

LEGISLATIVE ACTION

Legislative Action

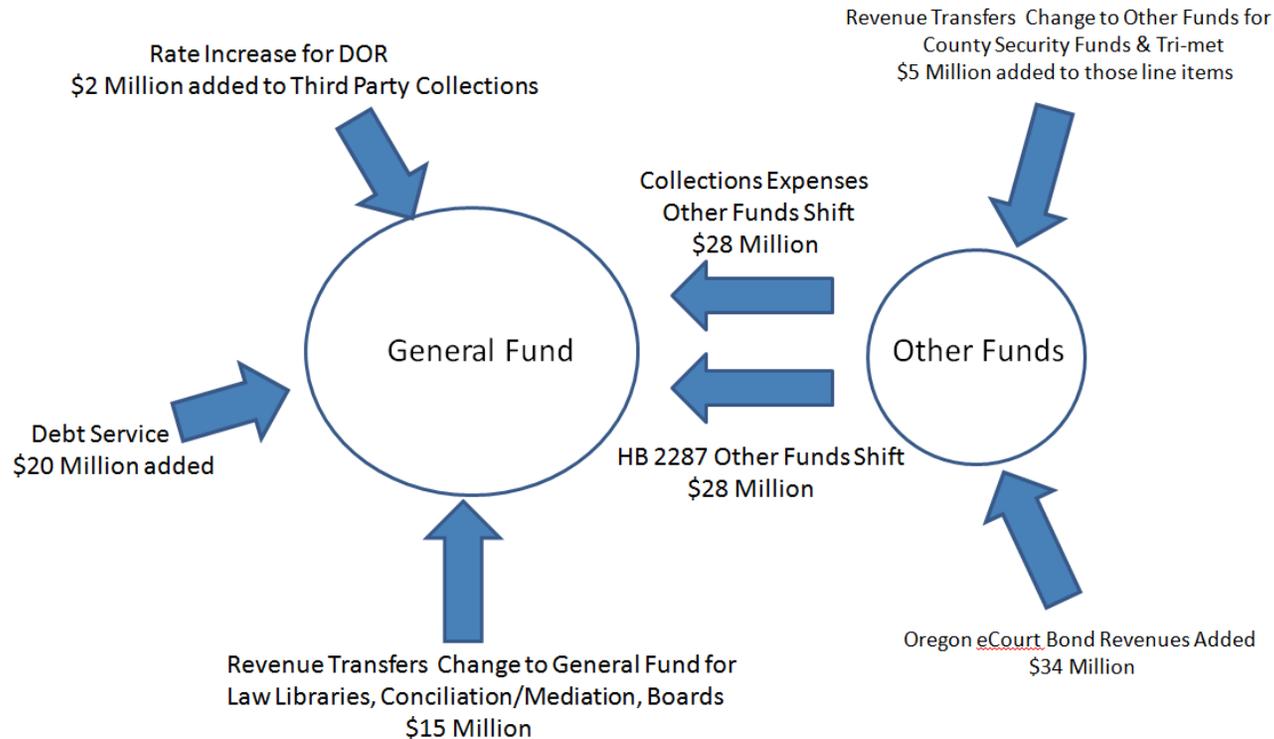
Budget Background

Over the past few biennia, the budget for the Oregon Judicial Department (OJD) has undergone significant change. This is in part due to the ongoing financial crisis that has impacted the entire state. Changes were made to move expenses and revenue transfers, formerly not included in the OJD budget or were in our Other Funds categories, to be shown in separate General Funds categories, and, also, those costs associated with the technological improvements contained in the Oregon eCourt Program to its own separate structure. Along with the significant budget changes, a major restructuring of fees and fines related to court revenues has changed how the General Fund and other entities receive revenues from the court system.

Major Changes to Budget Structure

The chart below shows what new General Fund categories were added to the OJD budget or moved from Other Funds in the restructuring of the 2011-13 budget. These changes carryover into the 2013-15 budget as its Current Service Level (CSL) starting structure.

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Explanation of Chart – Major Fund Shifts in 2011-13

- **Moving of Revenue Management and Collections from Other Funds to General Funds**

With implementation of the 2011-13 biennial budget, a significant shift occurred when revenue management and collections for OJD were moved from Other Funds to General Fund support. In prior budgets, activities associated with revenue collections, including payments for third-party collections of debt, were paid for out of Other Funds. During the 2011 Legislative Session, \$28,222,095 in funding was switched from Other Funds into the Operations and Third-Party Payments categories within the OJD General Fund. During the 2012 Legislative

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Session the Third-Party structure was appropriated an additional \$2,379,729 to pay the Department of Revenue for a fee increase related to collection activities.

- **Pass-Through Funding from Revenue Transfers to General Funds and Other Funds**

Prior to changes in the structure of Court Fees and Fines made during the 2011 Legislative Session, certain funding was provided out of court revenues in the form of transfers and, while accounted for, were not a part of the OJD General Fund or Other Funds budgets. For the 2011-13 biennium budget, revenues were redirected into the General Fund or into the Criminal Fine Account, and General Fund appropriations and biennial allocations replaced direct revenue transfers. Some of these pass-through funds now show in the OJD General Fund and Other Funds budgets. The funding for General Fund pass-through was reduced by the Package 819 holdback by \$522,900 for the biennium.

- General Fund – \$14,552,100 appropriation to pass-through to county law libraries, county conciliation/mediation funds, funding for the Oregon Law Commission, and funding for the Council for Court Procedures.
- Other Funds – Allocations from the Criminal Fine Account of \$4,701,919 for local county security accounts and a special allocation of \$77,860 for TRIMET relating to lost fine revenue.

- **Position Support from Other Funds (HB 2287) to General Fund**

Due to the ongoing financial crisis in Oregon, substantial reductions were made to the 2009-11 budget in General Fund support. To alleviate some of these reductions, HB 2287 was passed to authorize temporary judicial surcharges to be deposited in the Judicial System Surcharge Account (JSSA). Distributions from this account were made both to OJD and the Public Defense Services Commission (PDSC). As a result, permanent positions were eliminated and temporary limited-duration Other Funded positions were created for the biennium. During the 2011-13 biennium, the temporary surcharges were eliminated or made permanent through fine/fee increases, and the budget support for 129.72 FTE was switched back from Other Funds to General Fund.

- **Financing of Oregon eCourt Development and Implementation**

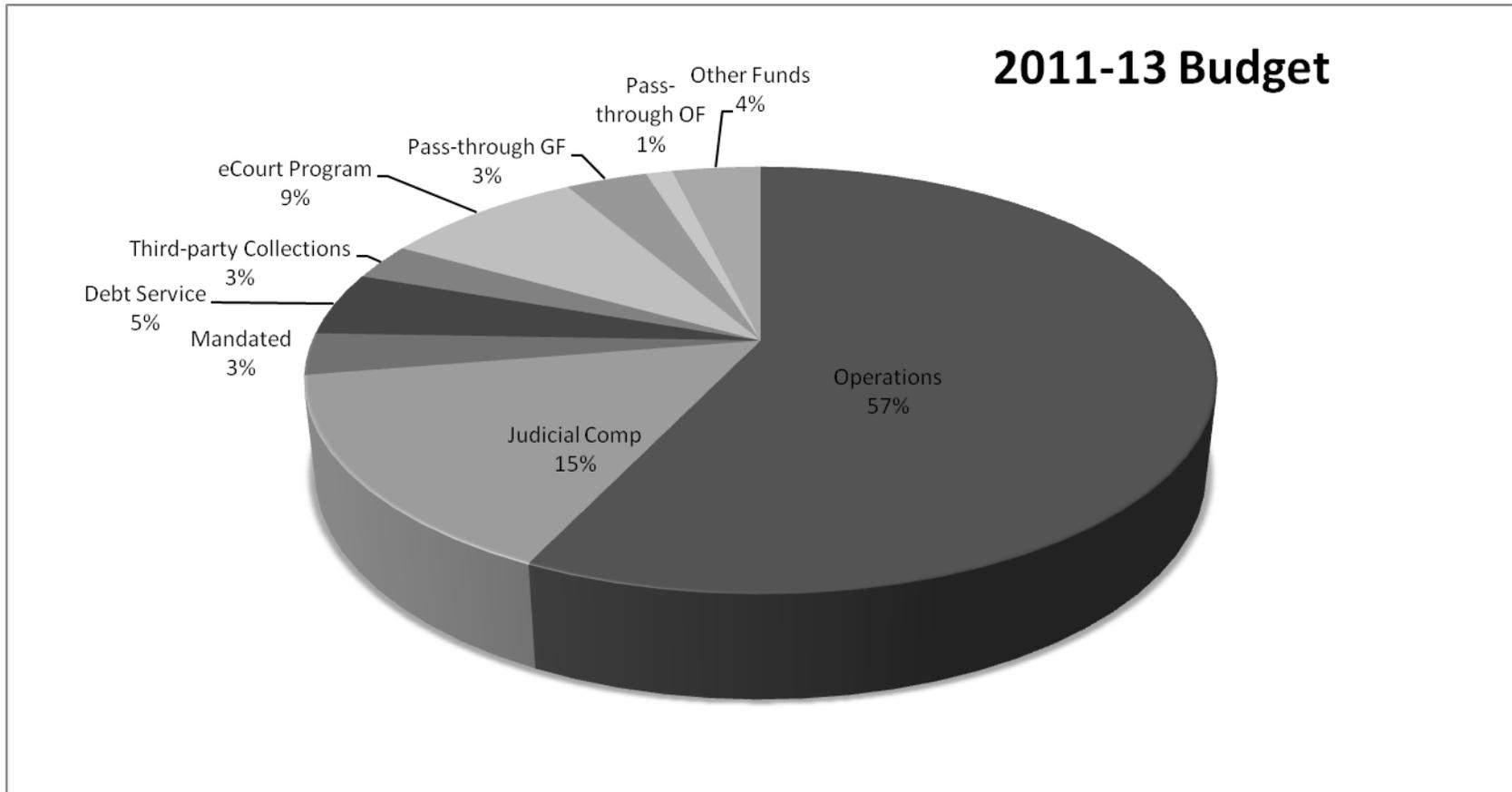
The Oregon eCourt Program officially began in February 2008 with funding approved for the initial bond sales. Major procurement and development followed, with the first circuit court implementation occurring in June 2012. Also during the 2011-13 biennium, funding for the project required \$36 million for expenditures and \$20 million in debt service associated with the five-year Certificate of Participation and Article XI-Q bonds issued for the project.

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- **Operations Personnel Reductions**

Since the 2007-09 biennium, OJD has lost approximately 201 permanent FTE in the operations area. Since 2009, increases in FTE have primarily related to Oregon eCourt and grants programs, not to court operations. As a result, court public access hours have been reduced statewide.

The chart below outlines the percentage of the 2011-13 Legislatively Adopted Budget (LAB) by appropriation area as reflected by the structural changes.



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Seven Biennial Budgets Summary

	1999-01	2001-03	2003-05	2005-07	2007-09	2009-11	2011-13
Judicial Comp ¹						\$ 60,662,694	\$ 64,740,982
Operations	\$ 211,996,158	\$ 215,788,284	\$ 225,544,313	\$ 259,004,703	\$ 294,166,438	\$ 198,746,106	\$ 241,451,144
Other Funds - Operations	\$ 9,410,786	\$ 21,065,552	\$ 36,164,775	\$ 30,430,909	\$ 37,804,361	\$ 62,176,761	\$ 16,311,754
Subtotal	\$ 221,406,944	\$ 236,853,836	\$ 261,709,088	\$ 289,435,612	\$ 331,970,799	\$ 321,585,561	\$ 322,503,880
Indigent Defense ²	\$ 139,599,793	\$ 144,121,905					
Third-Party Collections ³				\$ 1,030,641	\$ 8,712,545	\$ 9,552,438	\$ 11,679,729
Mandated	\$ 8,653,255	\$ 12,306,677	\$ 12,110,669	\$ 12,525,800	\$ 15,374,442	\$ 13,902,620	\$ 13,363,746
Debt Service						\$ 10,540,093	\$ 20,258,577
Pass-Through							\$ 14,552,100
eCourt Program					\$ 14,000,000	\$ 12,445,000	\$ 36,124,318
OF Pass-Through							\$ 4,779,779
Federal Funds and Jury	\$ 840,003	\$ 2,105,926	\$ 2,893,490	\$ 1,790,110	\$ 2,014,032	\$ 1,594,163	\$ 1,838,348
Total Funds	\$ 370,499,995	\$ 395,388,344	\$ 276,713,247	\$ 304,782,163	\$ 372,071,818	\$ 369,619,875	\$ 425,100,477
Positions	2,030	2,061	2,022	2,025	2,071	1,862 ⁴	1,878 ⁴
FTE	1,769.23	1,851.89	1,855.17	1,863.54	1,911.47	1,815.97 ⁵	1,752.66

¹ Judicial Compensation was established as a separate appropriation during the 2009-11 biennium.

² Budget for 2001-03 and 1999-2001 included the Indigent Defense Program.

³ Third-Party Collections costs were a part of Other Funds expenditures prior to the 2011-13 biennium, when a separate General Fund appropriation was created.

⁴ Position and full-time equivalent (FTE) figures include limited duration positions, including Oregon eCourt Program and grant funded positions in 2009-11 and 2011-13 biennia.

⁵ Budget for 2009-11 included move of 129.74 positions from General Fund to Other Funds, supported from HB 2287 temporary judicial surcharges.

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Legislation Impacting 2011-13 Legislatively Approved Budget

List of Included Budget Reports

- [SB 5516](#) (2011) – Budget (Main)
- [HB 2710](#) (2011) – Court Fees and Budget Structure
- [HB 2712](#) (2011) – Court Fines and Fees and Budget Structure
- [SB 5508](#) (2011) – Budget and Structure Adjustments – Final
- [HB 5056](#) (2011) – Local Program Pass-Through Funds
- [HB 5701](#) (2012) – OJD Overall Budget Adjustments
- [SB 1579](#) (2012) – Reversions
- [HB 4167](#) (2012) – Allowable Reimbursement/Multnomah
- [May 2012 Emergency Board Actions](#) – Multnomah/Special Purpose Allocation Release
- [September 2012 Emergency Board Actions](#) – Juvenile Court Improvement Program (JCIP) Federal Funds
- [Summary of Budget Notes](#) Excerpts (2011-12) and Actions

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76th OREGON LEGISLATIVE ASSEMBLY – 2011 Regular Session
BUDGET REPORT AND MEASURE SUMMARY

JOINT COMMITTEE ON WAYS AND MEANS

MEASURE: SB 5516-A

Carrier – House: Rep. Nolan
Carrier – Senate: Sen. Winters

Action: Do Pass as Amended and as Printed A-Engrossed

Vote: 22 – 3 – 0

House – Yeas: Beyer, Buckley, Cowan, Freeman, Garrard, Komp, Kotek, McLane, Nathanson, Nolan, Richardson, G. Smith, Thatcher, Whisnant
– Nays:
– Exc:

Senate – Yeas: Bates, Devlin, Edwards, Girod, Johnson, Monroe, Nelson, Winters
– Nays: Thomsen, Verger, Whitsett
– Exc:

Prepared By: Linda Gilbert, Department of Administrative Services

Reviewed By: John Borden, Legislative Fiscal Office

Meeting Date: June 27, 2011

Agency

Oregon Judicial Department

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Biennium

2011-13

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Budget Summary*

	2009-11		2011-13		Committee Change from 2009-11 Leg Approved	
	Legislatively Approved Budget (1)	Current Service Level	Governor's Budget	2011-13 Committee Recommendation	\$ Change	% Change
General Fund	\$ 273,189,189	\$ 339,699,075	\$ 276,436,716	\$ 296,962,372	\$ 23,773,183	+8.7%
General Fund Debt Service	10,662,324	16,380,873	20,778,511	20,249,238	9,586,914	+89.9%
Other Funds	80,639,820	46,680,285	70,675,474	53,595,688	(27,044,132)	-33.5%
Federal Funds	859,163	884,626	884,626	850,620	(8,543)	-1.0%
Total:	\$ 365,350,496	\$ 403,644,859	\$ 368,775,327	\$ 371,657,918	\$ 6,307,422	+1.7%

Position Summary

Authorized Positions	1,891	1,982	2,138	1,878	(13)
Full-time Equivalent (FTE) Positions	1,833.14	1,844.93	1,954.71	1,739.20	(93.94)

(1) Includes adjustments through March 2011.

* Excludes Capital Construction expenditures

Summary of Revenue Changes

The Oregon Judicial Department's (Department) primary source of funding is General Fund. The Department generates fines, fees, and restitution associated with cases in the 36 Circuit Courts, the Tax Court, the Court of Appeals, and the Supreme Court. The Department retains a percentage of the total collected revenues to fund its collection program. The remaining revenue is transferred to the General Fund, the Criminal Fine and Assessment Account, and to state and local government agencies.

In 2009-11, House Bill 2287 generated Other Funds revenue from temporary surcharges, fees, and fines revenues. This revenue was primarily used to backfill General Fund reduction in the Judicial Department and the Public Defense Services Commission. The temporary surcharges and fees in House Bill 2287 sunset at the end of the 2009-11 biennium. The Department's 2011-13 budget shifts House Bill 2287 expenditures back to General Fund.

Part of the 2011-13 budget's General Fund depends on the passage of House Bills 2710 and 2712.

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The Subcommittee made no changes to the following revenue sources:

- Other Fund revenue generated through the sale and distribution of court publications, manuals and forms, and providing online access to the Oregon Judicial Information Network. Revenue from these transactions is used to pay for the cost of these programs.
- Transfers from the State Office for Services to Children and Families to assist in funding the Citizen Review Board's review of child placements.
- Assessments to the State of Oregon Law Library and funds from the Public Defense Services Commission (PDSC) to pay for the services of court staff to verify indigence of persons seeking state-paid court-appointed counsel.
- Restitution and compensatory fines collected by the courts and distributed directly to victims.
- Certificates of Participation or other borrowed funds such as Article XI-Q bonds that support development of the eCourt project, a comprehensive business transformation and service delivery initiative.
- Federal Funds received from a Department of Health and Human Services grant to continue the Juvenile Court Improvement Project.

Summary of the Capital Construction Subcommittee Action

The Department operates 36 circuit courts located in 27 judicial districts statewide. It operates the Oregon Supreme Court, Court of Appeals, and the Tax Court. The Department administers the Mandated Payments Program that pays for the cost of jurors, transcript costs for certain indigents in civil appeals, Americans with Disabilities Act compliance, and interpreters for non-English-speaking and hearing-impaired persons in the courts.

The Subcommittee approved a budget of \$371.7 million total funds, \$317.2 million General Fund and 1,739.20 FTE for the Department. The approved budget is an increase of \$6.3 million total funds (1.7 percent) but a decrease of 13 positions (93.94 FTE) from the 2009-11 Legislatively Approved Budget as of March 2011 (LAB).

The Subcommittee approved the following standard budget adjustments in most divisions:

- Packages 086 and 087, which eliminate standard inflation and reduce Personal Services by 5.5 percent.
- Package 801: Targeted Statewide Adjustments further reduces General Fund Services and Supplies expenditures in the Department's requested budget by 6.5 percent. This is in addition to Package 086, which eliminates most Services and Supplies inflation originally built into the budget.
- Package 802: Vacant Position Savings eliminates vacant positions.

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- Package 819: Supplemental Statewide Ending Balance. This reduction is intended to be applied against spending levels in the second year of the biennium and not to affect program delivery in the first year. To reinforce that intent, the agency's budget bill includes specific language allowing the agency to expend up to 54 percent of its total biennial General Fund appropriation in the first year of the biennium.

The amount of the reduction for the supplemental ending balance may be restored to the agency during the February 2012 session for the second year of the biennium, depending on economic conditions. Therefore, the Co-Chairs of the Joint Committee on Ways and Means expect the agency director to closely monitor the quarterly revenue forecast and other economic indicators to gauge adequacy of funding in the second year and manage the budget accordingly.

Judge Compensation

This budget division is for the Personal Service costs for statutorily established judgeships. The Subcommittee approved the supplemental ending balance package #819.

eCourt Debt Service

The Debt Service Program provides General Fund to make payments on principal and interest and Other Funds for financing costs associated with the issuance of certificates of participation (COPs) or Article XI-Q bonds. The Department's debt service is related exclusively to the eCourt Program.

For 2011-13, the Subcommittee approved \$20.2 million General Fund and \$20.8 million total funds for this program, just under \$10 million more than the 2009-11 budget.

In Package 101: Continue Oregon eCourt Project, the Subcommittee approved an additional \$4.4 million General Fund debt service and \$505,816 Other Funds for cost of issuance of additional bonding to continue the project.

The eCourt project program itself, discussed later in this report, includes several explicit legislative directions to the Department regarding future program's roll-out.

The Subcommittee also made a reduction for the supplemental ending balance.

Trial Courts

This division includes the resources for operating the circuit courts in Oregon. These courts adjudicate matters and disputes in the following cases: criminal; civil; domestic relations; traffic; juvenile; small claims; violations; abuse prevention act; probate; mental commitments; and, adoption and guardianship.

Trial court resources also include those related to revenue management and collections.

The Subcommittee approved a budget of \$162.6 million General Fund, \$182.1 million total funds and 1,385 positions. This is a 1.4 percent total reduction from the 2009-11 LAB.

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In addition to the standard reductions in packages 86, 87, 801, 802 and 819, the Subcommittee made the following recommendations:

- Package 811: Fund Shift Adjustment was approved. Temporary court fee revenues established by House Bill 2287 (2009) were moved from Other Funds to General Fund in building the Department's current service level budget. This package reduces the fund shift to a level commensurate with the revenue actually raised by House Bill 2287 in the 2009-11 biennium.
- Package 813: Agency Reduction Plan provides a reduction needed to balance to the Co-Chairs' approved budget. The \$9.65 million General Fund reduction details are in the 2011-13 Department reduction plan. The package also eliminates 76 positions.
- Package 814: Co-Chairs' Supplemental General Fund was approved. It provides \$7.5 million General Fund and 59 positions to partially restore the reduction in Package 813. It is based on additional resources becoming available above the May 2011 revenue forecast. The additional resources arise from the updated fee and fine structure in House Bill 2710 and House Bill 2712.

Appellate/Tax Courts

This program funds the operations and staffing of the Supreme Court, Court of Appeals, and Tax Courts. The Supreme Court is established by the Oregon Constitution, and consists of seven justices elected to serve six-year terms. The Court of Appeals consists of 10 judges who hear appeals from trial courts, and state agencies and boards. The Tax Court consists of one judge, who hears matters arising from Oregon tax law, and a Tax Magistrate Division created in 1997 to replace the informal administrative tax appeals process conducted by the Department of Revenue.

The Subcommittee approved a budget of \$15.5 million total funds, of which \$14.6 million is General Fund, and 88 positions for these courts. This is an increase of \$5.7 million total funds or 76.0 percent from the 2009-11 LAB.

In addition to the standard reductions in packages 86, 87, 801, 802 and 819, the Subcommittee made the following recommendations:

- Package 811: Fund Shift Adjustment was approved. Temporary court fee revenues established by House Bill 2287 (2009) were moved from Other Funds to General Fund in building the Department's current service level budget. This package reduces the fund shift to a level commensurate with the revenue actually raised by House Bill 2287 in the 2009-11 biennium.
- Package 813: Agency Reduction Plan provides a reduction needed to balance to the Co-Chairs' approved budget. The \$1.2 million General Fund reduction details are in the 2011-13 Department reduction plan. The package also eliminates 10 positions.
- Package 814: Co-Chairs' Supplemental General Fund was approved. It provides \$0.9 million General Fund and seven positions to partially restore the reduction in Package 813. It is based on additional resources becoming available above the May 2011 revenue forecast. The additional resources arise from the updated fee and fine structure in House Bill 2710 and House Bill 2712.

Administration and Central Support

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The Oregon State Court Administrator (OSCA) supports and assists the Chief Justice in exercising administrative authority and supervision over the trial and appellate courts of this state and in establishing statewide administrative policies and procedures. This division includes resources for the Revenue Management Program, budget and accounting, personnel, legal, audit, education, court programs and analytical services, pro tem services, and information technology. In addition the OSCA has responsibility for administrative management of the Appellate Court Records Section, State of Oregon Law Library, publications, interpreter and shorthand reporter certification programs, and state Citizen Review Board program.

The Subcommittee approved a budget of \$42.1 million General Fund, \$61.4 million total funds, and 152 positions. This is a reduction from the 2009-11 LAB of \$3.4 million total funds or 5.3 percent.

In addition to the standard reductions in packages 86, 87, 801, 802 and 819, the Subcommittee made the following recommendations:

- Package 085: 2009-11 Allotment Reduction Roll-ups makes permanent a temporary reduction that eliminates a contingency fund. The General Fund savings are \$1.1 million.
- Package 103: Shift CIS Program to Mandated transfers the four-position Court Interpreter Services Program from the Administration and Central Support division to the Mandated Payments Program area. The General Fund impact nets to \$0 and there is a small amount of Other Funds savings.
- Package 811: Fund Shift Adjustment was approved. Temporary court fee revenues established by House Bill 2287 (2009) were moved from Other Funds to General Fund in building the Department's current service level budget. This package reduces the fund shift by \$1.0 million General Fund to a level commensurate with the revenue actually raised by House Bill 2287 in the 2009-11 biennium.
- Package 813: Agency Reduction Plan provides a reduction needed to balance to the Co-Chairs' approved budget. The \$3.1 million General Fund reduction details are in the 2011-13 Department reduction plan. The package also eliminates 20 positions.
- Package 814: Co-Chairs' Supplemental General Fund was approved. It provides \$2.4 million General Fund and 15 positions to partially restore the reduction in Package 813. It is based on additional resources becoming available above the May 2011 revenue forecast. The additional resources arise from the updated fee and fine structure in House Bill 2710 and House Bill 2712.

Mandated Payments

The Mandated Payments Program funds the jury system and access to courts by all persons. This program finances costs associated with the administration of the trial and grand jury systems. Services include: foreign-language interpreters for court proceedings; provision of assistive devices required to provide reasonable accommodation to disabled persons; state-paid sign interpreters or real-time reporters for hearing-impaired jurors; mileage reimbursed to grand and trial jurors; payment of jurors' meals, lodging, and commercial transportation at the actual cost; per diem provided to grand and petit jurors; summoning and qualifying jurors and providing jurors' orientation programs and materials; and, payment of other miscellaneous costs.

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The Subcommittee's approved budget is \$13.4 million total funds, of which \$12.9 million is General Fund, and 23 positions. This is a General Fund reduction of \$0.5 million or 3.5 percent from the 2009-11 LAB. The total fund reduction is \$0.4 million or 2.9 percent.

In addition to the standard reductions in packages 86, 87, 801, 802 and 819, the Subcommittee recommended:

- Package 085: 2009-11 Allotment Reduction Roll-ups continues a \$500,000 General Fund mandated payment reduction into the 2011-13 biennium.
- Package 103: Shift CIS Program to Mandated transfers the four-position Court Interpreter Services Program from the Administration and Central Support division to the Mandated Payments Program area. The General Fund impact nets to \$0 and there is a small amount of Other Funds savings.

State Court Facilities Security Account

This budget division was established with the 2009-11 budget. The division's responsibilities include statewide security improvements, emergency preparedness, business continuity training as well as the business continuity function for the Multnomah Circuit Court. It is funded by the State Court Facilities Security Account, an account supported by assessments on certain fines as listed in ORS 137.309.

The Subcommittee approved a \$3.0 million Other Funds budget and four positions. Of the standard reduction packages, the Subcommittee approved only packages 086 and 087 to reduce inflation and decrease Personal Services by 5.5 percent.

eCourt Program

The Oregon eCourt is the projected seven year program to modernize Oregon court business practices and information technology infrastructure. The complexity of revising court business practices equals, if not exceeds, its high technical complexity and risk.

ECourt is funded with a combination of General Fund, Other Funds, and proceeds from sales of COPs and Article XI-Q bonds, which are supported with General Fund debt service.

The Subcommittee approved a budget of \$12.5 million total funds of which \$2.0 million is General Fund. There are 35 limited duration positions associated with this program.

The Subcommittee approved two packages and added several budget notes to emphasize the Legislature's interest in and direction for how the eCourt project will proceed.

- Package 101: Continue Oregon eCourt Project provides Other Fund expenditure limitation for two purposes:
 - \$7.5 million to expend a portion of cash proceeds carried forward from the 2009-11 biennium, and
 - \$3.0 million for yet-to-be issued bond authority. The sale is scheduled in the Fall of 2011.

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- Package 812: Oregon eCourt Program provides \$2 million of General Fund to support eCourt operations and maintenance costs.

Budget Note #1:

The Co-Chairs of Ways and Means and the Chief Justice of the Oregon Supreme Court have entered into an agreement on June 16, 2011 regarding the action that their respective staffs will take to address legislative concerns about the implementation of the Oregon eCourt Program and to form a basis for consideration for future funding for the Program in the 2012 Legislative Session. This agreement and the detail of the Oregon eCourt Program deliverables are attached as an addendum to this budget report.

Budget Note #2:

The Judicial Department has been provided \$3 million of Other Funds expenditure limitation related to a bond sale in the Fall of 2011. The Legislature does not authorize the Department to expend these funds until the Chief Justice and Co-Chairs' agreement on a remediation plan has been completed and submitted to the 2012 Legislature.

Budget Note #3:

The Judicial Department is to report to the 2012 Legislature on the expenditure of all General Fund dollars budgeted and/or expended on the Oregon eCourt Program, including the additional \$2 million General Fund appropriation for operations and maintenance.

Summary of Performance Measure Action

See attached Legislatively Adopted 2011-13 Key Performance Measures form.

Summary of Information Technology Action

See attached "Information Technology Program Deliverables – Oregon Judicial Department (OJD) Electronic Court (eCourt) Program."

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DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

SB 5516-A

Oregon Judicial Department
Linda Gilbert -- (503) 378-4588

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
2009-11 Legislatively Approved Budget at March 2011 *	\$ 283,851,513	\$ 0	\$ 80,639,820	\$ 0	\$ 859,163	\$ 0	365,350,496	1,891	1833.14
2011-13 ORBITS printed Current Service Level (CSL)*	\$ 356,079,948	\$ 0	\$ 46,680,285	\$ 0	\$ 884,626	\$ 0	403,644,859	1,982	1844.93
2011-13 Governor's Recommended Budget*	\$ 297,215,227	\$ 0	\$ 70,675,474	\$ 0	\$ 884,626	\$ 0	368,775,327	2,138	1954.71
<u>SUBCOMMITTEE ADJUSTMENTS (from GRB)</u>									
<u>SCR 010 Judicial Compensation</u>									
Package 104 New Court of Appeals Judicial Panel									
Personal Services	\$ (540,753)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(540,753)	(3)	(1.50)
Package 105 New Trial Court Judgeships and Pro Tem									
Personal Services	\$ (422,865)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(422,865)	(5)	(1.25)
Package 819 Supplemental Statewide Ending Balance									
Personal Services	\$ (2,099,270)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(2,099,270)	0	0.00
<u>SCR 087 eCourt Debt Service</u>									
Package 819 Supplemental Statewide Ending Balance									
Debt Service - Interest	\$ (529,273)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(529,273)	0	0.00
<u>SCR 100 Trial Courts</u>									
Package 086 Eliminate Inflation									
Services and Supplies	\$ (261,568)	\$ 0	\$ (43,891)	\$ 0	\$ 0	\$ 0	(305,459)	0	0.00
Capital Outlay	\$ (2,118)	\$ 0	\$ (212)	\$ 0	\$ 0	\$ 0	(2,330)	0	0.00
Package 087 Personal Service Adjustment									
Personal Services	\$ (9,944,563)	\$ 0	\$ (1,139,162)	\$ 0	\$ 0	\$ 0	(11,083,725)	0	0.00
Package 102 OJD Partial Rebuild from 09-11 Reductions									
Personal Services	\$ (4,656,755)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(4,656,755)	(58)	(40.55)
Package 105 New Trial Court Judgeships and Pro Tem									
Personal Services	\$ (1,322,505)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(1,322,505)	(15)	(3.75)
Services and Supplies	\$ (824,088)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(824,088)	0	0.00
Package 801 Targeted Statewide Adjustments									
Services and Supplies	\$ (661,246)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(661,246)	0	0.00
Package 802 Vacant Position Savings									

*Excludes Capital Construction Expenditures

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DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE	
			LIMITED	NONLIMITED	LIMITED	NONLIMITED				
Personal Services	\$ (7,806,883)	\$ 0	\$ (1,871,939)	\$ 0	\$ 0	\$ 0	(9,678,822)	(77)	(76.77)	
Package 811 Fund Shift Adjustment										
Personal Services	\$ (2,274,299)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(2,274,299)	(18)	(18.00)	
Package 813 Agency Reduction Plan										
Personal Services	\$ (9,650,814)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(9,650,814)	(76)	(76.00)	
Package 814 Co-Chair's Supplemental General Fund										
Personal Services	\$ 7,497,222	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	7,497,222	59	59.00	
Package 819 Supplemental Statewide Ending Balance										
Personal Services	\$ (5,842,050)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(5,842,050)	0	0.00	
Services and Supplies	\$ (355,088)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(355,088)	0	0.00	
Capital Outlay	\$ (2,920)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(2,920)	0	0.00	
<u>SCR 101 Appellate/Tax Courts</u>										
Package 086 Eliminate Inflation										
Services and Supplies	\$ (11,625)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(11,625)	0	0.00	
Package 087 Personal Service Adjustment										
Personal Services	\$ (972,655)	\$ 0	\$ (57,819)	\$ 0	\$ 0	\$ 0	(1,030,474)	0	0.00	
Package 104 New Court of Appeals Judicial Panel										
Personal Services	\$ (998,824)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(998,824)	(13)	(7.25)	
Services and Supplies	\$ (491,386)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(491,386)	0	0.00	
Package 801 Targeted Statewide Adjustments										
Services and Supplies	\$ (29,847)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(29,847)	0	0.00	
Package 802 Vacant Position Savings										
Personal Services	\$ (1,467,536)	\$ 0	\$ (27,928)	\$ 0	\$ 0	\$ 0	(1,495,464)	(10)	(9.37)	
Package 811 Fund Shift Adjustment										
Personal Services	\$ (282,763)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(282,763)	(2)	(2.00)	
Package 813 Agency Reduction Plan										
Personal Services	\$ (1,199,882)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(1,199,882)	(10)	(10.00)	
Package 814 Co-Chair's Supplemental General Fund										
Personal Services	\$ 932,127	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	932,127	7	7.00	

*Excludes Capital Construction Expenditures

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LEGISLATIVE ACTION

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
Package 819 Supplemental Statewide Ending Balance									
Personal Services	\$ (571,397)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(571,397)	0	0.00
Services and Supplies	\$ (16,028)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(16,028)	0	0.00
<u>SCR 102 Administration and Central Support</u>									
Package 085 2009-11 Allotment Reduction roll-ups									
Services and Supplies	\$ (1,051,125)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(1,051,125)	0	0.00
Package 086 Eliminate Inflation									
Services and Supplies	\$ (188,241)	\$ 0	\$ (302,325)	\$ 0	\$ (15,549)	\$ 0	(506,115)	0	0.00
Capital Outlay	\$ (54,954)	\$ 0	\$ (12,366)	\$ 0	\$ 0	\$ 0	(67,320)	0	0.00
Package 087 Personal Service Adjustment									
Personal Services	\$ (1,413,586)	\$ 0	\$ (491,286)	\$ 0	\$ (18,457)	\$ 0	(1,923,329)	0	0.00
Package 102 Partial Rebuild from 09-11 Reductions									
Personal Services	\$ (2,224,651)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(2,224,651)	(14)	(14.00)
Services and Supplies	\$ (692,510)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(692,510)	0	0.00
Package 106 Supreme Court Building Preservation									
Capital Outlay	\$ (3,000,000)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(3,000,000)	0	0.00
Package 108 ETSD Maintenance Needs									
Services and Supplies	\$ (6,550,000)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(6,550,000)	0	0.00
Capital Outlay	\$ (500,000)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(500,000)	0	0.00
Package 109 OSCA Staffing Needs									
Personal Services	\$ (730,874)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(730,874)	(6)	(4.98)
Services and Supplies	\$ (86,261)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(86,261)	0	0.00
Package 110 Facilities Infrastructure (Gresham Courthouse)									
Personal Services	\$ (436,641)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(436,641)	(7)	(4.09)
Services and Supplies	\$ (287,901)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(287,901)	0	0.00
Capital Outlay	\$ (590,000)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(590,000)	0	0.00
Package 801 Targeted Statewide Adjustments									
Services and Supplies	\$ (1,288,310)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(1,288,310)	0	0.00
Package 802 Vacant Position Savings									
Personal Services	\$ (139,885)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(139,885)	(1)	(1.00)

*Excludes Capital Construction Expenditures

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LEGISLATIVE ACTION

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
Package 811 Fund Shift Adjustment									
Personal Services	\$ (421,825)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(421,825)	(5)	(5.00)
Services and Supplies	\$ (531,460)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(531,460)	0	0.00
Package 813 Agency Reduction Plan									
Personal Services	\$ (1,789,984)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(1,789,984)	(20)	(20.00)
Services and Supplies	\$ (1,345,773)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(1,345,773)	0	0.00
Package 814 Co-Chair's Supplemental General Fund									
Personal Services	\$ 1,390,547	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	1,390,547	15	15.00
Services and Supplies	\$ 1,045,462	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	1,045,462	0	0.00
Package 819 Supplemental Statewide Ending Balance									
Personal Services	\$ (848,488)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(848,488)	0	0.00
Services and Supplies	\$ (691,820)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(691,820)	0	0.00
Capital Outlay	\$ (75,758)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(75,758)	0	0.00
<u>SCR 200 Mandated Payments</u>									
Package 085 2009-11 Allotment Reduction roll-ups									
Services and Supplies	\$ (500,000)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(500,000)	0	0.00
Package 086 Eliminate Inflation									
Services and Supplies	\$ (290,508)	\$ 0	(11,400)	\$ 0	\$ 0	\$ 0	(301,908)	0	0.00
Package 087 Personal Service Adjustment									
Personal Services	\$ (218,569)	\$ 0	(3,512)	\$ 0	\$ 0	\$ 0	(222,081)	0	0.00
Package 107 Interpreters Related to Victim's Rights Prov									
Services and Supplies	\$ (628,068)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(628,068)	0	0.00
Capital Outlay	\$ (45,000)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(45,000)	0	0.00
Package 801 Targeted Statwide Adjustments									
Services and Supplies	\$ (675,331)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(675,331)	0	0.00
Package 802 Vacant Position Savings									
Personal Services	\$ (150,900)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(150,900)	(1)	(1.00)
Package 819 Supplemental Statewide Ending Balance									
Personal Services	\$ (110,341)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(110,341)	0	0.00
Services and Supplies	\$ (362,651)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(362,651)	0	0.00

*Excludes Capital Construction Expenditures

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LEGISLATIVE ACTION

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
<u>SCR 400 State Court Facilities Security Account</u>									
Package 086 Eliminate Inflation									
Services and Supplies	\$ 0	\$ 0	(71,242)	\$ 0	\$ 0	\$ 0	(71,242)	0	0.00
Capital Outlay	\$ 0	\$ 0	(206)	\$ 0	\$ 0	\$ 0	(206)	0	0.00
Package 087 Personal Service Adjustment									
Personal Services	\$ 0	\$ 0	(42,314)	\$ 0	\$ 0	\$ 0	(42,314)	0	0.00
<u>SCR 500 eCourt Program</u>									
Package 101 Continue Oregon eCourt Project									
Services and Supplies	\$ 0	\$ 0	(10,304,184)	\$ 0	\$ 0	\$ 0	(10,304,184)	0	0.00
Capital Outlay	\$ 0	\$ 0	(2,700,000)	\$ 0	\$ 0	\$ 0	(2,700,000)	0	0.00
Package 812 Oregon eCourt Program									
Services and Supplies	\$ 2,000,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	2,000,000	0	0.00
<u>SCR 600 Governor's Adjustment</u>									
Package 090 Analyst Adjustments									
Personal Services	\$ 74,717,858	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	74,717,858	0	0.00
Services and Supplies	\$ 12,839,768	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	12,839,768	0	0.00
Capital Outlay	\$ 733,815	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	733,815	0	0.00
TOTAL ADJUSTMENTS	\$ 19,996,383	\$ 0	\$ (17,079,786)	\$ 0	\$ (34,006)	\$ 0	2,882,591	(260)	(215.51)
SUBCOMMITTEE RECOMMENDATION *	\$ 317,211,610	\$ 0	\$ 53,595,688	\$ 0	\$ 850,620	\$ 0	371,657,918	1,878	1,739.20
% Change from 2009-11 Leg Approved Budget	11.8%	0.0%	-33.5%	0.0%	-1.0%	0.0%	1.7%	-0.7%	-5.1%
% Change from 2011-13 Current Service Level	-10.9%	0.0%	14.8%	0.0%	-3.8%	0.0%	-7.9%	-5.2%	-5.7%
% Change from 2011-13 Gov's Recommended Budget	6.7%	0.0%	-24.2%	0.0%	-3.8%	0.0%	0.8%	-12.2%	-11.0%

*Excludes Capital Construction Expenditures

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LEGISLATIVE ACTION

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 2710-B

Seventy-Sixth Oregon Legislative Assembly – 2011 Regular Session
Legislative Fiscal Office

Prepared by: John Borden
Reviewed by: Robin LaMonte
Date: June 24, 2011

Measure Description:

Revises laws relating to court fees.

Government Unit(s) Affected:

Department of Agriculture, Department of Revenue(DOR), Housing and Community Services Department, Judicial Department; Department of Human Services (DHS); Oregon Health Authority (OHA), Oregon University System (OUS); Legislative Committee Services; Legislative Fiscal Office; and Legislative Revenue Office, and Counties.

Local Government Mandate:

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

LEGISLATIVE ACTION

Analysis: The measure continues the current law civil filing fees for three months and extends the temporary civil and criminal fees and assessments under HB 2287 (2009) for three months. Beginning October 1st, 2011, the measure establishes a new civil filing fee structure in statute. The new civil filing fee structure is based on fixed dollar amount filing fees, which do not include any add-on charges or surcharges. The new fee amounts will be uniform across all the state courts. The measure has an emergency clause and is effective on passage with operative dates for the new civil filing fee structure.

The measure is estimated to total generate \$85.4 million of court fee revenue during the 2011-13 biennium. This includes revenue from a temporary extension of HB 2287 (2009) for three month and 21 months of the new civil court fee schedule.

The measure removes the temporary HB 2287 (2009) Judicial System Surcharge Account from statute and directs all revenue be deposited into the General Fund.

The measure includes language that it is the intent of the Legislative Assembly to fund entities who have historically received court revenues through the budget process with General Fund appropriations. Legal Aid services, however, will receive an \$11.9 million direct distribution of civil filing fee revenue from a statutory account within the Judicial Department. The Judicial Department will make quarterly revenue distributions from the account for Legal Aid.

The uniform fee schedule includes \$3 for court facilities. These funds will be deposited into an account in the Judicial Department. An advisory committee, including legislators and a county representative, will be established in HB 5056 to assist the Chief Justice to establish expenditure plans for these funds in the 2011-13 biennium.

LEGISLATIVE ACTION

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 2710-B

Seventy-Sixth Oregon Legislative Assembly – 2011 Regular Session
Legislative Fiscal Office

Prepared by: John Borden
Reviewed by: Robin LaMonte
Date: June 24, 2011

Measure Description:

Revises laws relating to court fees.

Government Unit(s) Affected:

Department of Agriculture, Department of Revenue(DOR), Housing and Community Services Department, Judicial Department; Department of Human Services (DHS); Oregon Health Authority (OHA), Oregon University System (OUS); Legislative Committee Services; Legislative Fiscal Office; and Legislative Revenue Office, and Counties.

Local Government Mandate:

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

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The uniform fee schedule includes \$3 for court facilities. These funds will be deposited into an account in the Judicial Department. An advisory committee, including legislators and a county representative, will be established in HB 5056 to assist the Chief Justice to establish expenditure plans for these funds in the 2011-13 biennium.

The measure shifts the Collection and Revenue Management Program in the Judicial Department back to the General Fund.

The expenditure impact of the measure is indeterminate. OJD will likely have long-term administrative savings due to the elimination of multiple add-on fees, variable fees, and other fees that require separate fee calculations from receipting staff. OJD will have routine one-time costs associated with updating its information technology infrastructure to reflect the statutory changes in the measure.

LEGISLATIVE ACTION

Department of Agriculture, Department of Revenue, Housing and Community Services Department, Judicial Department, Department of Human Services; Oregon Health Authority; Oregon University System; and would not have a fiscal impact.

The measure also increases the filing fees for small claims actions in Justice Courts, to equalize these fees among the courts in Oregon.

The measure establishes a Joint Committee on State Court Revenue Structure that is to be staffed by the Legislative Committee Services, Legislative Fiscal Office, and Legislative Revenue Office, which are not expected to have a fiscal impact. The Joint Committee will repeal upon the convening of the 2013 Legislature.

LEGISLATIVE ACTION

Corrected Copy

76th OREGON LEGISLATIVE ASSEMBLY – 2011 Regular Session
BUDGET REPORT AND MEASURE SUMMARY

MEASURE: HB 2712-C

JOINT COMMITTEE ON WAYS AND MEANS

Carrier – House: Rep. G. Smith

Carrier – Senate: Sen. Nelson

Action: Do Pass the B-Engrossed Measure with Amendments to Resolve Conflicts and be Printed C-Engrossed

Vote: 22 – 2 – 1

House – Yeas: Beyer, Buckley, Cowan, Garrard, Komp, Kotek, McLane, Nathanson, Nolan, Richardson, G. Smith, Whisnant

– Nays: Freeman, Thatcher

– Exc:

Senate – Yeas: Bates, Devlin, Edwards, Girod, Johnson, Monroe, Nelson, Thomsen, Whitsett, Winters

– Nays:

– Exc: Verger

Prepared By: John Borden, Legislative Fiscal Office

Reviewed By: Robin LaMonte and Doug Wilson Legislative Fiscal Office

Meeting Date: June 29, 2011

Agency

Various Agencies

Budget Page

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Biennium

2011-13

HB 2712-C
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LEGISLATIVE ACTION

Summary of Revenue Changes

House Bill 2712 updates and simplifies the current statutory revenue and distribution structure related to criminal fines, assessments, and other financial penalties imposed on conviction for felonies, misdemeanors, and violations other than parking infractions. All of the fine amounts are permanent and become effective January 1, 2012. The measure increases judicial discretion on the amount of fine to impose to 50 percent and reduces the violation fines imposed below current law. Judicial discretion in school, construction, and safety corridor zones is increased to 75 percent of the presumptive fine.

The measure temporarily extends for six months the criminal surcharges from House Bill 2287 (2009) for the period July 1, 2011 to January 1, 2012.

The revenue impact estimates include House Bill 2287 (2009) offense surcharges imposed on convictions before June, but received after that date.

The measure also accounts for a July 2011 Department of Revenue distribution from the Judicial System Surcharge Account for revenues received in June 2011.

Local justice, county, and municipal courts will remit \$60 to the state for its portion of the fine amount in lieu of the old Unitary Assessment and county assessment. The current practice of remitting one half of the fine amount, if the violation was cited by a State Police Officer, is retained. Local courts will also remit the local court security assessment and the State Court Facilities Security Account assessment.

Revenue generated in future biennia is expected to decline as the criminal violation surcharges sunset and judicial discretion is exercised.

The revenue generated by all criminal fines and assessments is to be deposited into the Criminal Fines Account, which was formerly entitled the Criminal Fine and Assessment Account.

Summary of Subcommittee Action

House Bill 2712 updates and simplifies the current statutory revenue and distribution structure related to criminal fines, assessments, and other financial penalties imposed on conviction for felonies, misdemeanors, and violations other than parking infractions. The measure does not make any change to current law misdemeanor or felony structure. The introduced version of the measure was the product of the Joint Interim Committee on State Justice System Revenues.

LEGISLATIVE ACTION

The major provisions of the measure are:

- Establishes a presumptive fine thereby eliminating the need for calculation of a foundation amount, base fine amount, and the minimum fine amount;
- Establishes the presumptive fine by statute, applies this fine statewide, and eliminates variability in fine amounts based on the court into which a person is cited;
- Eliminates the unitary assessment and the county assessment by consolidating them into the presumptive fine;
- Provides for judicial discretion to reduce the presumptive fine by up to 50 percent;
- Increases the judicial discretion in school, construction, and safety corridor zones fine to 75 percent of the presumptive fine; and
- Adds \$3 to the uniform presumptive fine amounts for state court facilities and security.

The following table compares the current law violation amounts with those in the measure:

Violation	Presumptive Fine	
	Current Law	HB 2712
Class A Violation	\$472	\$435
Class B Violation	\$287	\$260
Class C Violation	\$190	\$160
Class D Violation	\$142	\$110

This bill does not affect the distribution of fine revenue, which remains the same as current law. The measure eliminates the Unitary Assessment and the county assessment and replaces it with a flat fine amount, a portion of which is to be remitted to the state in lieu of the Unitary Assessment and the county assessment.

Allocations from the Criminal Fines Account

Existing entities that receive funds from the Criminal Fines Account are not affected by this bill and will receive a full biennial (24 month) allocation from the Account. The following table displays, by agency and program, the revenues allocated by the Subcommittee from the Criminal Fine Account for a 24 month period:

LEGISLATIVE ACTION

#	Eligible Entity	ORS	Purpose	Agency/Entity	24-Month Allocation*
1	Department of Public Safety Standards and Training		Criminal justice training and standards operations	Department of Public Safety Standards and Training	\$21,424,867
2	Department of Human Services	409.292(1)(a) to (c)	Domestic Violence Fund	Department of Human Services	\$2,224,675
3	Department of Human Services		Sexual Assault Victims Fund	Department of Human Services	\$533,332
4	Oregon Health Authority	431.623	Emergency Medical Services and Trauma Systems Program	Oregon Health Authority	\$331,824
5	Department of Justice		Criminal Injuries Compensation Account	Department of Justice	\$7,099,827
6	Department of Justice	147.390	Services to Children – Child Abuse Medical Assessments	Department of Justice	\$631,551
	Department of Justice		Child Abuse Multidisciplinary Intervention Account	Department of Justice	\$7,812,599
7	Department of Justice	418.746 to 418.796	Statewide system of regional assessment centers	Department of Justice	\$746,798

LEGISLATIVE ACTION

The following entities will receive revenue distributions for the first six months of the 2011-13 biennium under the current law. Thereafter, they will receive an 18 month allocation from the Criminal Fines Account. The following table displays, by agency and program, the revenues allocated by the Subcommittee from the Criminal Fine Account for an 18 month period:

#	Eligible Entity	ORS	Purpose	Agency/Entity	18-Month Allocation*
8	State Court Facilities and Security Account	137.309 1.178	State court facilities and security	Oregon Judicial Department	\$2,862,376
9	State Court Facilities and Security Account	1.178	State court facilities	Oregon Judicial Department	\$2,278,919
10	Court Security Program	137.308 1.182	State and local court security account	Oregon Judicial Department	\$4,701,919
11	Alcohol and Drug Abuse Prevention [includes: Methamphetamine Assessment]	430.345 137.308	813.270; 813.830; 813.840 137.290(2)(B)(b), (c), & (d)	Oregon Health Authority – Diversion program for indigent.	\$42,884
12	Law Enforcement Medical Liability Account	414.815 137.309	Medical treatment for prisoners	Department of Human Services	\$506,244
13	Driving Under the Influence Enforcement	813.095; 153.630	Enforcement of laws concerning driving while under the influence of intoxicants.	Department of State Police	\$190,004
14	Community Corrections	137.309	Jail construction and maintenance	Department of Corrections	\$3,223,179
15	Arrest and Return for Extradition	133.865	Governor’s expenses relating to extradition	Governor’s Office	\$22,500
16	Intoxicated Driver Program	813.270 813.240	Treatment for persons in DUII diversion	Oregon Health Authority	\$4,323,000

* New Criminal Fines Account entities will receive revenue distributions under current law for the first six-months of the 2011-13 biennium and then a Criminal Fines Account allocation for 18 months of the 2011-13 biennium under HB 2712.

LEGISLATIVE ACTION

Except for the Department of Corrections, the agencies above have sufficient expenditure limitation in their primary budget appropriation bills to expend these revenue allocations. The Department of Corrections may request limitation at a meeting of the Emergency Board or during the 2012 Legislative session.

The Committee approved the following budget note related to revenue generated from \$3 being added to every civil filing fee and criminal fine. The revenue will be allocated from the Criminal Fines Account to the Judicial Department's State Court Facility and Security Account during the 2012 Legislative session.

Budget Note

Legislative leadership will appoint an advisory committee on State Court Facilities. The Advisory Committee will recommend the priorities for the expenditure of funds from the State Court Facility and Security Account for capital improvements to county courthouses.

The Advisory Committee on Court Facilities will consist of two members appointed by the Senate President and two members appointed by the Speaker of the House, two ex-officio members appointed by the Chief Justice of the Oregon Supreme Court and one ex-officio member appointed by the Association of Oregon Counties.

In developing its priorities, the Advisory Committee will consider the recommendations in the "State of Oregon, Oregon Court Facilities Assessment" report issued in September 2008, and other facilities issues reported by the Association of Oregon Counties and the Oregon Judicial Department.

The Advisory Committee also will develop a report that includes a recommendation regarding the funding of 2011-13 biennium State Court facility projects and any matching funds provided by local government. The Committee will submit its recommendations to the Chief Justice and to the 2012 Legislature.

LEGISLATIVE ACTION

76th OREGON LEGISLATIVE ASSEMBLY – 2011 Regular Session
BUDGET REPORT AND MEASURE SUMMARY

MEASURE: SB 5508-A

JOINT COMMITTEE ON WAYS AND MEANS

Carrier – House: Rep. Richardson
Carrier – Senate: Sen. Devlin

Action: Do Pass as Amended and as Printed A-Engrossed

Vote: 24 – 0 – 1

House – Yeas: Beyer, Buckley, Cowan, Freeman, Garrard, Komp, Kotek, McLane, Nathanson, Nolan, Richardson, G. Smith, Thatcher, Whisnant
– Nays:
– Exc:

Senate – Yeas: Bates, Devlin, Edwards, Girod, Johnson, Monroe, Nelson, Thomsen, Whitsett, Winters
– Nays:
– Exc: Verger

Prepared By: Sheila Baker, Legislative Fiscal Office

Reviewed By: Daron Hill, Legislative Fiscal Office

Meeting Date: June 29, 2011

<u>Agency</u>	<u>Budget Page</u>	<u>LFO Analysis Page</u>	<u>Biennium</u>
Emergency Board	L-1	263	2011-13
Various Agencies			2009-11

LEGISLATIVE ACTION

2011-13 Budget Summary*

	2009-11 Legislatively Approved Budget	2011-13 Legislatively Adopted Budget	2011-13 Committee Recommendation	Committee Change
<u>HUMAN SERVICES PROGRAM AREA</u>				
<u>Department of Human Services</u>				
General Fund	-	-	\$ 2,753,263	\$ 2,753,263
Federal Funds	-	-	\$ 5,077,079	\$ 5,077,079
<u>Oregon Health Authority</u>				
General Fund	-	-	\$ 600,000	\$ 600,000
Other Funds	-	-	\$ 14,205,000	\$ 14,205,000
Federal Funds	-	-	\$ 23,360,000	\$ 23,360,000
<u>JUDICIAL BRANCH</u>				
<u>Judicial Department</u>				
General Fund	-	-	\$ 30,497,095	\$ 30,497,095
General Fund Debt Service	-	-	\$ (486,738)	\$ (486,738)
Other Funds	-	-	\$ (28,627,911)	\$ (28,627,911)
<u>LEGISLATIVE BRANCH</u>				
<u>Legislative Counsel Committee</u>				
Other Funds	-	-	\$ (275,000)	\$ (275,000)
<u>NATURAL RESOURCES PROGRAM AREA</u>				
<u>State Department of Agriculture</u>				
Lottery Funds	-	-	\$ 543,000	\$ 543,000
<u>State Department of Energy</u>				
Other Funds	-	-	\$ 500,000	\$ 500,000
<u>State Department of Fish and Wildlife</u>				
Other Funds Debt Service	-	-	\$ 726,928	\$ 726,928

*Excludes Capital Construction

LEGISLATIVE ACTION

2009-11 Supplemental Appropriations

	<u>2009-11 Legislatively Approved Budget</u>	<u>2009-11 Committee Recommendation</u>	<u>Committee Change</u>
<u>Public Utility Commission</u>			
Other Funds	-	\$ 10,000	\$ 10,000
<u>Oregon University System (Department of Higher Education)</u>			
Federal Funds	-	\$ 3,550	\$ 3,550
<u>Judicial Department</u>			
General Fund	-	\$ 499,999	\$ 499,999
<u>Public Defense Services Commission</u>			
General Fund	-	\$ 802,570	\$ 802,570
<u>Oregon Watershed Enhancement Board</u>			
Federal Funds	-	\$ 800,000	\$ 800,000
<u>Department of Transportation</u>			
Lottery Funds Debt Service	-	\$ 2	\$ 2

LEGISLATIVE ACTION

JUDICIAL BRANCH

Judicial Department

The Subcommittee approved adjustments to the budget for the Judicial Department as follows:

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Page 14 of 19

- House Bill 2710 transfers funding of the Collection and Revenue Management Program from Other Funds back to the General Fund. This results in a \$28.2 million Other Funds expenditure limitation reduction, with General Fund appropriations of \$9.3 million for third party debt collection fees and \$18.9 million for Personal Service and services and supplies costs. This action does not result in any change to the Department's positions or FTE.
- A General Fund appropriation of \$2 million for Trial and Appellate level operations costs.
- General Fund appropriations for payments to the Oregon Law Commission (\$223,000) and the Council on Court Procedures (\$52,000).
- An Other Funds reduction of \$405,816 for the costs of issuance for Oregon eCourt Program Article XI-Q bonds. The Department's budget will retain \$100,000 for the \$6 million of Article XI-Q bonds approved in House Bill 5005.
- A General Fund Debt Service reduction of \$486,738, which reflects a lower Article XI-Q bond issuance for the Oregon eCourt Program than was assumed in the Governor's recommended budget.

LEGISLATIVE ACTION

SENATE BILL 5508-A ATTACHMENT A: 2011-13 Agency Adjustments

Agency Name	Appropriation Description	Bill Number	Section/ Sub	Fund	General Fund	Lottery Funds	Other Funds	Federal Funds
OREGON HEALTH AUTHORITY	Debt Service	SB 5529	02-04	OF	-	-	(7,053,790)	-
OREGON HEALTH AUTHORITY	Programs	SB 5529	04-01	FF	-	-	-	(412,885)
OREGON HEALTH AUTHORITY	Central Services	SB 5529	04-02	FF	-	-	-	57,432
JUDICIAL BRANCH								
JUDICIAL FIT OR DISABILITY COM	Operations	SB 5517	01-01	GF	(45)	-	-	-
JUDICIAL DEPARTMENT	Operations	SB 5516	01-02	GF	(136,824)	-	-	-
JUDICIAL DEPARTMENT	Mandated payments	SB 5516	01-03	GF	(272)	-	-	-
JUDICIAL DEPARTMENT	Debt Service	SB 5516	01-05	GF	(2,790,843)	-	-	-
JUDICIAL DEPARTMENT	Operations	SB 5516	02-01	OF	-	-	(801)	-
JUDICIAL DEPARTMENT	Operations	SB 5516	04	FF	-	-	-	(7)
PUBLIC DEFENSE SERVICES	Appellate Division	SB 5540	01-01	GF	(12,289)	-	-	-
PUBLIC DEFENSE SERVICES	Contract and Business Services Division	SB 5540	01-03	GF	(3,410)	-	-	-

LEGISLATIVE ACTION

76th OREGON LEGISLATIVE ASSEMBLY – 2011 Regular Session
BUDGET REPORT AND MEASURE SUMMARY

MEASURE: HB 5056-A

Carrier – House: Rep. Olson

Carrier – Senate: Sen. Winters

JOINT COMMITTEE ON WAYS AND MEANS

Action: Do Pass as Amended and as Printed A-Engrossed

Vote: 21 – 4 – 0

House – Yeas: Beyer, Buckley, Cowan, Garrard, Komp, Kotek, McLane, Nathanson, Nolan, Richardson, G. Smith, Whisnant

– Nays: Freeman, Thatcher

– Exc:

Senate – Yeas: Bates, Devlin, Edwards, Johnson, Monroe, Nelson, Thomsen, Verger, Winters

– Nays: Girod, Whitsett

– Exc:

Prepared By: Linda Gilbert, Department of Administrative Services

Reviewed By: John Borden and Robin LaMonte, Legislative Fiscal Office

Meeting Date: June 27, 2011

Agency

Various agencies

Budget Page

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LFO Analysis Page

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Biennium

2011-13

LEGISLATIVE ACTION

Budget Summary*

	2009-11	2011-13	2011-13	2011-13	Committee Change from	
	Legislatively Approved Budget (1)	Current Service Level	Governor's Budget	Committee Recommendation	\$ Change	% Change
<u>Judicial Department</u>						
General Fund				\$ 14,940,000	+14,940,000	
<u>Housing and Community Services Department</u>						
General Fund				470,000	+470,000	
<u>Oregon University System</u>						
General Fund				330,000	+330,000	
<u>Department of Agriculture</u>						
General Fund				150,000	+150,000	
<u>Department of Human Services</u>						
General Fund				30,000	+30,000	
 Total Funds				\$ 15,920,000	+15,920,000	

Summary of Revenue Changes

This measure appropriates General Fund that is generated from civil filing fee revenues under House Bill 2710.

Summary of Capital Construction Subcommittee Action

House Bill 5056 appropriates \$15,920,000 of General Fund for eligible entities identified in House Bill 2710 for the 2011-13 biennium:

- \$7.4 million to the Oregon Judicial Department for County Law Libraries;
- \$7.4 million to the Oregon Judicial Department Conciliation and Mediation Services;
- \$140,000 to the Oregon Judicial Department for Appellate Mediation services;
- \$470,000 to the Housing and Community Services Department for the Low Income Rental Housing Fund;
- \$330,000 to the Oregon University System for Domestic Violence Legal Education;
- \$150,000 to the Department of Agriculture for agricultural mediation; and
- \$30,000 to the Department of Human Services Children's Ombudsman program.

LEGISLATIVE ACTION

76th OREGON LEGISLATIVE ASSEMBLY – 2012 Session
BUDGET REPORT AND MEASURE SUMMARY

MEASURE: SB 5701-A

JOINT COMMITTEE ON WAYS AND MEANS

Carrier – House: Rep. Richardson
Carrier – Senate: Sen. Devlin

Action: Do Pass as Amended and as Printed A-Engrossed

Vote: 24 – 0 – 1

House – Yeas: Beyer, Buckley, Cowan, Freeman, Garrard, Komp, McLane, Nathanson, Nolan, Read, Richardson, G. Smith, Thatcher, Whisnant
– Nays:
– Exc:

Senate – Yeas: Bates, Devlin, Girod, Johnson, Monroe, Nelson, Thomsen, Verger, Whitsett, Winters
– Nays:
– Exc: Edwards

Prepared By: Linda Ames, Laurie Byerly, Doug Wilson
Legislative Fiscal Office

Reviewed By: Sheila Baker, Legislative Fiscal Office

Meeting Date: March 5, 2012

<u>Agency</u>	<u>Budget Page</u>	<u>LFO Analysis Page</u>	<u>Biennium</u>
Various Agencies Emergency Board	---	---	2011-13

LEGISLATIVE ACTION

* Excludes Capital Construction	2011-13 Legislatively Adopted Budget	2012 Session Legislatively Approved Budget	Legislative Adjustments (difference between 2012 and 2011-13)	Percentage Change from Legislatively Adopted Budget
<u>Office of the Governor</u>				
General Fund	\$ 13,339,757	\$ 13,607,119	\$ 267,362	2.00%
Other Funds	2,740,911	2,740,912	1	0.00%
<u>State Library</u>				
General Fund	\$ 2,868,303	\$ 2,848,417	\$ -19,886	-0.69%
<u>Oregon Liquor Control Commission</u>				
Other Funds	\$ 133,668,473	\$ 134,176,446	\$ 507,973	0.38%
<u>Public Employees Retirement System</u>				
Other Funds	\$ 78,010,820	\$ 77,260,820	\$ -750,000	-0.96%
<u>Department of Revenue</u>				
General Fund	\$ 146,373,434	\$ 145,198,243	\$ -1,175,191	-0.80%
<u>Secretary of State</u>				
General Fund	\$ 12,040,291	\$ 11,906,971	\$ -133,320	-1.11%
<u>State Treasurer</u>				
Other Funds	\$ 34,998,684	\$ 35,248,684	\$ 250,000	0.71%
<u>Judicial Branch Program Area</u>				
<u>Judicial Department</u>				
General Fund	\$ 342,262,371	\$ 346,366,819	\$ 4,104,448	1.20%
General Fund Debt Service	16,971,657	20,257,855	3,286,198	19.36%
Other Funds	24,966,976	55,747,370	30,780,394	123.28%
Other Funds Capital Improvement	0	97,460	97,460	-
<u>Commission on Judicial Fitness and Disability</u>				
General Fund	\$ 183,353	\$ 176,934	\$ -6,419	-3.50%

LEGISLATIVE ACTION

Judicial Branch

Judicial Department

Senate Bill 5701 appropriates an additional \$7.4 million General Fund to the Oregon Judicial Department (OJD), partially offsetting the reduction made in the 2011-13 legislatively adopted budget for the supplemental ending balance. The bill also adds \$30.9 million in Other Funds expenditure limitation.

Funding was restored for constitutionally and legally mandated programs, including \$1.9 million for judicial compensation, \$472,922 for jury services, and \$345,207 for Oregon eCourt Program Debt Service. Court Operations, which includes the circuit and appellate courts and administration, are being held to their 2011-13 legislatively adopted budget, which includes \$2 million for Trial and Appellate Courts that was added at the end of the 2011 session. The Chief Justice has total flexibility to move funds and positions within the Operating Programs budget in order to keep the state's unified court system operating. A \$1.1 million General Fund special purpose appropriation to the Emergency Board is included in the bill in the event that the Department requires additional funding for court operations.

The bill includes \$2.4 million General Fund to fund revenue collection activities through the Department of Revenue and the private collection agencies.

BUDGET NOTE

The Oregon Judicial Department is requested to report to the Legislative Fiscal Office on a quarterly basis on the Department's overall revenue activities, including the cost of collection, amounts collected, and collection rates.

The Department's Special Payments were reduced as these payments were not previously subject to the reduction for the supplemental ending balance. County Law Libraries were reduced by \$259,000 General Fund and Conciliation and Mediation Services were reduced by \$259,000 General Fund.

An additional \$2.9 million in General Fund Debt Service was approved for the Oregon eCourt Program to support \$13.7 million in new bonding authority provided for in House Bill 5201. The operations and maintenance appropriation for the Oregon eCourt Program was reduced by \$93,643 General Fund. This action was submitted as part of the Department's reduction plan and is not expected to impact the current roll-out of the program.

The Other Funds expenditure limitation for the Oregon eCourt Program was increased by a total of \$23.4 million, for the following items:

- \$13.7 million in new bonding authority in House Bill 5201;
- \$6 million for previously authorized bonding authority (Senate Bill 5505, 2011);

LEGISLATIVE ACTION

- \$3.5 million for an available cash balance from previously issued debt; and
- \$134,116 for a fingerprint grant from the Oregon State Police.

The following budget notes were adopted relating to the Oregon eCourt Program.

BUDGET NOTE

The Judicial Department is requested to work with the Legislative Fiscal Office to prepare a revised schedule for completing the deliverables that were defined in the Agreement between the Chief Justice and the Co-Chairs of the Joint Committee on Ways and Means in the SB 5516 (2011) budget report. The Judicial Department and the Legislative Fiscal Office are also requested to establish a regular meeting schedule to review the deliverables and the status of Oregon eCourt. The parties will report to the Chief Justice and the Co-Chairs of the Joint Committee on Ways and Means periodically on the status of the deliverables and the Oregon eCourt program. The Judicial Department will also report as requested to the Joint Committee on Legislative Audits and Technology on the deliverables and the status of the Oregon eCourt program.

BUDGET NOTE

The Oregon Judicial Department (OJD) is requested to develop, by no later than April 1, 2012, a detailed implementation and evaluation plan to manage the pilot court and early adopter court Oregon eCourt implementations. For each trial court, the plan must include a clear definition of the implementation goals & objectives, processes, timelines, and costs; success evaluation criteria and measures for proving successful execution of each plan; and a plan to incorporate the lessons learned after each trial court implementation into subsequent implementations. If OJD determines that the implementation goals & objectives, schedule, or costs should be revised or rebaselined, OJD must immediately provide documentation of any adjustment to the Legislative Fiscal Office (LFO) so that the impact can be calibrated to the affected trial court implementation plan.

LFO will work with OJD to evaluate the success of each pilot and early adopter implementation against the plan. Factors that will be considered will be agreed upon by LFO and OJD and will be documented in each trial court implementation plan. The plan for the initial trial court will specifically include an initial evaluation of the usability of the Odyssey product. Each of the subsequent four early adopter implementations will further test the scalability of the product, and additional components of Oregon eCourt that may have been added; the configurations that have been established; the business functions that have been integrated with the Odyssey product; the system interfaces; and the data conversion plan and implementation.

LFO will request that OJD report after the pilot court and each early adopter implementation on its implementation including a post implementation review of outcomes, success measures and costs, and the lessons learned analysis. OJD should provide recommendations based on these reviews for the next early adopter court. Once all four of the first early

LEGISLATIVE ACTION

adopters are completed, OJD should conduct a major review to verify that the product(s) and all the methods involved in the implementation for the first five pilot and early adopter courts are sufficient for a successful implementation in Multnomah County. Because Multnomah County is being implemented via a ‘by case-type’ methodology, rather than all case types at once, like the first five trial courts, OJD should provide a Multnomah County-specific implementation and evaluation plan to guide the Oregon eCourt product(s) implementation. Upon completion of this implementation, LFO and OJD will review the Multnomah County implementation against the detailed implementation plan and the OJD assessment to evaluate the success of this implementation. This review will provide the basis for determining readiness of OJD and the contractor for implementing Oregon eCourt in the remaining trial courts.

Other Funds expenditure limitation of \$1.7 million was established for the new and existing Specialty Court grants, which the Department reports will offset the impact of recent General Fund reductions. The Committee also approved a one-time 13.46 FTE increase for the Specialty Courts. The \$1.7 million Other Funds expenditure limitation and 13.46 FTE increase are one-time only, and do not carry forward for the 2013-15 budget.

The Department’s Other Funds expenditure limitation was increased by a total of \$5.5 million for the following purposes:

- \$4.7 million for the State Court Facilities and Security Account for Special Payment transfers to local court security accounts.
- \$670,203 in for new and existing grants for pre-trial release programs and the Citizen Review Board.
- \$226,592 for Debt Service Other Funds expenditure limitation to support the issuance costs of an additional \$13.7 million in bonding.
- \$97,460 Other Funds Capital Improvement for emergency repairs to the Supreme Court Building.
- \$77,860 for a Special Payment to Tri-County Metropolitan Transportation District of Oregon (TRIMET).

This \$5.5 million increase in Other Funds expenditure limitation is a one-time increase and does not carry forward for the 2013-15 budget.

LEGISLATIVE ACTION

**REVENUE IMPACT OF
PROPOSED LEGISLATION**
Seventy-Sixth Oregon Legislative
Assembly
2012 Regular Session
Legislative Revenue Office

Bill Number:	SB 1579 - A
Revenue Area:	State Finance
Economist:	Paul Warner
Date:	3-5-12

Measure Description:

Implements statutory changes to support legislatively approved budget. This bill works in conjunction with SB 5701 to make adjustments to the 2011-13 budget. SB 1579A contains a series of fund shifts from Other Fund accounts to the General Fund. The bill also extends the sunset for the Small School District Supplemental Fund for one year, allows Judicial and Legislative Departments to retain reversions from the 2009-11 budget, shifts resources among Other Fund accounts and clarifies application of budget related statutes.

Revenue Impact (in \$Millions):

Transfers to General Fund From:	2011-13 Revenue Impact (in millions)
Criminal Injuries Compensation Fund	\$56.2
DAS Insurance Fund	13.3
Supplemental Employment Department Admin Fund	9.0
State Court Facilities and Security Account	6.6
DOJ Protection & Education Revolving Account	4.0
Business Development Department Building Opportunities for Small Business Today Account	3.7
Tax Amnesty Account	3.0
DEQ—Motor Vehicle Pollution Account	3.0
Tobacco Use Reduction Account	1.5
Employment Department Special Admin Fund	1.1
Secretary of State Operating Account	1.1
Total Transfer to General Fund	\$102.4

Impact Explanation:

General Fund resources for the 2011-13 biennium are increased by \$102.4 million as a result of these fund shifts. The above listed Other Fund accounts are reduced by the corresponding amount.

Extending the sunset on the Small School District Supplement Fund from July 1, 2012 to July 1, 2013 reduces State School Fund revenue flowing through the school distribution formula by \$2.5 million for the 2012-13 fiscal year. However, this reduction is offset by an additional \$2.5 million State School Fund appropriation in SB 5701. SB 5701 increases the State School Fund appropriation to \$2.845 billion for the 2012-13 school year.

Allowing the Judicial and Legislative Departments to retain reversions from the prior biennium increases General Fund resources available to these departments for the 2011-13 biennium by \$2.5 million. Under current law, these resources would flow through to the General Fund ending balance and into the Oregon Rainy Day Fund.

LEGISLATIVE ACTION

Section 53 SB 1579 related to funds contained in State Court Facilities and Security Account

JUDICIAL DEPARTMENT

SECTION 53. Notwithstanding ORS 1.178 and 31.735, the amount of \$6,552,125 is transferred from the State Court Facilities and Security Account to the General Fund for general governmental purposes.

LEGISLATIVE ACTION

Section 19 HB 4167 related to special payment to TRIMET

SECTION 19. (1) Section 18 of this 2012 Act becomes operative on April 1, 2012.

(2) Section 18 of this 2012 Act applies to all violations of ordinances enacted by the district board of a mass transit district that occur on or after January 1, 2012.

(3) Notwithstanding ORS 137.300, there is allocated \$77,860 to the Judicial Department from the Criminal Fine Account, for the purpose of reimbursing the Tri-County Metropolitan Transportation District of Oregon for amounts that were collected in circuit courts between January 1, 2012, and April 1, 2012, for violations of ordinances and that were not distributed as provided under section 18 of this 2012 Act. The department shall transfer the amounts to the district as soon as possible after the effective date of this 2012 Act.

CAPTIONS

SECTION 20. The unit captions used in this 2012 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2012 Act.

EMERGENCY CLAUSE

Enrolled House Bill 4167 (HB 4167-A)

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LEGISLATIVE ACTION

Emergency Board Actions

Emergency Board Meeting – May 2012

OJD submitted a request for release of a Special Purpose Appropriation (SPA) and supplemental funding to restore limited critical staffing to circuit courts. The funds were to be targeted specifically to bring all circuit courts to resource levels to:

1. Ensure a 72-hour maximum for timely entry of court orders and documentation for enforcement of legal rights and judgments
2. Ensure a 24-hour maximum for timely entry of recall of arrest warrant notifications
3. Support a minimum of 7 hours of daily public counter and telephone access to court services on a statewide basis at primary court locations

Actions of the Emergency Board released the \$1,084, 432 SPA for use in staffing increases for Multnomah County Courthouse.

LEGISLATIVE ACTION

Oregon Legislative Emergency Board
Certificate

May 23, 2012

Pursuant to the provisions of ORS 291.328, and acting under the authority of ORS 276.309, 291.326(1)(a), (b), (c), and (d); ORS 291.371; and ORS 291.375; this hereby certifies that the Emergency Board, meeting on May 23, 2012, took the following actions:

1. Secretary of State

Allocated \$593,497 from the Emergency Fund established by section 1, chapter 600, Oregon Laws 2011..... \$ 593,497
to supplement the appropriation made to the Secretary of State, by section 1(2), chapter 411, Oregon Laws 2011, Elections Division, for costs associated with the Special Primary Election and the Special General Election held to fill a vacancy in the 1st Congressional District.

2. Judicial Department

Allocated \$1,084,432 from the special purpose appropriation made to the Emergency Board by section 17(1), chapter 110, Oregon Laws 2012..... \$ 1,084,432
to supplement the appropriation made to the Judicial Department by section 1(2), chapter 634, Oregon Laws 2011, Operations, for court operations.

LEGISLATIVE ACTION

Emergency Board Meeting – September 2012

OJD submitted a request for additional Federal Funds Limitation associated with the Juvenile Court Improvement Program for Fiscal Year 2013. Funding for this program is provided through the U.S. Department of Health & Human Services as a part of the Court Improvement Program (CIP). OJD had received confirmation of funding for CY2012, and was seeking \$452,400 in additional limitation to continue program activities.

Actions of the Emergency Board increased Federal Funds Limitation by \$452,400.

Oregon Legislative Emergency Board Certificate

September 14, 2012

Pursuant to the provisions of ORS 291.328, and acting under the authority of ORS 286A.160(3); 291.326(1)(a), (b), (c), and (d); 291.371; and 291.375; this hereby certifies that the Emergency Board, meeting on September 14, 2012, took the following actions:

1. Judicial Department

Increased the Federal Funds expenditure limitation established for the Judicial Department by section 4, chapter 634, Oregon Laws 2011, by \$452,400 for the Oregon Juvenile Court Improvement Program.

LEGISLATIVE ACTION

Budget Notes and Legislative Report Requests

Senate Bill 5516 (2011 Legislative Session)

Budget Note #1:

The Co-Chairs of Ways and Means and the Chief Justice of the Oregon Supreme Court have entered into an agreement on June 16, 2011 regarding the action that their respective staffs will take to address legislative concerns about the implementation of the Oregon eCourt Program and to form a basis for consideration for future funding for the Program in the 2012 Legislative Session. This agreement and the detail of the Oregon eCourt Program deliverables are attached as an addendum to this budget report.

Budget Note #2:

The Judicial Department has been provided \$3 million of Other Funds expenditure limitation related to a bond sale in the Fall of 2011. The Legislature does not authorize the Department to expend these funds until the Chief Justice and Co-Chairs' agreement on a remediation plan has been completed and submitted to the 2012 Legislature.

Budget Note #3:

The Judicial Department is to report to the 2012 Legislature on the expenditure of all General Fund dollars budgeted and/or expended on the Oregon eCourt Program, including the additional \$2 million General Fund appropriation for operations and maintenance.

Status: OJD continues to meet regularly with the Legislative Fiscal Office and address the issues in the June 16, 2011, agreement. OJD has submitted reports on all items except for a required audit, and procurement of services for the audit is underway. The OF limitation held back at the beginning of the biennium was reallocated to OJD in the 2012 Session. Monthly reports are provided to the Legislative Fiscal Office detailing all Oregon eCourt expenditures, both OF and GF, covering project and program operations costs.

LEGISLATIVE ACTION

House Bill 2712 (2011 Legislative Session)

Budget Note

Legislative leadership will appoint an advisory committee on State Court Facilities. The Advisory Committee will recommend the priorities for the expenditure of funds from the State Court Facility and Security Account for capital improvements to county courthouses.

The Advisory Committee on Court Facilities will consist of two members appointed by the Senate President and two members appointed by the Speaker of the House, two ex-officio members appointed by the Chief Justice of the Oregon Supreme Court and one ex-officio member appointed by the Association of Oregon Counties.

In developing its priorities, the Advisory Committee will consider the recommendations in the “State of Oregon, Oregon Court Facilities Assessment” report issued in September 2008, and other facilities issues reported by the Association of Oregon Counties and the Oregon Judicial Department.

The Advisory Committee also will develop a report that includes a recommendation regarding the funding of 2011-13 biennium State Court facility projects and any matching funds provided by local government. The Committee will submit its recommendations to the Chief Justice and to the 2012 Legislature.

Status: Advisory Committee meetings were held on October 17, 2011, and January 20, 2012. Since funding for capital improvements was swept during the 2012 Legislative Session in SB 1579, no spending took place during the 2011-13 biennium in this area. The Chief Justice has recommended capital improvement projects for state court facilities for the 2013-15 biennium, consistent with 24-month funding levels based on Criminal Fine Account allocations contained in HB 2712.

LEGISLATIVE ACTION

Senate Bill 5701 (2012 Legislative Session)

Judicial Branch Program Area

Judicial Department #1

The Oregon Judicial Department is requested to report to the Legislative Fiscal Office on a quarterly basis on the Department's overall revenue activities, including the cost of collection, amounts collected, and collection rates.

Status: OJD has submitted reports to the Legislative Fiscal Office on the following dates (see Special Reports section, [Quarterly Progress Reports on Third-Party Collections](#), page 501):

- July 25, 2012 – submitted for time period 7/1/11 through 3/31/12
- September 19, 2012 – submitted for time period 4/1/12 through 6/30/12
- November 26, 2012 – submitted for time period 7/1/12 through 9/30/12

OJD will continue to submit reports for the 2011-13 biennium on a quarterly basis.

LEGISLATIVE ACTION

Judicial Department #2

The Judicial Department is requested to work with the Legislative Fiscal Office to prepare a revised schedule for completing the deliverables that were defined in the Agreement between the Chief Justice and the Co-Chairs of the Joint Committee on Ways and Means in the SB 5516 (2011) budget report. The Judicial Department and the Legislative Fiscal Office are also requested to establish a regular meeting schedule to review the deliverables and the status of Oregon eCourt. The parties will report to the Chief Justice and the Co-Chairs of the Joint Committee on Ways and Means periodically on the status of the deliverables and the Oregon eCourt program. The Judicial Department will also report as requested to the Joint Committee on Legislative Audits and Technology on the deliverables and the status of the Oregon eCourt program.

Judicial Department #3

The Oregon Judicial Department (OJD) is requested to develop, by no later than April 1, 2012, a detailed implementation and evaluation plan to manage the pilot court and early adopter court Oregon eCourt implementations. For each trial court, the plan must include a clear definition of the implementation goals & objectives, processes, timelines, and costs; success evaluation criteria and measures for proving successful execution of each plan; and a plan to incorporate the lessons learned after each trial court implementation into subsequent implementations. If OJD determines that the implementation goals & objectives, schedule, or costs should be revised or rebaselined, OJD must immediately provide documentation of any adjustment to the Legislative Fiscal Office (LFO) so that the impact can be calibrated to the affected trial court implementation plan.

LFO will work with OJD to evaluate the success of each pilot and early adopter implementation against the plan. Factors that will be considered will be agreed upon by LFO and OJD and will be documented in each trial court implementation plan. The plan for the initial trial court will specifically include an initial evaluation of the usability of the Odyssey product. Each of the subsequent four early adopter implementations will further test the scalability of the product, and additional components of Oregon eCourt that may have been added; the configurations that have been established; the business functions that have been integrated with the Odyssey product; the system interfaces; and the data conversion plan and implementation.

LFO will request that OJD report after the pilot court and each early adopter implementation on its implementation including a post implementation review of outcomes, success measures and costs, and the lessons learned analysis. OJD should provide recommendations based on these reviews for the next early adopter court. Once all four of the first early adopters are completed, OJD should conduct a major review to verify that the product(s) and all the methods involved in the implementation for the first five pilot and early adopter courts are sufficient for a successful implementation in Multnomah County. Because Multnomah County is being implemented via a 'by case-type' methodology, rather than all case types at once, like the first five trial courts, OJD should provide a Multnomah County-specific implementation and evaluation plan to guide the Oregon eCourt product(s) implementation. Upon completion of this implementation, LFO and OJD will review the Multnomah County implementation against the detailed implementation plan and the OJD assessment to evaluate the success of this implementation. This review will provide the basis for determining readiness of OJD and the contractor for implementing Oregon eCourt in the remaining trial courts.

LEGISLATIVE ACTION

Status: OJD continues to meet regularly with the Legislative Fiscal Office and address the issues in the June 16, 2011, agreement. The progress on these issues is a regular agenda item for both the Joint Legislative Committee for Audits and Information Management Technology and the Joint Committee on Ways and Means. The implementation and evaluation plan was submitted to, and accepted by, the Legislative Fiscal Office by the due date. OJD staff meets regularly with the Legislative Fiscal Office to discuss implementation activities related to the pilot court and early adopter courts.