 new tax appeals from the board of finance and revenue.

In 2021 the Commonwealth Court disposed of 2,316 cases. The court's mediation program continued to be successful in 2021: 129 cases were referred to mediation, and 69 cases were resolved, eliminating the need for further litigation.

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

2022-23 JUDICIAL BUDGET PROPOSAL
Commonwealth Court – Judges’ Expenses

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	132	132	132	132
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>132</u>	<u>132</u>	<u>132</u>	<u>132</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</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, 2020		December 31, 2021		Budget		Gov Rec
	<u>Auth</u>	<u>Filed</u>	<u>Auth</u>	<u>Filed</u>	<u>Funded</u>	<u>Filed</u>	<u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	22	132	132	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>22</u>	<u>132</u>	<u>132</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	110	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>110</u>	<u>0</u>	<u>0</u>	<u>0</u>

Fiscal Year 2020-21 – Non-expense/Interagency, consists of \$110 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 2021-22.

8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

No salaries are paid from this appropriation.

10. NONRECURRING PURCHASES

2021-22: none

2022-23: 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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2022-23 JUDICIAL BUDGET PROPOSAL
Court Administrator

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	11,577	11,577	12,290	12,290
Federal Funds:	3,476	1,742	1,563	1,563
CIP	1,129	1,130	1,130	1,130
STOP Grant	268	237	237	237
Adult Drug Eval	175	175	0	0
VTC Strat Planning	0	200	196	196
CESF	1,904	0	0	0
Other Funds	<u>1,460</u>	<u>5,398</u>	<u>5,329</u>	<u>5,329</u>
Total	16,513	18,717	19,182	19,182

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>^2021-22</u>	Judicial <u>^^2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	11,193	11,577	12,145	0
Federal Funds	885	805	805	0
Other Funds	<u>573</u>	<u>3,279</u>	<u>3,314</u>	<u>0</u>
Total	12,651	15,661	16,264	0

(b) "Complement"

	December 31, 2020		December 31, 2021		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2022-23</u>
State Funds	85	82	91	85	89	85	0
Federal Funds	8	8	8	8	8	8	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	93	90	99	93	97	93	0

3. OPERATING (\$000)

	<u>2020-21</u>	<u>^2021-22</u>	Judicial <u>^^2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	384	0	145	0
Federal Funds	1,981	937	758	0
Other Funds	<u>887</u>	<u>2,119</u>	<u>2,015</u>	<u>0</u>
Total	3,252	3,056	2,918	0

4. FIXED ASSETS (\$000)

	2020-21	2021-22	Judicial 2022-23	Gov Rec # 2022-23
State Funds	0	0	0	0
Federal Funds	610	0	0	0
Other Funds	0	0	0	0
Total	610	0	0	0

5. GRANTS AND SUBSIDIES (\$000)

	2020-21	2021-22	Judicial 2022-23	Gov Rec # 2022-23
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)

	2020-21	2021-22	Judicial 2022-23	Gov Rec # 2022-23
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 2021-22 – Personnel and Operating: Other Funds include augmenting revenues of \$4,652 in Act 49 of 2009 revenues.

^Fiscal Year 2022-23 – Personnel and Operating: Other Funds include augmenting revenues of \$4,652 in anticipated Act 49 of 2009 revenues. This budget is predicated on the expectation that the Act 49 sunset date will be extended beyond June 30, 2022.

The federal funds shown each year in this presentation consist primarily of funds under Title IV-B and IV-E of the Social Security Act from the U.S. Department of Health and Human Services, Administration on Children, Youth and Families for the Court Improvement Program (CIP) involving the dependency courts. Each year also includes federal funds provided by the Pennsylvania Commission on Crime and Delinquency (PCCD) from the STOP Violence Against Women grant program to provide training and technical assistance to Pennsylvania's judiciary. Fiscal Year 2021-22 and Fiscal Year 2022-23 include federal grant funds for Veterans Treatment Court (VTC) Strategic Planning. This grant will be used for training. Team-focused training can help team members develop common language and approaches to challenges. It is anticipated that after holding several regional trainings or a VTC Summit addressing veteran-specific issues, that courts will not only feel better prepared to deal with such issues, but that they will establish or revise their treatment court guidelines to be inclusive of all issues facing veteran participants.

7. ASSUMPTIONS

Personnel:

-Increase in salaries and related benefits for 1.75% COLA, and to annualize the cost of Fiscal Year 2021-22 merit increments and provide merit increments in Fiscal Year 2022-23 for filled staff -	\$350,000
-Increase in pension contributions due to increased rates – filled staff -	\$111,000
-Increase in salaries and all benefits to annualize the cost of four vacancies filled/to be filled in Fiscal Year 2021-22 -	\$29,000
-Increase in cost of health/life insurance benefits for filled staff and health insurance benefits for annuitants -	\$107,000
-Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2021-22 -	\$81,000
-Decrease in annual/sick leave payout -	(\$108,000)
-Decrease in unemployment compensation -	(\$2,000)
-Increase in augmentations (DHS) to support CIP personnel costs -	\$35,000

Operating:

-Decrease for professional services -	(\$325,000)
-Increase in miscellaneous operating expenses to maintain current level -	\$17,000
-Decrease in augmentations (DHS) to support CIP operating costs -	(\$35,000)
-Decrease in augmentations to support SJI NODS Data Pilot -	(\$60,000)
-Decrease in augmentations to support SJI language access -	(\$9,000)
-Increase in operating costs for Pilot Video Remote Interpreting project -	\$453,000

Federal Funds:

Operating:

-Decrease in federal funds for Adult Drug Court evaluation -	(\$175,000)
-Decrease in federal funds to support VTC operating costs -	(\$4,000)

8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2020-21</u>	<u>2021-22</u>	<u>Judicial</u> <u>2022-23</u>
Employee Factor	78.61%	81.71%	85.10%

10. NONRECURRING PURCHASES

2021-22: none

2022-23: none

11. PROGRAM STATEMENT

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

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

Funding for AOPC operations comes mainly from appropriated state funds, and also from fee funding and a small amount of federal funds. Funding for its information technology operations—known as the Judicial Computer System (JCS)—is provided by appropriations of restricted receipts contained within the JCS Augmentation Account. More information can be found under the Statewide Judicial Computer System tab later in this book.

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

- Held the first ever Veterans Treatment Court Virtual Summit in conjunction with Justice for Vets. This event was open to all problem-solving court teams and criminal justice professionals who support justice-involved veterans. Some of the topics presented on included military culture, PTSD, traumatic brain injury, military sexual trauma, effective clinical interventions for the justice-involved population, and the mentor/mentee relationship.
 - Presented two virtual “town hall” sessions on the prevention of and responses to elder abuse and financial exploitation that were subsequently broadcast on the Pennsylvania Cable Network.
 - Developed and presented the *Monitoring Guardianships Cases: What the Guardianship Tracking System (GTS) Can Do for You* course to judges and the courses *Reviewing the Inventory and Report of Guardian of the Estate* and *Reviewing the Report of Guardian of the Person* to court staff and orphans’ court clerks to assist the courts with reviewing annual guardianship reports and addressing flags raised by the GTS.
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- Translated a number of important court forms into the top languages for which interpreters are most frequently requested, including landlord/tenant, expungement, language access, and juvenile delinquency forms which are posted to the UJS website. Funding provided from the State Justice Institute.
 - Developed Physical Security Self-Assessment instruments for Common Pleas Courts per RJA 1954.
 - As of December 2021, **42 million** cases were sealed across the MDJS and CPCMS under the auspices of the Clean Slate law. This accounts for 65% of the entire caseload of these systems.

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

2022-23 JUDICIAL BUDGET PROPOSAL
Judicial Center Operations

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	814	814	1,105	1,105
Federal Funds	0	0	0	0
Other Funds	<u>703</u>	<u>1,101</u>	<u>1,101</u>	<u>1,101</u>
Total	1,517	1,915	2,206	2,206

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>^2021-22</u>	Judicial <u>^^2022-23</u>	Gov Rec# <u>2022-23</u>
State Funds	814	814	953	0
Federal Funds	0	0	0	0
Other Funds	<u>372</u>	<u>492</u>	<u>492</u>	<u>0</u>
Total	1,186	1,306	1,445	0

(b) "Complement"

	December 31, 2020		December 31, 2021		Budget		Gov Rec#
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2022-23</u>
State Funds	11	11	11	11	12	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	11	12	11	0

3. OPERATING (\$000)

	<u>2020-21</u>	<u>^2021-22</u>	Judicial <u>^^2022-23</u>	Gov Rec# <u>2022-23</u>
State Funds	0	0	44	0
Federal Funds	0	0	0	0
Other Funds	<u>331</u>	<u>609</u>	<u>609</u>	<u>0</u>
Total	331	609	653	0

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec# <u>2022-23</u>
State Funds	0	0	108	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	108	0

5. GRANTS AND SUBSIDIES (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec# <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec# <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

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

^Fiscal Year 2021-22 – Personnel and Operating: Other Funds include augmenting revenues of \$746 in Act 49 of 2009 revenues.

^Fiscal Year 2022-23 – Personnel and Operating: Other Funds include augmenting revenues of \$746 in anticipated Act 49 of 2009 revenues. This budget is predicated on the expectation that the Act 49 sunset date will be extended beyond June 30, 2022.

7. ASSUMPTIONS

Personnel:

-Increase in salaries and related benefits for 1.75% COLA, and to annualize the cost of Fiscal Year 2021-22 merit increments and to provide merit increments in Fiscal Year 2022-23 for filled staff -	\$27,000
-Increase in pension contribution due to increased rates for filled staff -	\$11,000
-Increase in cost of health/life insurance benefits for filled staff -	\$18,000
-Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2021-22 -	\$8,000
-Increase in salaries and all benefits to annualize the cost of one new position to be filled in Fiscal Year 2021-22 -	\$75,000

Operating:

-Increase in miscellaneous operating expenses -	\$44,000
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Fixed Assets:

-Increase in furniture & equipment for purchase of UPS units (nonrecurring) -	\$108,000
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8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>
Employee Factor	97.88%	99.24%	102.57%

10. NONRECURRING PURCHASES

2021-22: none

2022-23: EDP Equipment > \$25,000 - \$108,000

11. PROGRAM STATEMENT

This appropriation funds the centralized costs to operate the Judicial Center in the capitol complex. This budget request provides full-year funding for 12 staff positions (including one new position) and related operating costs required to support this facility.

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

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

STATUTORY AUTHORITY: Annual Appropriation Act.

2022-23 JUDICIAL BUDGET PROPOSAL
District Court Management - Administrators

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	19,657	19,657	21,994	21,994
Federal Funds	0	0	0	0
Other Funds	<u>8,577</u>	<u>10,224</u>	<u>10,226</u>	<u>10,226</u>
Total	28,234	29,881	32,220	32,220

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>^2021-22</u>	Judicial <u>^^2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	19,634	19,640	21,973	0
Federal Funds	0	0	0	0
Other Funds	<u>8,577</u>	<u>10,224</u>	<u>10,226</u>	<u>0</u>
Total	28,211	29,864	32,199	0

(b) "Complement"

	December 31, 2020		December 31, 2021		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2022-23</u>
State Funds	196	194	196	194	208	194	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	196	194	196	194	208	194	0

3. OPERATING (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	23	17	21	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	23	17	21	0

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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 2021-22 – Personnel: Other Funds include augmenting revenues of \$10,103 in Act 49 of 2009 revenues.

^Fiscal Year 2022-23 – Personnel: Other Funds include augmenting revenues of \$10,103 in anticipated Act 49 of 2009 revenues. This budget is predicated on the expectation that the Act 49 sunset date will be extended beyond June 20, 2022.

7. ASSUMPTIONS

Personnel:

-Increase in salaries and related benefits for a 1.75% COLA and to annualize the cost of Fiscal Year 2021-22 merit increments and to provide merit increments in Fiscal Year 2022-23 for filled staff -	\$760,000
-Increase in pension contributions due to increase in rates for filled staff -	\$150,000
-Increase in salaries and benefits to annualize the cost of two vacant positions to be filled in Fiscal Year 2021-22 -	\$33,000
-Increase in salaries and benefits to annualize the cost of 12 new positions to be filled in Fiscal Year 2021-22 -	\$708,000
-Increase in cost of health/life insurance benefits for staff and health insurance for annuitants -	\$504,000
-Increase in health insurance costs to restore funding due to credits received in Fiscal Year 2021-22 -	\$195,000
-Decrease in annual and sick leave payouts -	(\$17,000)
-Increase in Medicare D subsidy -	\$2,000

Operating:

-Increase in other services - \$4,000

8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>
Employee Factor	86.85%	88.48%	91.79%

10. NONRECURRING PURCHASES

2021-22: none

2022-23: none

11. PROGRAM STATEMENT

This appropriation funds the salaries, benefits and related expenses of the district court administrative positions transitioned to state service January 1, 2000 in accordance with Act 12 of 1999 and those created subsequently. Act 12 authorized those transfers as a means of developing a solid management infrastructure between the state and district courts as components of the overall Unified Judicial System. Judicial district (county) administrative positions have been held steady for some years, but requests to increase funding to fulfill long-standing staff needs are under consideration. As a result, this budget request provides funding for 12 new positions for a total complement of 208, an increase of 33, or 19%, 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

2022-23 JUDICIAL BUDGET PROPOSAL
Office of Elder Justice in the Courts (OEJC)

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	496	496	496	496
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>496</u>	<u>496</u>	<u>496</u>	<u>496</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	329	417	433	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>329</u>	<u>417</u>	<u>433</u>	<u>0</u>

(b) "Complement"

	December 31, 2020		December 31, 2021		Budget		Gov Rec
	<u>Auth</u>	<u>Filed</u>	<u>Auth</u>	<u>Filed</u>	<u>Funded</u>	<u>Filed</u>	<u>2022-23</u>
State Funds	2	2	2	2	2	2	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0	0
Total	<u>2</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>0</u>

3. OPERATING (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	12	79	63	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>12</u>	<u>79</u>	<u>63</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	155	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>155</u>	<u>0</u>	<u>0</u>	<u>0</u>

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

Fiscal Year 2020-21 – Non-expense/Interagency, consists of \$155 transferred to other UJS appropriations in accordance with 72 P.S. Section 1793-E.

ASSUMPTIONS

Personnel:

-Increase in salaries and related benefits for 1.75% COLA, and to annualize the cost of Fiscal Year 2021-22 merit increments and to provide merit provide merit increments in Fiscal Year 2022-23 for filled staff -	\$4,000
-Increase in pension contributions due to increase in rates for filled staff -	\$3,000
-Increase in cost of health/life insurance benefits for filled positions -	\$3,000
-Increase in health insurance costs to restore funding due to credits received in Fiscal Year 2021-22 -	\$1,000
-Increase in senior judge per diem compensation and social security due to rate increase -	\$5,000

Operating:

-Decrease in operating expenses -	(\$16,000)
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8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>
Employee Factor	69.25%	69.21%	72.59%

10. NONRECURRING PURCHASES

2021-22: none

2022-23: none

11. PROGRAM STATEMENT

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

Among the activities and accomplishments of the OEJC in 2021 were the following:

- Presented two virtual “town hall” sessions on the prevention of and responses to elder abuse and financial exploitation that were subsequently broadcast on the Pennsylvania Cable Network;
- created and distributed the *Resource Guide for Health Care Providers* to help front-line, non-legal staff in the health care sector identify when to escalate a guardianship order or power of attorney to their institution’s legal department;
- developed and presented the *Monitoring Guardianships Cases: What the GTS Can Do for You* course to judges and the courses *Reviewing the Inventory and Report of Guardian of the Estate* and *Reviewing the Report of Guardian of the Person* to court staff and orphans’ court clerks to assist the courts with reviewing annual guardianship reports and addressing flags raised by the Guardianship Tracking System;
- developed and distributed to all Common Pleas judges an enhanced Elder Abuse Bench Card that includes remediation and case management tools for use when elder abuse issues arise.

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

2022-23 JUDICIAL BUDGET PROPOSAL
Court Management Education

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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, 2020		December 31, 2021		Budget		Gov Rec
	<u>Auth</u>	<u>Filed</u>	<u>Auth</u>	<u>Filed</u>	<u>Funded</u>	<u>Filed</u>	<u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	0	73	73	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>73</u>	<u>73</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	73	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>73</u>	<u>0</u>	<u>0</u>	<u>0</u>

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

Fiscal Year 2020-21 – Non-expense/Interagency, consists of \$73 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 2021-22.

8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

No salaries are funded from this appropriation.

10. NONRECURRING PURCHASES

No purchases are made from this appropriation.

11. PROGRAM STATEMENT

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

This budget request provides for continued professional education of state-level district court staff, presented in various venues, including regional settings and webinars. 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.

2022-23 JUDICIAL BUDGET PROPOSAL
Judicial Education

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	1,247	1,247	1,899	1,899
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>212</u>	<u>212</u>	<u>212</u>
Total	1,247	1,459	2,111	2,111

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	641	769	847	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	641	769	847	0

(b) "Complement"

	December 31, 2020		December 31, 2021		Budget		Gov Rec #
	<u>Auth</u>	<u>Filed</u>	<u>Auth</u>	<u>Filed</u>	<u>Funded</u>	<u>Filed</u>	<u>2022-23</u>
State Funds	5	4	5	4	5	4	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	5	4	5	4	5	4	0

3. OPERATING (\$000)

	<u>2020-21</u>	<u>^2021-22</u>	Judicial <u>^2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	606	478	1,052	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>212</u>	<u>212</u>	<u>0</u>
Total	606	690	1,264	0

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

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

^Fiscal Year 2021-22 – Operating: Other Funds consist of augmenting revenues of \$212 in Act 49 of 2009 revenues.

^Fiscal Year 2022-23 – Operating: Other Funds consist of augmenting revenues of \$212 in anticipated Act 49 of 2009 revenues. This budget is predicated on the expectation that the Act 49 sunset date will be extended beyond June 30, 2022.

7. ASSUMPTIONS

Personnel:

-Increase in salaries and related benefits for 1.75% COLA, and to annualize the cost of Fiscal Year 2021-22 merit increments and provide merit increments in Fiscal Year 2022-23 for filled staff -	\$19,000
-Increase in salaries and benefits to annualize the cost of one vacant position to be filled in Fiscal Year 2021-22 -	\$42,000
-Increase in cost of health benefits/life insurance for filled staff -	\$6,000
-Increase in health insurance costs to restore funding due to credits received in Fiscal Year 2021-22 -	\$3,000
-Increase in pension contributions for filled staff due to rate increase -	\$8,000

Operating:

-Increase in training/conference costs to restore funding due to use of prior-year encumbrances in Fiscal Year 2021-22 -	\$574,000
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8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>
Employee Factor	75.13%	74.54%	76.18%

10. NONRECURRING PURCHASES

2021-22: none

2022-23: none

11. PROGRAM STATEMENT

The Supreme Court of Pennsylvania adopted continuing education requirements on December 9, 2016, effective January 1, 2017, for all state trial and appellate court judges. The order required each judge to earn annually three hours of judicial ethics education and nine hours of substantive continuing education in judicial practice and related areas.

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

Since the onset of the pandemic, and by necessity, CJE opportunities provided by accredited and non-accredited providers alike have been delivered nearly exclusively by remote technology. To facilitate credit accumulation, the Board suspended the four credit hour limitation on approved distance education for both the 2020 and the 2021 compliance periods. Under this accommodation, judges could satisfy their CJE obligations by earning an unrestricted number of credit hours by participating in accredited distance education programs that meet the Board's interactive and technical requirements. Judges may carry forward into 2023 CJE credits earned during 2022, irrespective of whether the program was delivered live or by remote technology.

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 other providers 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 specialized symposia designed for specific judicial audiences, such as annual meetings for president judges and district 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 Continuing Judicial Education Board of Judges noted above, who are charged with, inter alia, making accreditation decisions, granting waivers and deferrals, and hearing non-compliance appeals.

STATUTORY AUTHORITY: Annual Appropriation Act.

2022-23 JUDICIAL BUDGET PROPOSAL
Problem-Solving Courts

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	1,103	1,103	1,103	1,103
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>1,103</u>	<u>1,103</u>	<u>1,103</u>	<u>1,103</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	197	199	207	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>197</u>	<u>199</u>	<u>207</u>	<u>0</u>

(b) "Complement"

	December 31, 2020		December 31, 2021		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	605	604	596	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>605</u>	<u>604</u>	<u>596</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	301	300	300	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	301	300	300	0

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

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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 senior judge per diems and social security due to increased rates - \$8,000

Operating:

-Decrease in operating expenses - (\$8,000)

8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>
Employee Factor	NA	NA	NA

10. NONRECURRING PURCHASES

2021-22: none

2022-23: 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 2022, there were 129 problem-solving courts in operation in Pennsylvania, including drug courts, mental health courts, domestic violence 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 provides education, training and support for these programs and assists in the 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 2022-23 budget request includes funding to support the regional drug court created to serve three rural counties, grant funding to counties to implement new problem-solving courts, and discretionary grants designed to support program functions of existing problem-solving courts.

STATUTORY AUTHORITY: Annual Appropriation Act.

2022-23 JUDICIAL BUDGET PROPOSAL
Unified Judicial System Security

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	2,002	2,002	2,002	2,002
Federal Funds	0	0	0	0
Other Funds	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>
Total	2,003	2,003	2,003	2,003

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	495	608	641	0
Federal Funds	0	0	0	0
Other Funds	<u>1</u>	<u>1</u>	<u>1</u>	<u>0</u>
Total	496	609	642	0

(b) "Complement"

	December 31, 2020		December 31, 2021		Budget		Gov Rec #
	<u>Auth</u>	<u>Filed</u>	<u>Auth</u>	<u>Filed</u>	<u>Funded</u>	<u>Filed</u>	<u>2022-23</u>
State Funds	6	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	6	5	5	5	5	5	0

3. OPERATING (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	46	61	56	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	46	61	56	0

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	1,461	1,333	1,305	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>1,461</u>	<u>1,333</u>	<u>1,305</u>	<u>0</u>

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

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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: The Fiscal Year 2020-21 and 2021-22 appropriations were provided in the form of continuing appropriations per Acts 1-A and 17-A of 2020 and Act 1-A of 2021, respectively. Likewise, it is requested that the Fiscal Year 2022-23 funding also be provided in the form of a continuing appropriation.

7. ASSUMPTIONS

Personnel:

-Increase in salaries and related benefits for 1.75% COLA, and to annualize the cost of Fiscal Year 2021-22 merit increments and provide merit increments in Fiscal Year 2022-23 for filled staff -	\$14,000
-Increase in salaries and all benefits to annualize the cost of one vacant position filled in Fiscal Year 2021-22 -	\$14,000
-Increase in pension contributions due to increase in rates for filled staff -	\$5,000

Operating:

-Decrease in miscellaneous operating expenses -	(\$5,000)
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Grants and Subsidies:

-Reduction in reimbursement to counties for security enhancements to MDJ offices -	(\$28,000)
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8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>
Employee Factor	74.02%	75.42%	81.39%

10. NONRECURRING PURCHASES

2021-22: none

2022-23: none

11. PROGRAM STATEMENT

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

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

The Fiscal Year 2022-23 request continues to build upon the past years' work of enhancing physical security and safety features for common pleas and magisterial district courts in order to mitigate and respond to the spectrum of risks posed by natural and man-made emergencies (e.g., active shooter/assailants, mass casualty events). In 2021, there were 361 incidents reported at common pleas courts, and 439 at magisterial district courts, for a record total of 800, an increase of nearly 10% from the previous record of 732 incidents reported in 2019.

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

STATUTORY AUTHORITY: Annual Appropriation Act.

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2022-23 JUDICIAL BUDGET PROPOSAL
Statewide Judicial Computer System

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>50,093</u>	<u>50,412</u>	<u>50,111</u>	<u>50,111</u>
Other Funds Itemized:				
-JCS Restricted				
Revenues	45,626	45,626	45,626	45,626
-Miscellaneous	4,357	4,672	4,365	4,365
-Act 119-1996	<u>110</u>	<u>114</u>	<u>120</u>	<u>120</u>
Total	<u>50,093</u>	<u>50,412</u>	<u>50,111</u>	<u>50,111</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>26,916</u>	<u>26,138</u>	<u>27,573</u>	<u>0</u>
Total	<u>26,916</u>	<u>26,138</u>	<u>27,573</u>	<u>0</u>

(b) "Complement"

	December 31, 2020		December 31, 2021		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2022-23</u>
State Funds	0	0	0	0	0	0	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	<u>187</u>	<u>184</u>	<u>179</u>	<u>166</u>	<u>173</u>	<u>167</u>	<u>0</u>
Total	<u>187</u>	<u>184</u>	<u>179</u>	<u>166</u>	<u>173</u>	<u>167</u>	<u>0</u>

3. OPERATING (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>22,272</u>	<u>23,447</u>	<u>22,035</u>	<u>0</u>
Total	<u>22,272</u>	<u>23,447</u>	<u>22,035</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>905</u>	<u>827</u>	<u>503</u>	<u>0</u>
Total	905	827	503	0

5. GRANTS AND SUBSIDIES (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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: 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 2022-23 JCS budget request of \$50.111 million:

- Enterprise Application Maintenance (EAM) – costs related to the maintenance and efficient operation of the magisterial district judge, common pleas criminal court, and appellate court case management systems, UJS Web Portal, Data Hub and the Guardianship Tracking System (GTS) - \$28,366,000
- Costs for the operations of “Jen & Dave’s Law,” mandated by Act 119-1996 - \$120,000
- 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 - \$8,265,000

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- Network/Network Operations Center (NOC) – costs of those resources—including circuit costs, staff, and equipment—to meet the day-to-day networking and network security needs of the Judiciary - \$7,379,000
 - Facility/Administration – costs for shared support staff, rent, utilities, telephone, and building maintenance for primary and secondary data centers - \$5,981,000

The following presents the various increases and decreases required for the operations of JCS from the amounts appropriated in Fiscal Year 2021-22:

Personnel:

-Increase in salaries and related benefits for 1.75% COLA, and to annualize the cost of Fiscal Year 2021-22 merit increments and provide merit increments in Fiscal Year 2022-23 for filled staff -	\$583,000
-Increase in salaries and all benefits to annualize the cost of five vacancies to be in Fiscal Year 2021-22 -	\$243,000
-Increase in cost of health/life insurance benefits for filled positions and health insurance benefits for annuitants -	\$226,000
-Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2021-22 -	\$151,000
-Increase in pension contributions due to increase in rates – filled staff -	\$226,000
-Increase in salaries and all benefits for Jen & Dave staff (Act 119 of 1996 restricted revenues) -	\$6,000

Operating:

-Decrease in software licenses and maintenance for multi-year contract renewals -	(\$1,042,000)
-Decrease in miscellaneous operating expenses -	(\$63,000)
-Decrease for miscellaneous revenue received in Fiscal Year 2021-22 -	(\$307,000)

Fixed Assets:

-Decrease for purchase of network security equipment in Fiscal Year 2021-22 (nonrecurring) -	(\$305,000)
-Decrease for purchase of servers in Fiscal Year 2021-22 (nonrecurring) -	(\$200,000)
-Increase in cost of SAN equipment -	\$6,000
-Increase in cost of UPS replacement in data center -	\$175,000

JCS 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)

Available revenues have fallen 56%, or \$36.7 million over the past 13 years; nearly half of which is the result of the enactment of Act 42 of 2018 which diverts the first \$15 million of Act 64 restricted revenues earmarked for JCS to the School Safety and Security Fund. As a result, over 100 staff and contractor positions have been eliminated, for annual operating cost reductions of \$16 million. Staff reductions have resulted in diminished services to end-users including state and local agencies which rely on these systems.

Act 24 of 2021 provided a one-year pause in the annual diversion of Act 64 restricted revenues. However, in order for the AOPC/IT department to maintain existing systems and continue providing services to the many agencies that rely on the AOPC/IT department, sufficient funding must be provided. Budget projections indicate that unless the pause in the annual diversion of Act 64 funds is made permanent, the account balance will be depleted by the end of Fiscal Year 2023-24.

Other revenues, estimated at \$4.485 million in Fiscal Year 2022-23, are designed to offset costs of specific JCS functions and include online payment fees, expungement fees, public access fees levied on nongovernmental users of information captured by the Magisterial District Judge System (MDJS), and Medicare D subsidies. Restricted revenues for the Jen and Dave program derived from fees established by Act 119 of 1996 will be available to support costs of these statutorily-required operations.

Prior-year encumbrances of approximately \$4.5 million are available and are being used to offset specific contract costs.

8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>
Employee Factor	80.63%	85.39%	87.99%

10. NONRECURRING PURCHASES

2021-22: Network security equipment - \$305,000; Servers - \$200,000

2022-23: none

11. PROGRAM STATEMENT

Pennsylvania continues to be a national leader in judicial computerization. The IT department within AOPC has been recognized for making court information significantly more accessible, improving collection of fines, fees, costs and restitution, and administrative efficiencies throughout the court system.

Funded by revenues derived from court costs, filing fees and designated fines, rather than tax dollars, AOPC's IT department 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

- **2.15 million cases were docketed in 2021 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).
- **105 million docket sheets** were viewed for free on our website in 2021.
- **171,000 electronic case transfers** from the MDJS to the CPCMS during 2021 **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 2021.

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 38 counties and agencies are e-filing original records with 3,564 cases e-filed in 2021.

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- **During 2021, 1,011 individual law enforcement entities/filing types** used e-filing for traffic, parking, and non-traffic citations, and criminal complaints. In addition to improving accuracy and saving court staff thousands of hours a year, e-filing also cuts down on the time needed to complete traffic stops, thereby improving the safety of law enforcement officers.

Court Collections

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

- **PAePay** saw a **record \$164 million collected online in 2021**, a **5 percent increase** over last year.
- Over the last 10 years, AOPC/IT collected and processed nearly **\$4.6 billion** in fines, costs, and restitution. This year saw a \$20 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**[®] saves time by allowing the direct electronic filing of documents with the courts by attorneys and *pro se* litigants.

- By the end of 2021, **41 counties** were using PACFile to electronically submit filings into CPCMS, and **51 counties** were using the electronic records management system (ERMS) for electronic document management.
- By the end of 2021, **51 counties** were using the ERMS solution for electronic document management in the MDJS.

Clean Slate

Act 56 of 2018, which became effective June 28, 2019, expanded the criminal case sealing mandate to include additional offenses meeting specific criteria which required significant systems changes to the two case management systems (MDJS and CPCMS). Act 83 of 2020, referred to as Clean Slate II, further expanded the category of eligible cases to include pardoned offenses and reduced the financial eligibility requirements for those with convictions to satisfy only court-ordered restitution and statutorily mandated fee authorized to carry out Clean Slate. Likewise, the financial requirement for non-convictions was also reduced to only satisfying restitution to be eligible.

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- AOPC/IT staff cost to implement Clean Slate exceeded \$4 million.
 - As of December 2021, **42 million** cases were sealed accounting for 65% of the entire caseload of the MDJS and CPCMS.

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

2022-23 JUDICIAL BUDGET PROPOSAL
Integrated Criminal Justice System (JNET)

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	2,372	2,372	2,372	2,372
Federal Funds	52	0	0	0
Other Funds	0	0	0	0
Total	<u>2,424</u>	<u>2,372</u>	<u>2,372</u>	<u>2,372</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	672	697	732	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>672</u>	<u>697</u>	<u>732</u>	<u>0</u>

(b) "Complement"

	December 31, 2020		December 31, 2021		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2022-23</u>
State Funds	4	4	4	4	4	4	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0	0
Total	<u>4</u>	<u>4</u>	<u>4</u>	<u>4</u>	<u>4</u>	<u>4</u>	<u>0</u>

3. OPERATING (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	1,700	1,675	1,640	0
Federal Funds	52	0	0	0
Other Funds	0	0	0	0
Total	<u>1,752</u>	<u>1,675</u>	<u>1,640</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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.

The federal funds shown in Fiscal Year 2020-21 consist of federal funds from the U.S. Department of Justice made available to AOPC/IT as a subgrant from the Pennsylvania Commission on Crime and Delinquency (PCCD). The grant supported AOPC/IT activities in a two-year project led by JNET to update the electronic criminal complaint E-Filing system. The grant expired December 31, 2020.

7. ASSUMPTIONS

Personnel:

-Increase in salaries and related benefits for 1.75% COLA, and to annualize the cost of Fiscal Year 2021-22 merit increments and to provide merit increments in Fiscal Year 2022-23 for filled staff -	\$21,000
-Increase in cost of health/life insurance benefits for filled positions -	\$6,000
-Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2021-22 -	\$2,000
-Increase in pension contributions for filled staff due to rate increase -	\$6,000

Operating:

-Decrease in miscellaneous operating costs -	(\$35,000)
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8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>
Employee Factor	66.01%	67.19%	69.51%

10. NONRECURRING PURCHASES

2021-22: none

2022-23: none

11. PROGRAM STATEMENT

This appropriation funds portions of 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 2022-23 budget request seeks continued funding for limited staff and related operating costs in support of JNET functions, and a portion of the telecommunications costs between the Administrative Office of Pennsylvania Court's Information Technology (AOPC/IT) department and magisterial district judge (MDJ) offices to allow JNET traffic to flow to and from MDJ offices and other supporting systems and provide JNET access to the district courts.

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

A number of messages are in various stages of the product development lifecycle including initial development and maintenance. These messages continue to assist in supporting the statewide Magisterial District Judge System (MDJS), Common Pleas Criminal Court Case Management System (CPCMS) and other criminal justice agency related systems:

- The Court Case Event (CCE) messages are event-triggered messages published from the CPCMS and MDJS systems. County agencies filing electronic information into the CPCMS will receive updated case information through this JNET messaging structure.

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- AOPC/IT provides JNET with data to be used for a new JNET Recidivism Dashboard initiative. In 2022, JNET will begin to use the CCE messages to acquire information, process it through a data analysis tool and deliver secure information for recidivism statistics.
 - AOPC/IT provides information to JNET's Federated Warrant Search application and its Federated Address application and continues to report dispositions electronically through the JNET infrastructure updating the Criminal History Repository (CHR). AOPC/IT implemented an enhancement project with JNET and PSP to improve the statewide warrant process that allows the electronic filing of warrants into the Commonwealth Law Enforcement Assistance Network (CLEAN) and National Crime Information Center (NCIC) if all required information is filed on the initiating criminal complaint and entered into the MDJS. This eliminates the need for the manual entry of warrant information by local law enforcement officers.
 - AOPC/IT implemented a message that allows users of the Pennsylvania Commission on Sentencing's (PCS) Web-based Sentencing Guideline Software (SGS) to query basic case information from the CPCMS and MDJS to assist with data entry and to reduce errors. Per a request by the PCS, functionality was added to support their mandate to implement a recidivism risk assessment tool. AOPC/IT continues to work with the PCS in support of this interface that allows the PCS to make a CCE Request/Reply that will return case information on all cases where an identified offender (as determined by personal demographic information) was the defendant. The Department of Corrections (DOC) is using this functionality as well.
 - AOPC/IT, JNET, and the County Commissioners Association of Pennsylvania (CCAP) continue to provide Case Initiation and Case Disposition and Sentencing events to populate county-based systems, such as District Attorney (DA) systems, Probation systems, and Jail systems. CCAP offers a Public Defender version of their Unified Case Management system (UCM), and AOPC/IT produces a public version of the CCE message to be used with this initiative that is transmitted utilizing the JNET infrastructure. The public CCE message is also used by the Pennsylvania State Employee Retirement System (SERS) and Public School Employees' Retirement System (PSERS) to support compliance monitoring of member benefits.

AOPC/IT continues to work with JNET to make additional information available via the JNET 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 message. This information will be used in making restitution claims at the Courts of Common Pleas.
 - Ongoing support of various electronic filing methods for criminal complaints, traffic, and non-traffic citations. AOPC/IT and PSP implemented a statewide project to file traffic
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citations electronically into the MDJS system, and AOPC/IT continues to work with local police agencies to replicate this same functionality on a municipal level. Electronic filing at both the state and municipal level has been expanded to include parking citations, non-traffic citations and criminal complaints. During 2021, over 1,000 law enforcement agencies (including each filing type) facilitated electronic filings, saving district court staff and law enforcement officers numerous hours by averting the need for manual data entry and reducing the travel time to deliver the physical copy of the citation to the court.

- In January 2019, the AOPC, PSP, JNET, and the Chiefs of Police Association were awarded a National Criminal History Improvement Program (NCHIP) sub grant under PCCD to support an update to the electronic criminal complaint e-filing and OTN single source generator system which will enhance the quality of records contained in the FBI and National Instant Criminal Background Check System (NICS). In addition to enhancing the availability of arrest and disposition records at the state and national level, it will also provide a uniform tool for state and municipal police to file criminal complaints electronically with the courts. Both the JNET electronic compliant application and the OTN single source generator system were deployed in late 2021. AOPC/IT, JNET, and PSP continue to provide support to law enforcement as this is implemented statewide.
- 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.
- Maintaining search services to support JNET application search modules including warrant search, address search, personal identifier search, and offense search for the Office of Victim Advocates.
- Providing real time messaging to support JNET's notification service providing law enforcement and criminal justice agencies with proactive information on individuals that they are tracking.
- 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.

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- Ongoing work with PSP and Attorney General's Office to provide case information needed for Megan's Law/Walsh Act compliance tracking.
 - Receiving information from Central Participant Subscription Services related to activations, terminations and address changes for attorneys, officers, constables and certified bail insurers.
 - Providing/receiving case information to/from DA offices.
 - Working with JNET and the Mid-Atlantic Regional Information Sharing (MARIS) to provide access to court data in support of their federated person search initiative.
 - Providing 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.
 - AOPC/IT supports the Guardianship Tracking System (GTS) which uses a JNET interface. The interface provides a mechanism for the GTS to receive electronic case initiation data as new petitions are filed in the counties' Orphans' Courts proprietary case management systems. This reduces the necessity for the court staff to manually enter this information into both local systems and the GTS.
 - AOPC/IT developed and implemented an essential service required to support the Clean Slate Law (Act 56 of 2019). Utilizing the JNET infrastructure, the AOPC/IT department provides PSP with candidates for removal of approved cases/charges from public view, and when a common pleas judge issues a Clean Slate order, communication of that order is transmitted to criminal justice agencies via JNET so that records may be marked as "limited access". AOPC/IT has updated the service process multiple times to support additional legislative requirements.

STATUTORY AUTHORITY: Annual Appropriation Act.

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2022-23 JUDICIAL BUDGET PROPOSAL
Common Pleas

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	117,739	117,739	130,270	130,270
Federal Funds	0	0	0	0
Other Funds	<u>24,466</u>	<u>26,745</u>	<u>26,750</u>	<u>26,750</u>
Total	142,205	144,484	157,020	157,020

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>^2021-22</u>	Judicial <u>^^2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	117,698	117,683	130,214	0
Federal Funds	0	0	0	0
Other Funds	<u>24,466</u>	<u>26,745</u>	<u>26,750</u>	<u>0</u>
Total	142,164	144,428	156,964	0

(b) "Complement"

	December 31, 2020		December 31, 2021		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2022-23</u>
State Funds	458	446	458	432	444	424	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	458	446	458	432	444	424	0

3. OPERATING (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	41	56	56	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	41	56	56	0

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

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

^Fiscal Year 2021-22 – Personnel: Other Funds include augmenting revenues of \$26,336 in Act 49 of 2009 revenues.

^Fiscal Year 2022-23 – Personnel: Other Funds include augmenting revenues of \$26,336 in anticipated Act 49 of 2009 revenues. This budget is predicated on the expectation that the Act 49 sunset date will be extended beyond June 30, 2022.

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 3% increase in judges’ salaries effective January 1, 2023. The resulting salaries are as follows. Salaries of certain president judges and administrative judges are slightly higher:

	<u>July - December, 2022</u>	<u>January - June, 2023</u>
Common Pleas Judge	\$197,119	\$203,033

Proposed personnel expenditures follow:

-Increase in salaries and related benefits for Judicial COLAs for 424 filled CP Judges (5.6% effective 1/1/2022 and 3% effective 1/1/2023) -	\$7,345,000
-Increase in pension contributions due to increase in rates for filled judges -	\$2,851,000
-Increase in salaries and all benefits to annualize the cost of 19 vacant judge positions filled in the November 2021 election -	\$2,793,000

-Increase in salaries and all benefits to annualize the cost of one new judge position filled in the November 2021 election (per Act 49 of 2017) -	\$148,000
-Decrease in salaries and benefits for the cost of eight positions funded in Fiscal Year 2021-22 but not funded in Fiscal Year 2022-23 due to current resignations -	(\$2,264,000)
-Increase in cost of health/life insurance benefits for 424 CP judges and health insurance for annuitants -	\$1,112,000
-Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2021-22 -	\$546,000
-Increase in Medicare D subsidy -	\$5,000

8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2020-21</u>	<u>2021-22</u>	<u>Judicial 2022-23</u>
Employee Factor	72.38%	73.59%	76.53%

10. NONRECURRING PURCHASES

No purchases are made from this appropriation.

11. PROGRAM STATEMENT

The Courts of Common Pleas are courts of general trial jurisdiction, having original jurisdiction over all cases not exclusively assigned to another court. Legislative acts over the last 20 years have increased the complement from 408 to 459, with the last judgeship being added in the 2021 municipal election, effective January 3, 2022 per Act 49 of 2017. This budget request includes funding for only 444 positions (15 positions are not funded as a budgetary allowance for vacancies during Fiscal Year 2022-23).

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.

2022-23 JUDICIAL BUDGET PROPOSAL
Common Pleas Senior Judges

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	4,004	4,004	4,291	4,291
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>664</u>	<u>664</u>	<u>664</u>
Total	4,004	4,668	4,955	4,955

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>^2021-22</u>	Judicial <u>^^2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	2,424	3,926	4,213	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>664</u>	<u>664</u>	<u>0</u>
Total	2,424	4,590	4,877	0

(b) "Complement"

	December 31, 2020		December 31, 2021		Budget		Gov Rec
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	77	78	78	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	77	78	78	0

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	1,503	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	1,503	0	0	0

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

Fiscal Year 2020-21 – Non-expense/Interagency, consists of \$1,503 transferred to other UJS appropriations in accordance with 72 P.S. Section 1793-E.

^Fiscal Year 2021-22 – Personnel: Other Funds consist of augmenting revenues of \$664 in Act 49 of 2009 revenues.

^Fiscal Year 2022-23 – Personnel: Other Funds consist of augmenting revenues of \$664 in anticipated Act 49 of 2009 revenues. This budget is predicated on the expectation that the Act 49 sunset date will be extended beyond June 30, 2022.

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 an assumed 3% increase in per diems effective January 1, 2023. The resulting per diem compensation rates used in this budget are as follows:

July – December, 2022
\$611

January - June, 2023
\$630

Proposed personnel expenditures follow:

-Increase in senior judge per diems and social security due to increased rates - \$287,000

8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>
Employee Factor	NA	NA	NA

10. NONRECURRING PURCHASES

No purchases are made from this appropriation.

11. PROGRAM STATEMENT

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

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

In accordance with Pennsylvania Rule of Judicial Administration 701 as amended on November 20, 2007, eligibility for senior judge service ends the last day of the calendar year in which the senior judge attains age 78. Senior judge service ends the last day of the calendar year in which age 80 is attained for those senior judges then in service who were exempted by the imposition of age limits by Pa RJA 701. Eligibility for senior judge service was further restricted by a December 17, 2009 amendment to Rule 701, effective January 4, 2010, by adding a minimum age requirement of 65, or a combination of years of judicial service plus age that totals at least 80. As of January 3, 2022, there were 100 authorized Common Pleas senior judges.

The Judicial Needs Assessment tool (a performance-based metric developed by the CP Weighted Caseload Study) must be considered by President Judges requesting senior judge use, and AOPC when approving them.

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

2022-23 JUDICIAL BUDGET PROPOSAL
Magisterial District Judges

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	82,802	82,802	92,186	92,186
Federal Funds	0	0	0	0
Other Funds	10,890	13,003	13,003	13,003
Total	<u>93,692</u>	<u>95,805</u>	<u>105,189</u>	<u>105,189</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>^2021-22</u>	Judicial <u>^2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	82,515	82,502	91,880	0
Federal Funds	0	0	0	0
Other Funds	10,890	13,003	13,003	0
Total	<u>93,405</u>	<u>95,505</u>	<u>104,883</u>	<u>0</u>

(b) "Complement"

	December 31, 2020		December 31, 2021		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2022-23</u>
State Funds	512	493	511	481	501	478	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0	0
Total	<u>512</u>	<u>493</u>	<u>511</u>	<u>481</u>	<u>501</u>	<u>478</u>	<u>0</u>

3. OPERATING (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	160	176	182	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>160</u>	<u>176</u>	<u>182</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	127	124	124	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	127	124	124	0

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

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

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

^ Fiscal Year 2021-22 – Personnel: Other Funds include augmenting revenues of \$13,003 in Act 49 of 2009 revenues.

^^ Fiscal Year 2022-23 – Personnel: Other Funds include augmenting revenues of \$13,003 in anticipated Act 49 of 2009 revenues. This budget is predicated on the expectation that the Act 49 sunset date will be extended beyond June 30, 2022.

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 3.0% increase in the judicial salaries and per diems effective January 1, 2023. Assumptions regarding judges' salaries and senior judge per diem compensation are as follows:

	<u>July - December, 2022</u>	<u>January - June, 2023</u>
Magisterial District Judge	\$98,565	\$101,522
Senior Magisterial Dist. Judge per diem	\$270.78	\$278.91

Per diem compensation rates paid to assigned senior magisterial district judges are calculated by dividing the annual salary by the number of days in the judicial year, which is 364 days in both 2022 and 2023. The budgeted rate reflects an average of the above rates.

Proposed personnel expenditures follow:

-Increase in salaries and related benefits for Judicial COLAs for 478 filled MDJ positions (5.6% effective 1/1/2022 and 3% effective 1/1/2023) -	\$4,219,000
-Increase in pension contributions due to increase in rates – filled judges -	\$1,721,000
-Increase in salaries and all benefits to annualize the cost of 23 vacant judge positions filled in November 2021 election -	\$1,897,000
-Increase in cost of health/life insurance for 478 MDJs and health insurance for annuitants -	\$790,000
-Increase in cost of health insurance benefits due to credits received in Fiscal Year 2021-22 -	\$669,000
-Increase for senior judge costs due to increased rates -	\$82,000

Operating:

-Increase in miscellaneous operating costs -	\$6,000
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8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2020-21</u>	<u>2021-22</u>	<u>Judicial 2022-23</u>
Employee Factor	101.88%	104.06%	106.41%

10. NONRECURRING PURCHASES

2021-22: none

2022-23 none

11. PROGRAM STATEMENT

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

With jurisdiction over summary criminal cases, landlord-tenant matters, and other civil actions where the amount claimed does not exceed \$12,000 (increased from \$8,000 by Act 114 of 2010), magisterial district judges may also accept guilty pleas to misdemeanors of the third degree under certain circumstances, issue warrants, and hold arraignments and preliminary hearings in criminal cases. Although magisterial district judges need not be lawyers, those

who are not attorneys must complete an educational course and pass a qualifying examination before taking office. Every magisterial district judge and authorized senior magisterial district judge must participate in one week of continuing education each year. These education programs are administered by the Minor Judiciary Education Board and are funded from the Magisterial District Judge Education appropriation.

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

The Supreme Court is charged with realigning magisterial districts following the decennial census. Following the 2010 census, the Supreme Court, in an effort to consolidate magisterial district judge offices in a cost-cutting effort, approved realignment plans creating, eliminating, realigning, and reestablishing districts which resulted in a net decrease of 33 districts. Two additional districts have since been eliminated, bringing the current complement, as of January 2022, to 510. This budget request includes funding for only 501 positions (nine positions are not funded as a budgetary allowance for vacancies during Fiscal Year 2022-23).

The Supreme Court is again undertaking the task of realigning the magisterial districts using the results of the 2020 census.

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

2022-23 JUDICIAL BUDGET PROPOSAL
Magisterial District Judge Education

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	744	744	1,020	1,020
Federal Funds	0	0	0	0
Other Funds	<u>15</u>	<u>21</u>	<u>16</u>	<u>16</u>
Total	759	765	1,036	1,036

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	349	360	316	0
Federal Funds	0	0	0	0
Other Funds	<u>2</u>	<u>3</u>	<u>4</u>	<u>0</u>
Total	351	363	320	0

(b) "Complement"

	December 31, 2020		December 31, 2021		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2022-23</u>
State Funds	2	2	2	1	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	1	2	2	0

3. OPERATING (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	395	384	704	0
Federal Funds	0	0	0	0
Other Funds	<u>13</u>	<u>18</u>	<u>12</u>	<u>0</u>
Total	408	402	716	0

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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:

- Decrease in salaries and benefits for staff and medical benefits for annuitants - (\$44,000)
- Increase in Medicare D subsidy - \$1,000

Operating:

- Increase in training and conference costs to restore funding due to use of prior-year encumbrances in Fiscal Year 2021-22 - \$320,000
- Decrease in MDJ Education Program augmentations due to election cycle - (\$6,000)

This budget request is predicated upon the receipt of \$12,000 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>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>
Employee Factor	105.37%	107.77%	135.89%

10. NONRECURRING PURCHASES

2021-22: none

2022-23: none

11. PROGRAM STATEMENT

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

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

Continuing education for all of the Commonwealth's magisterial district judges and Municipal Court arraignment court magistrates is mandated by the Judicial Code (42 Pa.C.S. Section 3118). In addition, the Minor Judiciary Education Board implements Rules 601 to 604 of the Rules of Judicial Administration promulgated by the Pennsylvania Supreme Court. The rules require annual continuing education for magisterial district judges, senior magisterial district judges, and Municipal Court arraignment court magistrates. Accordingly, the board conducts week-long continuing education classes for these officials. The Minor Judiciary Education Board also approves one week of supplemental practicum training for newly-elected and appointed magisterial district judges within the first year of their taking office.

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 510 magisterial district judges, and six Philadelphia Municipal Court arraignment court magistrates. Additionally, continuing education is available for the current 98 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.

2022-23 JUDICIAL BUDGET PROPOSAL
Philadelphia Municipal Court

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	7,794	7,794	9,122	9,122
Federal Funds	0	0	0	0
Other Funds	<u>2,075</u>	<u>2,346</u>	<u>2,346</u>	<u>2,346</u>
Total	9,869	10,140	11,468	11,468

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>^2021-22</u>	Judicial <u>^^2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	7,792	7,733	9,061	0
Federal Funds	0	0	0	0
Other Funds	<u>2,075</u>	<u>2,346</u>	<u>2,346</u>	<u>0</u>
Total	9,867	10,079	11,407	0

(b) "Complement"

	December 31, 2020		December 31, 2021		Budget		Gov Rec #
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2022-23</u>
State Funds:							
Judges	27	26	27	24	27	24	0
Arrestment Ct. Mag.	6	6	6	6	6	6	0
Hearing Officers	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	37	36	37	34	37	34	0

3. OPERATING (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	2	61	61	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	2	61	61	0

4. FIXED ASSETS (\$000)

	2020-21	2021-22	Judicial 2022-23	Gov Rec # 2022-23
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)

	2020-21	2021-22	Judicial 2022-23	Gov Rec # 2022-23
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)

	2020-21	2021-22	Judicial 2022-23	Gov Rec # 2022-23
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 2021-22 – Personnel: Other Funds include augmenting revenues of \$2,346 in Act 49 of 2009 revenues.

^Fiscal Year 2022-23 – Personnel: Other Funds include augmenting revenues of \$2,346 in anticipated Act 49 of 2009 revenues. This budget is predicated on the expectation that the Act 49 sunset date will be extended beyond June 30, 2022.

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 3% increase in the judicial salaries and per diems effective January 1, 2023. Assumptions regarding judges' salaries and senior judge per diem compensation are as follows:

	<u>July - December, 2022</u>	<u>January - June, 2023</u>
President Judge	\$195,533	\$201,399
Judge (26)	\$192,558	\$198,335
Arraignment Court Magistrate (6)*	\$103,586	\$106,694
Senior Judge per diem	\$611	\$630

*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 salaries and related benefits for 24 filled judges (5.6% effective 1/1/2022 and 3% effective 1/1/2023) -	\$426,000
-Increase in salaries and all benefit to annualize the cost of two vacant judge positions filled in the November 2021 election -	\$288,000
-Increase in salaries and all benefit for the cost of one vacant judge position -	\$277,000
-Increase in cost of health/life insurance benefits for 24 filled judges and health insurance for annuitants -	\$71,000
-Increase in pensions contributions for filled judges due to rate increase -	\$177,000
-Increase in senior judge per diem compensation and social security due to increased rates -	\$10,000
-Decrease in senior judge per diem compensation and social security due to decreased days (from 280 days to 200 days) -	(\$52,000)
-Increase in salaries and related benefits for annual COLAs for six arraignment court magistrates -	\$54,000
-Increase in cost of health/life insurance benefits for six arraignment court magistrates and health insurance for annuitants -	\$10,000
-Increase in pensions contributions for arraignment court magistrates due to rate increase -	\$3,000
-Increase in salaries and related benefits for 1.75% COLA for four hearing officers -	\$9,000
-Increase in cost of health/life insurance benefits for four hearing officers -	\$6,000
-Increase in pensions contributions for hearing officers due to rate increase -	\$2,000
-Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2021-22 -	\$47,000

8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>
Employee Factor:			
Judges	76.27%	77.92%	79.28%
Arraignment Court Magistrates	80.39%	83.10%	83.94%
Hearing Officers	65.90%	64.83%	67.14%

10. NONRECURRING PURCHASES

No purchases are made from this appropriation.

11. PROGRAM STATEMENT

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

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

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

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

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2022-23 JUDICIAL BUDGET PROPOSAL
County Court Reimbursement

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</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, 2020		December 31, 2021		Budget		Gov Rec
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	23,136	23,136	23,136	0
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	0

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

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

7. ASSUMPTIONS

Grants and Subsidies:

The budget request is based on the December 31, 2021 authorized complement of Common Pleas judges calculated at the effective reimbursement rate of \$45,460 funded in the current fiscal year (a proportional reduction of 35.06%). Although the statutory rate remains \$70,000 with the requirement that no county shall receive less than 77.5 percent of the actual reimbursement for court costs provided to it from funds appropriated for Fiscal Year 1980-81 (results in a flat \$10,075,327 grant payment to Philadelphia for its 93 judges), Act 37 of 2007 requires the proportional reduction in each county’s grant if insufficient funding is provided to reimburse at the statutory rate. The Judiciary requests the same level of funding as provided in Fiscal Year 2021-22. ** Funding this grant at the full statutory rate would require an appropriation of \$35.626 million, an amount \$12.49 million above the amount requested. **

The amount requested was computed as follows:

365 judges @ \$45,460	\$16,592,832
<u>93 Philadelphia judges</u>	<u>6,543,168</u>
458 Total complement	\$23,136,000

Proposed grant payments follow.

8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

No salaries are funded from this appropriation.

10. NONRECURRING PURCHASES

No purchases are made from this appropriation.

11. PROGRAM STATEMENT

This budget requests funds to make grant payments to counties to reimburse costs associated with the administration and operation of the Courts of Common Pleas. The grant amount is determined by language contained in statute, and in the annual Appropriation Act that specifies that the grant is reimbursement for the costs incurred in the prior calendar year. Act 37 of 2007 provides that in the event the total county reimbursement qualifying for payment exceeds the amount appropriated, every county's grant is to be proportionally reduced so as not to exceed the amount appropriated. In judicial districts comprising more than one county, county allocations are based on each county's percentage of the district's total population. Such population figures are based on the data from the most-current decennial census available, presently 2020.

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

FY 2022-23 ESTIMATE
COMMON PLEAS COUNTY COURT REIMBURSEMENT
(Calendar 2021)

County	Comp	Reimbursement	County	Comp	Reimbursement
Adams	4	\$181,839	Jefferson	1	\$45,460
Allegheny	43	\$1,954,771	Juniata/ Perry	2	\$30,913
Armstrong	2	\$90,920	Lackawanna	9	\$409,138
Beaver	7	\$318,219	Lancaster	15	\$681,897
Bedford	2	\$90,920	Lawrence	4	\$181,839
Berks	13	\$590,977	Lebanon	4	\$181,839
Blair	5	\$227,299	Lehigh	10	\$454,598
Bradford	2	\$90,920	Luzerne	10	\$454,598
Bucks	15	\$681,897	Lycoming	5	\$227,299
Butler	6	\$272,759	McKean	2	\$90,920
Cambria	5	\$227,299	Mercer	4	\$181,839
Cameron	1	\$5,910	Mifflin	2	\$90,920
Elk		\$39,550	Monroe	7	\$318,219
Carbon	3	\$136,379	Montgomery	24	\$1,091,035
Centre	4	\$181,839	Northampton	9	\$409,138
Chester	14	\$636,437	Northumberland	3	\$136,379
Clarion	1	\$45,460	Philadelphia*	93	\$6,543,168
Clearfield	2	\$90,920	Pike	2	\$90,920
Clinton	2	\$90,920	Potter	1	\$45,460
Columbia/ Montour	2	\$70,918 \$20,002	Schuylkill	6	\$272,759
Crawford	3	\$136,379	Snyder	2	\$43,641
Cumberland**	7	\$318,219	Union		\$47,279
Dauphin	10	\$454,598	Somerset	3	\$136,379
Delaware	21	\$954,656	Sullivan/ Wyoming	1	\$8,183 \$37,277
Erie	9	\$409,138	Susquehanna	1	\$45,460
Fayette	5	\$227,299	Tioga	1	\$45,460
Forest/ Warren	2	\$13,638 \$77,282	Venango	2	\$90,920
Franklin/ Fulton	5	\$206,842 \$20,457	Washington	7	\$318,219
Greene	2	\$90,920	Wayne	1	\$45,460
Huntingdon	1	\$45,460	Westmoreland	11	\$500,058
Indiana	3	\$136,379	York	15	\$681,897
365 @ \$45,460 each		\$16,592,832	COMPLEMENT		458
93 @ lump sum amount		<u>6,543,168</u>	COUNTY REIMBURSEMENT		<u>\$23,136,000</u>
TOTAL REQUIREMENT ¹		<u>\$23,136,000</u>			

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

* Denotes exception to \$70,000 rule.

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

2022-23 JUDICIAL BUDGET PROPOSAL
Rule 701 – Senior Judge Support Reimbursement

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	1,375	1,375	1,375	1,375
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>1,375</u>	<u>1,375</u>	<u>1,375</u>	<u>1,375</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</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, 2020		December 31, 2021		Budget		Gov Rec
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	932	1,375	1,375	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	932	1,375	1,375	0

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

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	443	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	443	0	0	0

Fiscal Year 2020-21 – Non-expense/Interagency, consists of \$443 transferred to other Unified Judicial System appropriations in accordance with 72 P.S. Section 1793-E.

7. ASSUMPTIONS

Grants and Subsidies:

The budget request will provide partial reimbursement for county expenses based upon statutory reimbursement rates and actual support provided to common pleas senior judges while on assignment. The Judiciary requests funding at the same level provided in Fiscal Year 2021-22.

8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

No salaries are funded from this appropriation.

10. NONRECURRING PURCHASES

No purchases are made from this appropriation.

11. PROGRAM STATEMENT

This request is to help defray county expenses in support of assigned Common Pleas Court senior judges pursuant to Acts 40 and 49 of 2017, and Pennsylvania Rule of Judicial Administration 701. Such expenses are incurred to provide suitable facilities and adequate

staff to senior judges formerly of the judicial district who are regularly or periodically assigned in that district and for visiting senior judges. Suitable facilities and staff consist of the use of judicial chambers, including office equipment and supplies, and the services of a law clerk and a secretary necessary to conduct judicial business. Rule 701 seeks the provision of this reasonable minimal administrative support to senior judges while on assignment.

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

As mandated by statute, no county shall receive in any year reimbursement under this grant in an amount that exceeds 20 percent of the amount appropriated. Also, in the event that the total amount counties are eligible to receive as evidenced by claims submitted is greater than the amount appropriated, Act 49, as did Act 37 before it, provides that each county's grant be proportionately reduced to bring the total within the amount appropriated. In FY 2020-21, the imposition of the cap was not applied as none of the reimbursement requests were affected by the cap and each county received the amount of their submitted reimbursement request since the total reimbursements 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 2021 are to be submitted by April 1, 2022, 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 2020-21 ACTUAL
 RULE 701 - SENIOR JUDGE SUPPORT REIMBURSEMENT
 (Calendar 2020)

County	<u>Secretary</u>		<u>Law Clerk</u>		<u>Facilities</u>		<u>Total</u>
	Hours	Amount	Hours	Amount	Days	Amount	Reimbursement
Adams	0	\$0	0	\$0	2.0	\$120	\$120
Allegheny	2,600	31,200	6,239	124,780	532.5	31,950	\$187,930
Armstrong	37	444	19	380	31.0	1,860	2,684
Beaver	579	6,948	171	3,420	51.5	3,090	13,458
Bedford	20	240	0	0	5.5	330	570
Berks	2,080	24,960	2,080	41,600	101.5	6,090	72,650
Blair	103	1,236	5	100	43.0	2,580	3,916
Bradford	175	2,100	5	100	49.5	2,970	5,170
Bucks	1,972	23,664	1,232	24,640	305.0	18,300	66,604
Butler	197	2,364	125	2,500	55.5	3,330	8,194
Cambria	488	5,856	488	9,760	69.5	4,170	19,786
Cameron	0	0	0	0	3.0	180	180
Carbon	8	96	0	0	2.0	120	216
Centre	435	5,220	0	0	4.5	270	5,490
Chester	1,418	17,016	579	11,580	202.5	12,150	40,746
Clarion	86	1,032	32	640	117.0	7,020	8,692
Clinton	19	228	26	520	10.0	600	1,348
Columbia	137	1,644	240	4,800	10.0	600	7,044
Crawford	1,005	12,060	505	10,100	137.0	8,220	30,380
Dauphin	354	4,248	283	5,660	46.5	2,790	12,698
Delaware	1,512	18,144	0	0	83.0	4,980	23,124
Elk	44	528	27	540	79.0	4,740	5,808
Fayette	570	6,840	178	3,560	105.5	6,330	16,730
Forest	1	12	1	20	1.0	60	92
Greene	8	96	101	2,020	34.0	2,040	4,156
Huntingdon	455	5,460	728	14,560	88.0	5,280	25,300
Indiana	1	12	3	60	3.0	180	252
Jefferson	54	648	54	1,080	9.5	570	2,298
Lackawanna	1,659	19,908	2,601	52,020	262.0	15,720	87,648
Lancaster	66	792	0	0	5.0	300	1,092
Lawrence	64	768	64	1,280	8.5	510	2,558
Lehigh	425	5,100	7	140	70.5	4,230	9,470

FY 2020-21 ACTUAL
 RULE 701 - SENIOR JUDGE SUPPORT REIMBURSEMENT
 (Calendar 2020)

County	<u>Secretary</u>		<u>Law Clerk</u>		<u>Facilities</u>		<u>Total</u>
	Hours	Amount	Hours	Amount	Days	Amount	Reimbursement
Luzerne	585	7,020	4	80	92.0	5,520	12,620
Lycoming	17	204	48	960	6.0	360	1,524
McKean	0	0	6	120	0.0	0	120
Mercer	8	96	0	0	7.5	450	546
Mifflin	0	0	46	920	9.5	570	1,490
Monroe	1	12	1	20	2.0	120	152
Montgomery	168	2,016	168	3,360	25.0	1,500	6,876
Northampton	42	504	26	520	6.5	390	1,414
Northumberland	237	2,844	237	4,740	79.0	4,740	12,324
Philadelphia	1,687	20,244	1,953	39,060	279.0	16,740	76,044
Potter	0	0	0	0	45.0	2,700	2,700
Schuykill	249	2,988	0	0	98.5	5,910	8,898
Snyder	93	1,116	25	500	31.0	1,860	3,476
Somerset	0	0	0	0	8.0	480	480
Tioga	154	1,848	102	2,040	56.0	3,360	7,248
Union	37	444	12	240	24.0	1,440	2,124
Warren	6	72	5	100	8.0	480	652
Washington	1,528	18,336	1,528	30,560	39.0	2,340	51,236
Wayne	11	132	0	0	10.5	630	762
Westmoreland	378	4,536	418	8,360	69.0	4,140	17,036
Wyoming	116	1,392	53	1,060	20.5	1,230	3,682
York	1,184	14,208	1,976	39,520	14.0	840	54,568
TOTAL	23,073.0	\$276,876	22,401.0	\$448,020	3,458.0	\$207,480	\$932,376

2022-23 JUDICIAL BUDGET PROPOSAL
Juror Cost Reimbursement

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	1,118	1,118	1,118	1,118
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>1,118</u>	<u>1,118</u>	<u>1,118</u>	<u>1,118</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</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, 2020		December 31, 2021		Budget		Gov Rec
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	194	1,118	1,118	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	194	1,118	1,118	0

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

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	924	0	0	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	924	0	0	0

Fiscal Year 2020-21 – Non-expense/Interagency, consists of \$924 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 2021-22.

8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</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.

2022-23 JUDICIAL BUDGET PROPOSAL
Court Interpreter County Grant

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	1,500	1,500	1,500	1,500
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>1,500</u>	<u>1,500</u>	<u>1,500</u>	<u>1,500</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</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, 2020		December 31, 2021		Budget		Gov Rec
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	1,500	1,500	1,500	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	1,500	1,500	1,500	0

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

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	0	0

7. ASSUMPTIONS

Grants and Subsidies:

The budget request will provide partial reimbursement to counties for the costs of providing language access services, including court interpreter services, as required by state and federal law. The Judiciary requests the same level of funding as provided in Fiscal Year 2021-22.

8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

No salaries are funded from this appropriation.

10. NONRECURRING PURCHASES

No purchases are made from this appropriation.

11. PROGRAM STATEMENT

This budget request continues a grant to partially reimburse counties for the costs of language access services, including interpreters they provide for both sign language and foreign languages, for litigants and other participants in court cases, and to increase such services in accordance with Judiciary policy. Required by state and federal law, providing qualified court interpreters is an essential element of providing access to justice. 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 when an interpreter is not available locally and must be obtained from a substantial distance.

In 2014, all 60 judicial districts established local language access plans ("LAPs"), which are updated annually. A statewide language access plan that provides guidance to the entire UJS was also adopted by the Supreme Court in 2017. The UJS and district-specific LAPs prioritize the following services: 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 judges and court staff; and outreach to LEP-serving agencies. The plans are posted on the Language Access and Interpreter Program page of the UJS website.

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

AOPC is requesting funds to develop a pilot video remote interpreting program to allow interpreters to provide services remotely to judicial districts. \$453,000 is included in the AOPC budget request for the cost of the pilot program.

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

Each year the total amount judicial districts are eligible to receive, as evidenced by claims submitted, is greater than the appropriated amount, and each judicial district's grant is proportionately reduced to bring the sum total within the amount appropriated. In FY 2020-21 each county received approximately 42.45% of its qualified reimbursement.

STATUTORY AUTHORITY: Annual Appropriation Act.

FY 2020-21 ACTUAL
 COURT INTERPRETER COUNTY GRANT
Qualifying Reimbursements and Applied Reductions
 (Calendar 2020)

County	Courtroom	Telephone	Other Language	Total Qualified	Reduced
	<u>Interpreters</u>	<u>Interpreting Services</u>	<u>Access Services</u>	<u>Reimbursement</u>	<u>Reimbursement</u>
	Amount	Amount	Amount	Amount	Amount
Adams	\$30,361	\$6,417	\$420	\$37,198	\$15,790
Allegheny	178,066	15,398	583	194,046	82,371
Armstrong	555	0	0	555	236
Beaver	18,582	983	375	19,940	8,464
Bedford	4,031	0	0	4,031	1,711
Berks	267,468	12,513	66,814	346,795	147,212
Blair	5,147	1,174	340	6,661	2,828
Bradford	1,649	0	0	1,649	700
Bucks	203,878	13,499	10,667	228,044	96,803
Butler	12,173	149	200	12,522	5,316
Cambria	1,426	57	0	1,483	630
Cameron	843	0	0	843	358
Carbon	2,862	930	0	3,792	1,610
Centre	41,872	1,237	0	43,109	18,299
Chester	165,347	2,522	876	168,745	71,631
Clarion	4,230	600	0	4,830	2,050
Clinton	2,427	0	0	2,427	1,030
Columbia	3,978	782	0	4,759	2,020
Crawford	1,829	406	0	2,234	948
Cumberland	85,983	1,261	0	87,245	37,035
Dauphin	153,197	9,531	0	162,728	69,077
Delaware	102,524	5,893	0	108,418	46,023
Elk	170	0	0	170	72
Erie	18,067	657	23	18,747	7,958
Fayette	3,112	71	233	3,416	1,450
Franklin	88,285	2,106	1,077	91,468	38,828
Greene	1,394	479	0	1,874	796
Huntingdon	980	0	0	980	416
Jefferson	300	140	0	440	187
Juniata	5,329	0	0	5,329	2,262
Lackawanna	61,903	0	0	61,903	26,277
Lancaster	175,342	3,103	2,329	180,774	76,737
Lawrence	13,355	71	0	13,426	5,699
Lebanon	74,257	361	3,006	77,624	32,951
Lehigh	153,767	1,492	0	155,259	65,906
Luzerne	183,349	4,349	197	187,894	79,760
Lycoming	6,014	86	0	6,100	2,589

FY 2020-21 ACTUAL
 COURT INTERPRETER COUNTY GRANT
Qualifying Reimbursements and Applied Reductions
 (Calendar 2020)

County	Courtroom	Telephone	Other Language	Total Qualified	Reduced
	<u>Interpreters</u>	<u>Interpreting Services</u>	<u>Access Services</u>	<u>Reimbursement</u>	<u>Reimbursement</u>
	Amount	Amount	Amount	Amount	Amount
McKean	0	237	0	237	101
Mercer	1,980	605	0	2,584	1,097
Mifflin	3,916	478	1,438	5,832	2,476
Monroe	38,361	1,283	199	39,843	16,913
Montgomery	184,371	7,249	60	191,680	81,367
Montour	766	0	0	766	325
Northampton	160,078	7,247	5,487	172,812	73,358
Northumberland	20,599	0	0	20,599	8,744
Perry	3,871	0	0	3,871	1,643
Philadelphia ^{1/}	285,739	14,146	294,275	450,000	191,023
Pike	2,019	770	0	2,788	1,183
Schuylkill	30,385	2,054	0	32,439	13,770
Snyder	63	2,113	0	2,176	924
Somerset	1,158	1,041	0	2,199	933
Sullivan	0	0	0	0	0
Susquehanna	1,474	57	0	1,531	650
Tioga	40	863	0	903	383
Union	4,572	0	0	4,572	1,941
Venango	759	0	0	759	322
Warren	1,416	0	0	1,416	601
Washington	9,807	849	0	10,656	4,523
Wayne	2,629	9	0	2,638	1,120
Westmoreland	11,375	482	0	11,857	5,033
Wyoming	445	0	0	445	189
York	322,225	1,339	0	323,565	137,351
TOTAL ^{2/}	\$3,162,097	\$127,089	\$388,598	\$3,533,626	\$1,500,000

NOTES:

1/ In accordance with the Court Interpreter Services Grant Policies and Procedures, the grant payments to Philadelphia county was reduced from \$594,160 to 30% of the appropriation amount (\$1,500,000) or \$450,000. (The reimbursement was further reduced by 57.55% as explained in note 2.)

2/ For Calendar year 2020 counties requested reimbursements for \$3,677,784 for eligible expenses. The total reimbursement qualifying for payment after imposition of the 30% cap totaled \$3,533,626 which exceeded the appropriation amount of \$1,500,000 by \$2,033,626. 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 57.55% (i.e., each county received 42.45 % of its qualified reimbursement) so that the total of all grants did not exceed the appropriation.

2022-23 JUDICIAL BUDGET PROPOSAL
Judicial Ethics Advisory Board

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec# <u>2022-23</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, 2020		December 31, 2021		Budget		Gov Rec
	<u>Auth</u>	<u>Filled</u>	<u>Auth</u>	<u>Filled</u>	<u>Funded</u>	<u>Filled</u>	<u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

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

7. ASSUMPTIONS

The Judiciary requests that the same level of funding be provided as in Fiscal Year 2021-22.

8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

No salaries are currently paid from this appropriation.

10. NONRECURRING PURCHASES

2021-22: none

2022-23: none

11. PROGRAM STATEMENT

The Judicial Ethics Advisory Board is composed of judges from the Superior Court, Commonwealth Court, Courts of Common Pleas, Magisterial District Courts, and the Philadelphia Municipal Court, and also has a non-judge member. The Supreme Court designated this Board as the official body authorized to advise judges subject to the Code of Judicial Conduct or the Rules Governing Standards of Conduct of Magisterial District Judges ("Judicial Codes"). As such, the Board handles requests from judges and judicial candidates for opinions on the propriety of various actions. Following investigation and research of the

issues raised, the members of the Board issue written opinions; a judge who requests and complies with Board advice may raise that compliance as a factor in the event of subsequent disciplinary investigation or proceedings.

The Board addresses diverse, complex issues under the Judicial Codes, the Election Code, financial reporting laws, campaign activities, and First Amendment issues. Previously, two separate committees, each with a separate membership limited to one type of judge, issued separate opinions. The complexity of issues, and the need for consistent, uniform rulings and increased transparency, underscore both the benefits of this updated ethics advisory structure and the challenges facing the Board in its work. This funding provides the Board with the minimal resources for legal staff to assist with its work and to catalogue opinions.

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

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2022-23 JUDICIAL BUDGET PROPOSAL
Judicial Conduct Board

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	2,468	2,505	2,505	2,555
Federal Funds	0	0	0	0
Other Funds	<u>7</u>	<u>8</u>	<u>9</u>	<u>9</u>
Total	2,475	2,513	2,514	2,564

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	2,105	2,187	2,208	0
Federal Funds	0	0	0	0
Other Funds	<u>7</u>	<u>8</u>	<u>9</u>	<u>0</u>
Total	2,112	2,195	2,217	0

(b) "Complement"

	December 31, 2020		December 31, 2021		Budget		Gov Rec #
	<u>Auth</u>	<u>Filed</u>	<u>Auth</u>	<u>Filed</u>	<u>Funded</u>	<u>Filed</u>	<u>2022-23</u>
State Funds	16	16	16	15	15	15	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	16	16	16	15	15	15	0

3. OPERATING (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	363	318	297	0
Federal Funds	0	0	0	0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	363	318	297	0

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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 pension contributions for filled staff due increased rates -	\$10,000
-Increase in cost of health/life insurance benefits for staff and health insurance benefits for annuitants -	\$18,000
-Increase in cost of health insurance benefits to restore funding due to credits received in Fiscal Year 2021-22 -	\$14,000
-Decrease in sick/annual leave payouts -	(\$21,000)
-Increase for Medicare D subsidy -	\$1,000

Operating:

-Decrease in miscellaneous operating expenses -	(\$21,000)
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8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>
Employee Factor	83.91%	86.20%	91.50%

10. NONRECURRING PURCHASES

2021-22: none

2022-23: none

11. PROGRAM STATEMENT

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

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

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

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

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

The Constitution requires that the board appoint a Chief Counsel and other necessary staff. Currently, the board has an authorized complement of 15. Six of the approved positions are for licensed attorneys, including the Chief Counsel, the Deputy Chief Counsel, three Deputy Counsel and one Assistant Counsel. There are four investigators and five administrative staff.

The Chief Counsel provides legal advice to the board and, along with the other staff attorneys, serves as trial counsel in proceedings before the Court of Judicial Discipline. The board's legal

staff is responsible for overseeing the investigation of cases, advising the board as to courses of action concerning cases, and preparing and prosecuting cases before the Court of Judicial Discipline.

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

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

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

During calendar year 2021, the board received or initiated 787 confidential requests for investigation. A total of 785 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, 725 were dismissed after preliminary inquiry, 7 were dismissed after full investigation, 21 were dismissed with Letters of Caution, and 9 were dismissed with Letters of Counsel. Four matters were closed after disposition by the Court of Judicial Discipline. Formal charges were filed in the Court of Judicial Discipline against two judges, comprising two pending investigative files. The Board also filed one Petition for Interim Suspension Without Pay in the Court of Judicial Discipline concerning one judge.

This appropriation provides funding for the board's operating expenses, annuitant benefits, and the salaries and benefits of the board's staff. Funding of the board's budget request is important so that the board may continue to carry out its core governmental function pursuant to its constitutional mandate.

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

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

2022-23 JUDICIAL BUDGET PROPOSAL
Court of Judicial Discipline

1. SUMMARY FINANCIAL DATA (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec <u>2022-23</u>
State Funds	518	606	606	618
Federal Funds	0	0	0	0
Other Funds	1	2	2	2
Total	<u>519</u>	<u>608</u>	<u>608</u>	<u>620</u>

2. PERSONNEL

(a) "Costs" (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	492	434	409	0
Federal Funds	0	0	0	0
Other Funds	1	2	2	0
Total	<u>493</u>	<u>436</u>	<u>411</u>	<u>0</u>

(b) "Complement"

	December 31, 2020		December 31, 2021		Budget		Gov Rec #
	<u>Auth</u>	<u>Filed</u>	<u>Auth</u>	<u>Filed</u>	<u>Funded</u>	<u>Filed</u>	<u>2022-23</u>
State Funds	3	3	3	2	2	2	0
Federal Funds	0	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0	0
Total	<u>3</u>	<u>3</u>	<u>3</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>0</u>

3. OPERATING (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	26	172	197	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>26</u>	<u>172</u>	<u>197</u>	<u>0</u>

4. FIXED ASSETS (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</u>
State Funds	0	0	0	0
Federal Funds	0	0	0	0
Other Funds	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

5. GRANTS AND SUBSIDIES (\$000)

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>	Gov Rec # <u>2022-23</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:

-Decrease in salaries and all benefits for filled staff -	(\$13,000)
-Decrease in annual/sick leave payouts -	(\$12,000)

Operating:

-Increase in miscellaneous operating expenses -	\$25,000
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8. HISTORY OF LAPSES

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
State Funds	0	0	0

9. FRINGE BENEFITS

	<u>2020-21</u>	<u>2021-22</u>	Judicial <u>2022-23</u>
Employee Factor	69.47%	71.96%	77.34%

10. NONRECURRING PURCHASES

2021-22: none

2022-23: none

11. PROGRAM STATEMENT

Budget Request Funding Needs

The Court of Judicial Discipline seeks the same amount as last year, \$606,000. This amount should be adequate to continue the mission of the Court.

The Court is leanly staffed with only two employees; counsel, and court administrator. There are nine active cases before the Court with more likely to be filed soon. Several of the cases will result in multi-day hearings. There are also two cases with judges serving probationary sanctions which are being supervised by the Court's counsel.

Last year, the Court decided six cases. The cases before the court have become more complex in recent years as they now tend to involve repeated episodes of poor demeanor or multiple counts of unrelated conduct rather than the single instances of misconduct pursued in the past.

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, 109 formal complaints and 42 petitions for interim relief have been submitted for review. For the calendar year 2021, the court handled trials or proceedings in ten separate cases. Members of the court supervised pre-trial discovery with the litigants and held pre-trial conferences to ensure the fair and prompt disposition of cases. When the record could not be resolved by way of factual stipulations, trials were promptly scheduled by the court and timely decisions were filed.

Educational Court Functions

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

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

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

2022-23 JUDICIAL BUDGET PROPOSAL

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

FISCAL YEAR 2020-21 OBLIGATIONS ROLLED FORWARD TO FISCAL YEAR 2021-22

<u>APPROPRIATION</u>	<u>AMOUNT</u>
Common Pleas Senior Judges	\$263,589
Office of Elder Justice in the Courts (OEJC)	\$1,398