

Official Trial Court Legislative Budget Request (LBR) and Allocation Methodologies

Court Administration

LBR Methodology – Apply a growth rate to a threshold level of positions [12.0 FTE in small circuits, 17.0 FTE in medium circuits, 27.0 FTE in large circuits, and 42.0 FTE in very large circuits (11th and 17th)] as a representation of the workload required to support the increased level of trial court judges, staff and other resources requested.

Current thresholds include the following FTE:

	Trial Court Administrator	Court Technology Officer	General Counsel/Support	Operations/ Administration	Total
Small Circuits	1.0	1.0	2.0	8.0	12.0
Medium Circuits	1.0	1.0	2.0	13.0	17.0
Large Circuits	1.0	1.0	2.0	23.0	27.0
Very Large Circuits	1.0	1.0	2.0	38.0	42.0

Allocation Methodology – Existing FTE positions are generally maintained, with allocations occurring for new positions only.

Case Management

LBR Methodology – Based on a ratio of 1.0 FTE Case Manager for every 5,500 filings with a floor of 8.0 FTE.

Allocation Methodology – Existing FTE positions are generally maintained, with allocations occurring for new positions only.

Law Clerks

LBR Methodology – Based on a ratio of one law clerk per every two circuit court judges, only considering existing judges. The total need calculated is rounded to the nearest whole FTE.

Allocation Methodology – Existing FTE positions are generally maintained, with allocations occurring for new positions only.

Child Support Enforcement Hearing Officers (CSEHO)

LBR Methodology – Based on a case weighted methodology and a ratio of one administrative support position per CSEHO. The total need calculated is rounded to the nearest whole FTE.

Allocation Methodology – Existing FTE positions are generally maintained, with allocations occurring for new positions only; however, as vacancies become available, the TCBC may consider reallocating FTE based on a 3 year maximum sustained need using a case weighted methodology for CSEHO and a 1:1 ratio for administrative support positions. The total need calculated is rounded to the nearest whole FTE. Information provided by the Department of Revenue and the circuits are also taken into consideration.

General Magistrates

LBR Methodology – Based on a case weighted methodology and a ratio of one administrative support position per magistrate. The total need calculated is rounded to the nearest whole FTE. Those circuits indicating a negative net need are held harmless.

Allocation Methodology – Existing FTE positions are generally maintained, with allocations occurring for new positions only; however, as vacancies become available, the TCBC may consider reallocating FTE based on a 3 year maximum sustained need using a case weighted methodology for GMs and a 1:1 ratio for administrative support positions. The total need calculated is rounded to the nearest whole FTE.

Senior Judges

LBR Methodology – Based on the total 7,322 days appropriated in FY 2007-08 (before the cuts), a \$400 per day rate (increased from current rate of \$350), holding 200 days in reserve, and a proportional distribution based on judicial need calculated during the most recent certification process.

Allocation Methodology – Total days allocated based on \$355.08 per day rate (including FICA adjustments), holding 50 days in reserve, and using a proportional distribution based on circuit judicial need as calculated during the most recent certification process and actual county judges.

Civil Traffic Infraction Hearing Officers (CTIHO)

LBR Methodology – Based on increasing hourly payments from \$50 to \$75 and recalculating the original per county judge allotment of \$7,299 based on the increase in hourly payment (includes existing judges and judges certified from counties currently receiving CTIHO funds).

Allocation Methodology – Allot the contractual authority of \$1,339,864 and the budget amendment (pending legislative approval) of \$783,990 based on maintaining each circuit's FY 2011/12 Total Contractual Allotment. The total allotment is \$2,123,854.

Additional Compensation to County Judges

Allocation Methodology – Allot contractual authority based on each circuit's percent of the total statewide expenditures using three years of historical expenditure data.

Court Interpreting

LBR Methodology – For recurring dollars, excluding maintenance, apply the average two year statewide percent growth in non-English speaking population to current year contractual expenditures and the cost of existing positions.

For Refresh and Maintenance of Existing Technology, LBR methodology based on those circuit requests that are within: 1) the approved cost standards and 2) the 13% maintenance formula. For Expansion, LBR methodology based on those circuit requests that are: 1) within the approved cost standards, 2) in compliance with the digital expansion phase-in plan, and 3) within the 13% maintenance formula.

Allocation Methodology – Contractual authority allocated based on each circuit's current year annualized expenditures with a one year growth rate applied based on projected growth in non-English speaking population. Place remaining balance in reserve.

Expert Witness

LBR Methodology – Apply statewide percent growth in non-custody expenditures over two years to the current year contractual budget.

Allocation Methodology – Place 5% of total statewide allotment in reserve. Allocate remaining contractual authority based on each circuit's percent of current year annualized expenditures.

Court Reporting

LBR Methodology – For recurring dollars, excluding maintenance, the methodology is based on a funding ceiling applied to each circuit. The ceiling is calculated using \$50 per steno/real-time hour, \$25 per digital/analog hour, \$7 per transcript page (using projected UDR figures) and \$25 per media copy. Apply a non-direct services modifier based on the current statewide average percent of the recurring court reporting budget devoted to overhead/coordination.

For Refresh and Maintenance of Existing Technology, LBR methodology based on those circuit requests that are within: 1) the approved cost standards and 2) the 13% maintenance formula. For Expansion, LBR methodology based on those circuit requests that are: 1) within the approved cost standards, 2) in compliance with the digital expansion phase-in plan, and 3) within the 13% maintenance formula.

Allocation Methodology – Contractual authority allocated based on placing 10% of the statewide allotment in reserve and allocating the remaining contractual authority based on each circuit's percent of current year annualized expenditures.

Mediation

LBR Methodology – For recurring dollars for direct and non-direct services, the methodology is based on a funding ceiling applied to each circuit. The ceiling is calculated using a standard cost per mediation session held (\$20 for small claims sessions, \$37.50 for other civil sessions, and \$300 for family and dependency sessions) with modifiers applied for coordination, multiple facilities, and the use of volunteers.

Allocation Methodology – Allocate contractual authority based on annualized current year expenditures as long as the circuit's total budget does not exceed the funding ceiling. The funding ceiling is calculated using the 3 year maximum number of actual sessions held. Include a funding floor based on the total cost of salaries, benefits, and expenses for an Alternative Dispute Resolution Director, a Mediation Services Coordinator, and an Administrative Assistant I position. Place the remaining in reserve. Circuits over their funding ceiling held partially harmless.

Notes:

LBR Methodology – As developed for the Needs Assessment and used to formulate the FY 2010/11 LBR and FY 2012/13 LBR (General Magistrates, Law Clerks, and Case Managers only). A LBR for recurring resources was not developed for FY 2011/12. For FY 2013/14 the Trial Court Budget Commission (TCBC) voted to file a Legislative Budget Request (LBR) based on enhancing existing resources rather than request additional resources utilizing the above funding formulas. Under this approach a pay plan would be filed including a 3.5% across the board pay increase for all court employees.

Allocation Methodology – As calculated for FY 2012/13 allocations for all elements.