

# JUDICIAL BRANCH

	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
<b>Operating Expenditures:</b>					
State General Fund	\$ 111,656,700	\$112,092,584	\$ 111,567,295	\$138,904,907	\$ 138,904,907
Other Funds	37,642,099	38,398,661	41,919,909	36,658,602	36,658,602
<i>Subtotal</i>	<i>\$149,298,799</i>	<i>\$150,491,245</i>	<i>\$ 153,487,204</i>	<i>\$ 175,563,509</i>	<i>\$ 175,563,509</i>
<b>Capital Improvements:</b>					
State General Fund	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Other Funds	502,750	0	0	0	0
<i>Subtotal</i>	<i>\$ 502,750</i>	<i>\$ 0</i>	<i>\$ 0</i>	<i>\$ 0</i>	<i>\$ 0</i>
<b>TOTAL</b>	<b><u>\$149,801,549</u></b>	<b><u>\$150,491,245</u></b>	<b><u>\$ 153,487,204</u></b>	<b><u>\$175,563,509</u></b>	<b><u>\$ 175,563,509</u></b>
<b>Percentage Change:</b>					
Operating Expenditures					
State General Fund	4.3 %	0.4 %	(0.1) %	23.9 %	24.5 %
All Funds	4.2	0.8	2.8	16.7	14.4
FTE Positions	1,868.0	1,868.0	1,868.0	1,938.0	1,938.0

For purposes of this analysis, full-time equivalent (FTE) positions include non-FTE permanent unclassified positions but continue to exclude temporary employees. FTE positions reflect permanent state positions equating to a 40-hour work week.

## AGENCY OVERVIEW

The *Kansas Constitution* vests the judicial power of the State in one court of justice, which is divided into the Supreme Court, district courts, and other courts as provided by law. The Supreme Court has general administrative authority over all the courts in the State. The Judicial Branch's budget includes funding for the Supreme Court, the Court of Appeals, personnel costs of the district courts and some funding for technology, and a number of judicial and professional review boards and commissions. Most non-salary costs of the district courts are funded by the counties.

The Judicial Branch submits its budget directly to the Legislature under KSA 20-158 and provides it to the Director of the Budget to include in *The Governor's Budget Report* under KSA 75-3721.

### MAJOR ISSUES FROM PRIOR YEARS

The **2011 Legislature** reduced the Judicial Branch State General Fund (SGF) budget by \$5.8 million for fiscal year (FY) 2012 in an attempt to hold the operations budget flat between FY 2011 and FY 2012. SB 97 extended the surcharge on docket fees into FY 2012 and increased it

by 25.0 percent for a special revenue fund increase of \$1.9 million. The bill also delayed appointment of the 14th Court of Appeals judge until FY 2013 and lapsed the funds requested for its implementation. The Legislature also suspended the Judicial Performance program of the Judicial Council and transferred \$778,518 of the funding for that program to the Judicial Surcharge Fund to support Judicial Branch operations.

The **2013 Legislature** reduced the Judicial Branch SGF budget by \$26.8 million for FY 2014 and \$27.9 million for FY 2015. The decrease is attributable to extension of the Judicial Branch Surcharge (\$10.0 million in FY 2014 and \$11.1 million in FY 2015); the shifting of docket fees from state agencies to the Judicial Branch (\$10.5 million in FY 2014 and FY 2015); and the deletion of the \$2.5 million requested by the Judicial Branch to fill 80 vacant clerk positions. The remainder of the reductions reflect a directive by the Legislature to hold SGF expenditures at the FY 2013 level, partially offset by a 1.0 percent (\$1.1 million) increase in SGF operating expenditures. The 2013 Legislature approved funding for and implementation of the 14th Court of Appeals judge and staff.

The **2014 Legislature** approved a 2.0 percent salary and wage increase for non-judicial personnel to be paid from the Driving Under the Influence (DUI) Equipment Fund, delayed the filling of judicial vacancies, provided for Chief Judges to be elected by the other District Court Judges, and inserted a provision to allow Judicial Districts to separate their operations from the Appellate Court Administrative Division. The Legislature also adjusted docket fees by increasing the fees on expungements, traffic citations, fish and game violations, tobacco citations, out-of-state probate decrees, and Chapter 60 civil cases. The Legislature implemented new docket fees on garnishments and summary judgment motions.

The **2017 Legislature** approved a 2.5 percent salary adjustment for judges and non-judicial staff, to be paid from the SGF.

The **2018 Legislature** approved a 2.0 percent salary adjustment for judges and a 5.0 percent salary adjustment for non-judicial staff, to be paid from the SGF. The Legislature also added \$200,000, all SGF, for the construction of two Court of Appeals judicial suites on the second floor of the Judicial Center for FY 2019.

The **2019 Legislature** approved a 2.5 percent salary adjustment for judges and non-judicial staff, to be paid from the SGF. The Legislature also added \$200,000, all from the Permanent Families Account of the Family and Children Investment Fund, for Court Appointed Special Advocate programs, and transferred that amount from the Kansas Endowment for Youth Fund to the Permanent Families Account for FY 2020. Additionally, the Legislature added \$200,000, all from the Docket Fee Fund, to relocate the security desk in the Kansas Judicial Center to the north entrance of the building for FY 2020. Furthermore, the Legislature passed SB 20, which extends the Judicial Branch surcharge, authorized in 2017 HB 2041, from June 30, 2019, to June 30, 2025.

## **BUDGET SUMMARY AND KEY POINTS**

**FY 2021 – Current Year.** The **agency** requests a revised estimate of \$150.5 million, including \$112.1 million from the State General Fund (SGF), in FY 2021. The revised estimate is an all funds decrease of \$796,902, or 0.5 percent, below the amount approved by the 2020 Legislature. The decrease is primarily due to lower employer contributions for the public employees retirement system (\$633,625) and the judges retirement system (\$205,569). The

revised estimate also includes 1,868.0 FTE positions, which is the same as the FY 2021 approved number.

The **Governor** recommends \$153.5 million, including \$111.6 million SGF, in FY 2021. The recommendation is an increase of \$3.0 million, or 2.0 percent, above the FY 2021 revised estimate. Pursuant to KSA 75-3721f, the Governor is statutorily required to include the Judicial Branch's budget in *The Governor's Budget Report* as submitted by the agency. The recommendation includes two adjustments that are not reflected in the FY 2021 revised estimate, due to two statewide adjustments.

First, the recommendation includes an additional \$3.5 million, all from the Coronavirus Relief Fund, for further remote technology equipment and program expenses in FY 2021. The agency used that supplemental funding for personal protective equipment, temporary support to address growing information technology needs, and funding for existing specialty courts (\$3.4 million); creating an online marriage license portal (\$100,000); creating a text notification system (\$50,000); and creating a virtual court directory (\$21,248).

Second, the recommendation includes a reduction of \$525,289, all SGF, for a moratorium on KPERS death and disability payments in FY 2021, pursuant to the Governor's allotment plan. However, because the Judicial Branch is a separate branch of government, legislative action is required to effectuate the change.

**FY 2022 – Budget Year.** The **agency** requests \$175.6 million, including \$138.9 million SGF, for FY 2022. The request is an all funds increase of \$25.1 million, or 16.7 percent, above the FY 2021 revised estimate. The increase is primarily due to the agency's enhancement requests for salary increases (\$20.2 million) and new court services officer positions (\$4.3 million). **Absent the enhancements**, the request is an all funds increase of \$524,174, or 0.3 percent, above the FY 2021 revised estimate. The non-enhancement increase is primarily due to employer contributions to public employee retirement (\$767,577), judges retirement (\$451,796), and group health insurance (\$431,093), offset by lower professional service fees for the web-based eCourt system (\$521,212) and by equipment replacement expenses incurred in FY 2021 that are not present for FY 2022. The request also includes 1,938.0 FTE positions, which is an increase of 70.0 FTE positions above the FY 2021 revised estimate. The increase is due to the agency's enhancement request for new court services officer positions.

The **Governor** concurs with the agency request for FY 2022. Pursuant to KSA 75-3721f, the Governor is statutorily required to include the Judicial Branch's budget in *The Governor's Budget Report* as submitted by the agency.

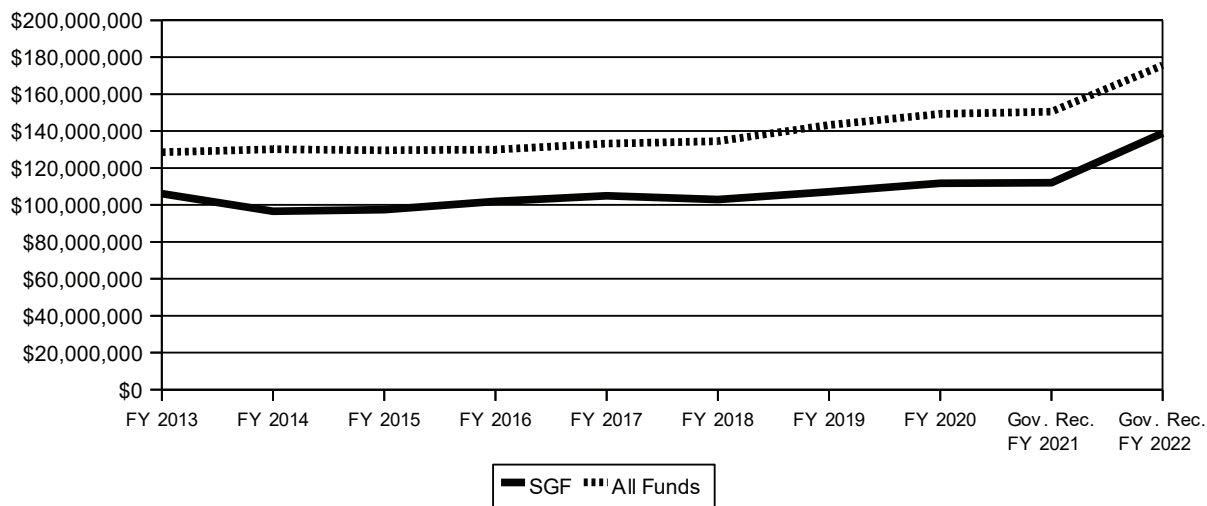
# PERFORMANCE MEASURES

The 2016 Legislature passed HB 2739, which outlined a three-year process for state agencies to develop and implement a system of performance budgeting using outcome measures to evaluate program effectiveness. Measures to evaluate agency-wide performance are presented below. Additional measures to evaluate specific programs appear in the relevant program sections.

PERFORMANCE MEASURES						
Measure	Actual FY 2018	Actual FY 2019	Gov. Rec. FY 2020	Actual FY 2020	Gov. Rec. FY 2021	Gov. Rec. FY 2022
There are no performance measures submitted for this agency.						
<b>Agency Expenditures</b>						
All Funds (Dollars in Millions)	\$ 134.5	\$ 143.8	\$ 152.1	\$ 149.3	\$ 153.5	\$ 175.6
FTE Positions	1,865.0	1,868.0	1,868.0	1,868.0	1,868.0	1,938.0

# BUDGET TRENDS

## OPERATING EXPENDITURES FY 2013 – FY 2022



## OPERATING EXPENDITURES FY 2013 – FY 2022

Fiscal Year	SGF	% Change	All Funds	% Change	FTE
2013	\$ 106,127,942	3.6 %	\$ 128,551,609	1.6 %	1,855.3
2014	96,521,055	(9.1)	130,144,839	1.2	1,855.3
2015	97,442,902	1.0	129,592,144	(0.4)	1,859.8
2016	101,909,219	4.6	129,982,603	0.3	1,862.3
2017	104,996,903	3.0	133,205,361	2.5	1,862.0
2018	102,992,279	(1.9)	134,508,401	1.0	1,865.0
2019	107,064,245	4.0	143,295,158	6.5	1,868.0
2020	111,656,700	4.3	149,298,799	4.2	1,868.0
2021 Gov. Rec.	111,567,295	(0.1)	153,487,204	2.8	1,868.0
2022 Gov. Rec.	138,904,907	24.5	175,563,509	14.4	1,938.0
Ten-Year Change Dollars/Percent	\$ 32,776,965	30.9 %	\$ 47,011,900	36.6 %	82.7

Summary of Operating Budget FY 2020 - FY 2022

	Agency Estimate			Governor's Recommendation					
	Actual FY 2020	Estimate FY 2021	Request FY 2022	Dollar Change from FY 21	Percent Change from FY 21	Rec. FY 2021	Rec. FY 2022	Dollar Change from FY 21	Percent Change from FY 21
<b>By Program:</b>									
Office of Judicial Administration	\$ 6,278,891	\$ 6,750,838	\$ 5,726,978	\$ (1,023,860)	(15.2)%	\$ 10,272,066	\$ 5,726,978	\$ (4,545,108)	(44.2)%
Appellate Courts	18,196,941	19,261,337	21,336,388	2,075,051	10.8	19,261,337	21,336,388	2,075,051	10.8
District Courts	120,580,255	120,264,321	144,681,715	24,417,394	20.3	119,739,032	144,681,715	24,942,683	20.8
Education Services	384,493	196,902	257,297	60,395	30.7	196,902	257,297	60,395	30.7
Information Services Support	3,453,360	3,535,964	3,060,098	(475,866)	(13.5)	3,535,964	3,060,098	(475,866)	(13.5)
Judicial and Professional Review	404,859	481,883	501,033	19,150	4.0	481,883	501,033	19,150	4.0
<b>TOTAL</b>	<b>\$ 149,298,799</b>	<b>\$ 150,491,245</b>	<b>\$ 175,563,509</b>	<b>\$ 25,072,264</b>	<b>16.7 %</b>	<b>\$ 153,487,204</b>	<b>\$ 175,563,509</b>	<b>\$ 22,076,305</b>	<b>14.4 %</b>
<b>By Major Object of Expenditure:</b>									
Salaries and Wages	\$ 136,157,776	\$ 136,519,839	\$ 163,435,692	\$ 26,915,853	1*9.7 %	\$ 136,194,550	\$ 163,435,692	\$ 27,241,142	20.0 %
Contractual Services	8,085,478	8,488,380	8,029,437	(458,943)	(5.4)	10,579,130	8,029,437	(2,549,693)	(24.1)
Commodities	129,617	98,158	101,084	2,926	3.0	1,157,408	101,084	(1,056,324)	(91.3)
Capital Outlay	3,423,230	3,621,815	2,778,399	(843,416)	(23.3)	3,793,063	2,778,399	(1,014,664)	(26.8)
Debt Service	0	0	0	0	--	0	0	0	--
<i>Subtotal - Operations</i>	<i>\$ 147,796,101</i>	<i>\$ 148,728,192</i>	<i>\$ 174,344,612</i>	<i>\$ 25,616,420</i>	<i>17.2 %</i>	<i>\$ 151,724,151</i>	<i>\$ 174,344,612</i>	<i>\$ 22,620,461</i>	<i>14.9 %</i>
Aid to Local Units	305,253	963,053	418,897	(544,156)	(56.5)	963,053	418,897	(544,156)	(56.5)
Other Assistance	1,197,445	800,000	800,000	0	0.0	800,000	800,000	0	0.0
<b>TOTAL</b>	<b>\$ 149,298,799</b>	<b>\$ 150,491,245</b>	<b>\$ 175,563,509</b>	<b>\$ 25,072,264</b>	<b>16.7 %</b>	<b>\$ 153,487,204</b>	<b>\$ 175,563,509</b>	<b>\$ 22,076,305</b>	<b>14.4 %</b>
<b>Financing:</b>									
State General Fund	\$ 111,656,700	\$ 112,092,584	\$ 138,904,907	\$ 26,812,323	23.9 %	\$ 111,567,295	\$ 138,904,907	\$ 27,337,612	24.5 %
Federal Funds	849,577	1,638,167	310,174	(1,327,993)	(81.1)	4,821,974	310,174	(4,511,800)	(93.6)
All Other Funds	36,792,522	36,760,494	36,348,428	(412,066)	(1.1)	37,097,935	36,348,428	(749,507)	(2.0)
<b>TOTAL</b>	<b>\$ 149,298,799</b>	<b>\$ 150,491,245</b>	<b>\$ 175,563,509</b>	<b>\$ 25,072,264</b>	<b>16.7 %</b>	<b>\$ 153,487,204</b>	<b>\$ 175,563,509</b>	<b>\$ 22,076,305</b>	<b>14.4 %</b>

# BUDGET OVERVIEW

## A. FY 2021 – Current Year

### Adjustments to Approved State General Fund Budget

The 2020 Legislature approved a State General Fund (SGF) budget of \$112,056,817 for the Judicial Branch in FY 2021. One adjustment has been made subsequently to that amount. This adjustments changes the current year approved amount without any legislative action required. For this agency, the following adjustment has been made:

- An increase of \$35,767, based on the reappropriation of FY 2020 funding that was not spent in FY 2020 and has shifted to FY 2021.

This adjustment changes the FY 2021 approved SGF amount to \$112,092,584. That amount is reflected in the table below as the currently approved FY 2021 SGF amount.

	CHANGE FROM APPROVED BUDGET				
	Legislative Approved FY 2021	Agency Estimate FY 2021	Agency Change from Approved	Governor Rec. FY 2021	Governor Change from Approved
State General Fund	\$ 112,092,584	\$ 112,092,584	\$ 0	\$ 111,567,295	\$ (525,289)
All Other Funds	39,195,563	38,398,661	(796,902)	41,919,909	2,724,346
<b>TOTAL</b>	<b>\$ 151,288,147</b>	<b>\$ 150,491,245</b>	<b>\$ (796,902)</b>	<b>\$ 153,487,204</b>	<b>\$ 2,199,057</b>
FTE Positions	1,868.0	1,868.0	0.0	1,868.0	0.0

The **agency** requests a revised estimate of \$150.5 million, including \$112.1 million SGF, in FY 2021. The revised estimate is an all funds decrease of \$796,902, or 0.5 percent, below the amount approved by the 2020 Legislature. The decrease is primarily due to lower employer contributions for the public employees retirement system (\$633,625) and the judges retirement system (\$205,569). The revised estimate includes 1,868.0 FTE positions, which is the same as the FY 2021 approved number.

The revised estimate is detailed below by major category of expenditure:

- **Salaries and Wages.** The agency requests a revised estimate of \$136.5 million, including \$112.1 million SGF, for salary and wage expenditures in FY 2021. The revised estimate is an all funds decrease of \$703,466, or 0.5 percent, below the approved amount. The decrease is primarily due to lower employer contributions for the public employees retirement system (\$633,625) and the judges retirement system (\$205,569);
- **Contractual Services.** The agency requests a revised estimate of \$8.5 million, including \$29,000 SGF, for contractual services expenditures in FY 2021. The revised estimate is an all funds decrease of \$496,350, or 5.5 percent, below the

approved amount. The decrease is primarily due to lower expenditures for eCourt maintenance (\$1.2 million), partially offset by higher expenditures for eCourt professional services (\$819,182);

- **Commodities.** The agency requests a revised estimate of \$98,158, all from special revenue funds, for commodities expenditures in FY 2021. The revised estimate is an all funds decrease of \$71,039, or 42.0 percent, below the approved amount. The decrease is primarily due to lower expenditures for food (\$50,624) and office supplies (\$12,091); and
- **Capital Outlay.** The agency requests a revised estimate of \$3.6 million, all from special revenue funds, for capital outlay expenditures in FY 2021. The revised estimate is an all funds increase of \$83,900, or 2.4 percent, above the approved amount. The increase is primarily due to higher expenditures for furniture, fixtures, and equipment (\$143,900), offset by lower expenditures for office equipment for the Kansas Judicial Center (\$60,000).

The **Governor** recommends \$153.5 million, including \$111.6 million SGF, in FY 2021. The recommendation is an increase of \$3.0 million, or 2.0 percent, above the FY 2021 revised estimate. Pursuant to KSA 75-3721f, the Governor is statutorily required to include the Judicial Branch's budget in *The Governor's Budget Report* as submitted by the agency. The recommendation includes two adjustments that are not reflected in the FY 2021 revised estimate, due to two statewide adjustments, as follows:

- **COVID-19 Relief Funding.** The Governor's Recommendation includes an additional \$3.5 million, all from the Coronavirus Relief Fund, for further remote technology equipment and program expenses in FY 2021. The agency used that supplemental funding for personal protective equipment, temporary support to address growing information technology needs, and funding for existing specialty courts (\$3.4 million); creating an online marriage license portal (\$100,000); creating a text notification system (\$50,000); and creating a virtual court directory (\$21,248). This amount was approved after the agency submitted its budget request and is not reflected in the agency's FY 2021 revised estimate; and
- **Governor's Allotments.** The Governor's recommendation includes a reduction of \$525,289, all SGF, for a moratorium on KPERS death and disability payments in FY 2021, pursuant to the Governor's allotment plan. However, because the Judicial Branch is a separate branch of government, legislative action is required to effectuate the change.

## **Governor's Allotments**

On June 29, 2020, the Governor announced State General Fund allotments or reductions for FY 2021 of \$374.5 million. Included in the Governor's allotted budget were \$146.7 million in human services caseload adjustments, \$79.3 million to delay the FY 2021 State Foundation Aid payment for K-12 Education, \$46.7 million in reductions due to a suspension of KPERS Death and Disability contributions, and \$101.8 million in other adjustments.

Allotments included in this document are reflected only in the FY 2021 Governor's Recommendation. Because the Judicial Branch is a separate branch of government, Legislative approval is required to implement the recommendation included in the allotment plan. As it



relates to this agency, the allotment adjustments totaled \$525,289. The allotments applied to this agency are detailed below:

GOVERNOR'S ALLOTMENT PLAN*			
Allotment	SGF	All Funds	FTE
July Allotment Plan			
KPERS Death and Disability	\$ (525,289)	\$ (525,289)	0.0

\* Legislative action is required to implement the Governor's allotment plan.

## B. FY 2022 – Budget Year

FY 2022 OPERATING BUDGET SUMMARY			
	Agency Request	Governor's Recommendation	Difference
<b>Total Request/Recommendation</b>	\$ 175,563,509	\$ 175,563,509	\$ 0
<b>FTE Positions</b>	1,938.0	1,938.0	0.0
<b>Change from FY 2021:</b>			
<i>Dollar Change:</i>			
State General Fund	\$ 26,812,323	\$ 27,337,612	
All Other Funds	(1,740,059)	(5,261,307)	
<b>TOTAL</b>	<b>\$ 25,072,264</b>	<b>\$ 22,076,305</b>	
<i>Percent Change:</i>			
State General Fund	23.9 %	24.5 %	
All Other Funds	(4.5)	(12.6)	
<b>TOTAL</b>	<b>16.7 %</b>	<b>14.4 %</b>	
Change in FTE Positions	70.0	70.0	

The **agency** requests \$175.6 million, including \$138.9 million SGF, for FY 2022. The request is an all funds increase of \$25.1 million, or 16.7 percent, above the FY 2021 revised estimate. The increase is primarily due to the agency's enhancement requests for salary increases (\$20.2 million) and new court services officer positions (\$4.3 million). **Absent the enhancements**, the request is an all funds increase of \$524,174, or 0.3 percent, above the FY 2021 revised estimate. The non-enhancement increase is primarily due to employer contributions to public employee retirement (\$767,577), judges retirement (\$451,796), and group health insurance (\$431,093), partially offset by lower professional service fees for eCourt (\$521,212) and by equipment replacement expenses incurred in FY 2021 that are not present for FY 2022. The request also includes 1,938.0 FTE positions, which is an increase of 70.0 FTE positions above number included in the FY 2021 revised estimate. The increase is due to the agency's enhancement request for new court services officer positions.

The request is detailed below by major category of expenditure:

- Salaries and Wages.** The agency requests \$163.4 million, including \$138.9 million SGF, for salary and wage expenditures for FY 2022. The request is an increase of \$26.9 million, or 19.7 percent, above the FY 2021 revised estimate. The increase is primarily due to the agency's enhancement requests for salary increases (\$20.2 million) and new positions (\$4.3 million). **Absent the enhancements**, the request is an all funds increase of \$2.4 million, or 1.7 percent, above the FY 2021 revised estimate. The non-enhancement increase is primarily due to higher employer contributions to public employee retirement (\$767,577), judges retirement (\$451,796), and group health insurance (\$431,093);
- Contractual Services.** The agency requests \$8.0 million, including \$29,000 SGF, for contractual service expenditures for FY 2022. The request is an all funds decrease of \$458,943, or 5.4 percent, below the FY 2021 revised estimate. The decrease is primarily due to expenditures for eCourt (\$521,212) and for COVID-19 pandemic relief expenses incurred in FY 2021 that are not present for FY 2022;
- Commodities.** The agency requests \$101,084, all from special revenue funds, for commodities expenditures for FY 2022. The request is an all funds increase of \$2,926, or 3.0 percent, above the FY 2021 revised estimate. The increase is primarily due to additional expenditures for food in the Education Services program (\$2,000); and
- Capital Outlay.** The agency requests \$2.8 million, all from special revenue funds, for capital outlay expenditures for FY 2022. The request is an all funds decrease of \$843,416, or 23.3 percent, below the FY 2021 revised estimate. The decrease is primarily due to expenditures for replacing existing end-of-life hardware and software in the Information Services program incurred in FY 2021 that are not present for FY 2022 (\$600,000).

The **Governor** concurs with the agency request for FY 2022. Pursuant to KSA 75-3721f, the Governor is statutorily required to include the Judicial Branch's budget in *The Governor's Budget Report* as submitted by the agency.

### Enhancement Detail

Enhancements	FY 2022 ENHANCEMENTS					
	Agency Estimate			Governor's Recommendation		
	SGF	All Funds	FTE	SGF	All Funds	FTE
Salary Increase for Judges	\$ 9,410,085	\$ 9,410,085	0.0	\$ 9,410,085	\$ 9,410,085	0.0
Salary Increase for Employees	10,824,403	10,824,403	0.0	10,824,403	10,824,403	0.0
New Court Services Officer Positions	4,313,602	4,313,602	70.0	4,313,602	4,313,602	70.0
<b>TOTAL</b>	<b>\$ 24,548,090</b>	<b>\$ 24,548,090</b>	<b>70.0</b>	<b>\$ 24,548,090</b>	<b>\$ 24,548,090</b>	<b>70.0</b>

The **agency** requests \$24.5 million, all SGF, and 70.0 FTE positions for three enhancement requests for FY 2022. These requests include:

- Salary Increases for Judges.** The agency requests \$9.4 million, all SGF, for a 25.4 percent salary increase for judges and justices for FY 2022. The agency indicates Kansas judge salaries remain uncompetitive in the market, despite the 2.5 percent increase in FY 2020. Furthermore, the agency indicates that, according to a July 1, 2020, survey of judicial salaries conducted by the National Center for State Courts (NCSC), Kansas district judge pay is ranked 48th in the nation before adjusting for cost of living. This enhancement request would improve that pay to 25th and equal to an average adjusted salary for district judges in Colorado, Missouri, Nebraska, and Oklahoma. Current and enhanced salaries numbers are detailed below;

<b>JUDGE SALARIES – CURRENT AND FY 2022 AGENCY REQUEST</b>			
Position	Current Salary		Agency Request FY 2022
Supreme Court			
Chief Justice	\$	149,290	\$ 187,135
Justice		145,641	182,561
Court of Appeals			
Chief Judge	\$	144,403	\$ 181,009
Judge		140,940	176,668
District Court			
Chief Judge	\$	129,940	\$ 162,880
District Judge		128,636	161,245
District Magistrate Judge		66,170	82,944

- Salary Increases for Employees.** The agency requests \$10.8 million, all SGF, for salary increases for non-judge employees for FY 2022. Salary increases range from 2.7 percent to 18.9 percent and are based on market level pay for comparable positions, as determined by a NCSC employee classification and compensation study. The agency indicates that the average time to fill a position is 54 days and that, even with data accounting for consumer price index changes for FY 2020, non-judge employees require additional funding to raise salaries to market level; and
- New Court Services Officer (CSO) Positions.** The agency requests \$4.3 million, all SGF, and 70.0 FTE positions for additional CSO positions for FY 2022. Commonly known as probation officers, CSOs fulfill both statutory and non-statutory responsibilities for the State of Kansas. In response to weighted workload studies conducted by the NCSC, the Kansas Supreme Court formed a CSO workload study group to examine each CSO task to determine its authority and purpose. In October 2019, the group submitted its final report to the Court, finding that the Judicial Branch does not currently have enough personnel to adequately perform all statutorily mandated CSO duties. The report indicates

that, to meet that need, and without accounting for the personnel necessary to perform non-statutory duties, the Judicial Branch would need to hire 70 additional CSOs.

The **Governor** concurs with the agency's enhancement requests for FY 2022. Pursuant to KSA 75-3721f, the Governor is statutorily required to include the Judicial Branch's budget in *The Governor's Budget Report* as submitted by the agency.

## Governor's Recommended Salary and Wage Adjustments

**For FY 2022**, the Governor recommends adding \$31.5 million, including \$11.3 million SGF, for a 2.5 percent state employee base pay adjustment. The plan would increase salaries for classified and unclassified employees in the Executive Branch, Legislative Branch, and Judicial Branch. Legislative and elected officials would be excluded from this salary adjustment. The funds would be appropriated to and certified for distribution by the State Finance Council if approved. Employees of state universities are also not included in the proposed pay plan; however, the Governor recommends adding \$10.4 million, all SGF, to the university operating grants. This amount is equivalent to what the pay plan would have provided for university employees, but the funds are included in the Kansas Board of Regents budget for use at their discretion.

**Longevity Bonus Payments.** In FY 2021 and for FY 2022, the Governor recommends funding longevity bonus payments for eligible state employees at the statutory rate of \$40 per year of service, with a 10-year minimum (\$400) and a 25-year maximum (\$1,000). Classified employees hired after June 15, 2008, are not eligible for longevity bonus payments. The estimated cost for the recommended FY 2021 payment is \$3.0 million, including \$1.1 million SGF. For FY 2022, the estimated cost is \$3.1 million, including \$1.1 million SGF. **For this agency, FY 2021 longevity payments total \$616,025, including \$504,502 SGF, and FY 2022 longevity payments total \$642,566, including \$546,006 SGF.**

**Kansas Public Employees Retirement System (KPERs).** The employer retirement contribution rate, including Death and Disability contributions, for the KPERs State and School Group is scheduled to be 14.23 percent in FY 2021 and 15.09 percent for FY 2022. The FY 2021 rate excludes the 1.0 percent KPERs Death and Disability contribution that is currently subject to a moratorium described below.

The Governor recommends the KPERs State and School Group be reamortized. The current amortization period was set by the Legislature in 1993 for 40 years. The Governor proposes the new amortization be set for 25 years beginning in FY 2022, an extension of 10 years to the current plan. Reamortization would reduce employer contributions for the KPERs State and School Group in the short term. It is estimated that resetting the amortization period to 25 years could produce budget savings of \$177.3 million, including \$158.7 million SGF, for FY 2022. The Governor's recommendation would also incorporate \$25.8 million in KPERs layering payments into the amortization schedules. **No savings from this policy are currently included in this agency's budget.**

**KPERs Death and Disability Group Insurance Fund.** During FY 2021, a moratorium on employer contributions to the KPERs Death and Disability Group Insurance Fund was in effect. The fund had a sufficient balance to suspend payments on a temporary basis without affecting employee benefits. The moratorium was implemented *via* the Governor's allotment authority; therefore, the Legislative and Judicial branches are currently excluded from the moratorium. The total savings for the moratorium are estimated at \$46.7 million in contributions from the SGF. Included in this amount were savings of approximately \$40.3 million from KPERs School Group contributions in the Kansas State Department of Education budget. No similar moratorium is proposed for FY 2022, requiring the addition of \$46.7 million to annualize the payments for the full fiscal year.

## Funding Sources

Funding Source	Agency Req. Percent of Total FY 2022	Gov. Rec. Percent of Total FY 2022
State General Funds	79.1 %	79.1 %
Federal Funds	0.2	0.2
All Other Funds	20.7	20.7
<b>TOTAL</b>	<b>100.0 %</b>	<b>100.0 %</b>

(Note: Totals may not add due to rounding.)

Kansas generates revenue from fines and fees that are subsequently distributed at the county level (KSA 19-101e) and to the State Treasury for allocation to state accounts, including the SGF (KSA 20-350 and 20-2801). In FY 2019, the State of Kansas collected \$55.5 million in fines and fees, and of that amount, the State Treasury distributed \$38.1 million to the Judicial Branch. Examples of such fines and fees include the following.

**Docket Fees.** Kansas has had a uniform system of district court docket fees since 1974. Through FY 2021, the first \$3.1 million of clerks' fees is deposited into the Electronic Filing Management Fund before the remainder is deposited into the Docket Fee Fund. From FY 2022 forward, the amount deposited in the Electronic Filing and Management Fund will decrease to \$1.5 million. The Judicial Branch collected \$30.1 million in docket fees and surcharges for the State Treasury in FY 2019.

**Driver's License Reinstatement Fees.** Kansas collects reinstatement fees resulting from the failure to comply with a traffic citation, pursuant to KSA 8-2110. Upon such a finding, the district or municipal court assesses a reinstatement fee of \$100 for each charge on which the person failed to remit payment per the citation. The Judicial Branch collects the first \$15 of those fees, as well as 41.2 percent of the remainder, to be deposited into the Nonjudicial Salary Adjustment Fund. The Judicial Branch collected \$1.2 million in FY 2019 and projects \$1.2 million for FY 2020 and FY 2021.

**DUI Reinstatement Fees.** The Department of Revenue collects reinstatement fees when driver's licenses are suspended for DUI test refusal or failure, pursuant to KSA 8-241. The Judicial Branch's allocation of those fees expired in FY 2019. Prior to that, the Judicial Branch collected 33.0 percent of DUI reinstatement fees.

**Marriage License Fees.** Kansas collects fees from marriage license applications, pursuant to KSA 23-2510, 15.3 percent of which is distributed to the Judicial Branch's Nonjudicial Salary Adjustment Fund. The Judicial Branch collected \$147,844 in FY 2019 and projects collections of \$150,000 for FY 2020 and \$160,000 for FY 2021.

**Summary Judgment Motions.** Kansas collects fees whenever any party files a dispositive motion, pursuant to KSA 60-2008. The fee for summary judgments was set at \$195 starting in FY 2015, which is the amount of the adjusted docket fee for a Chapter 60 filing plus the surcharge.

## Docket Fee Fund Analysis

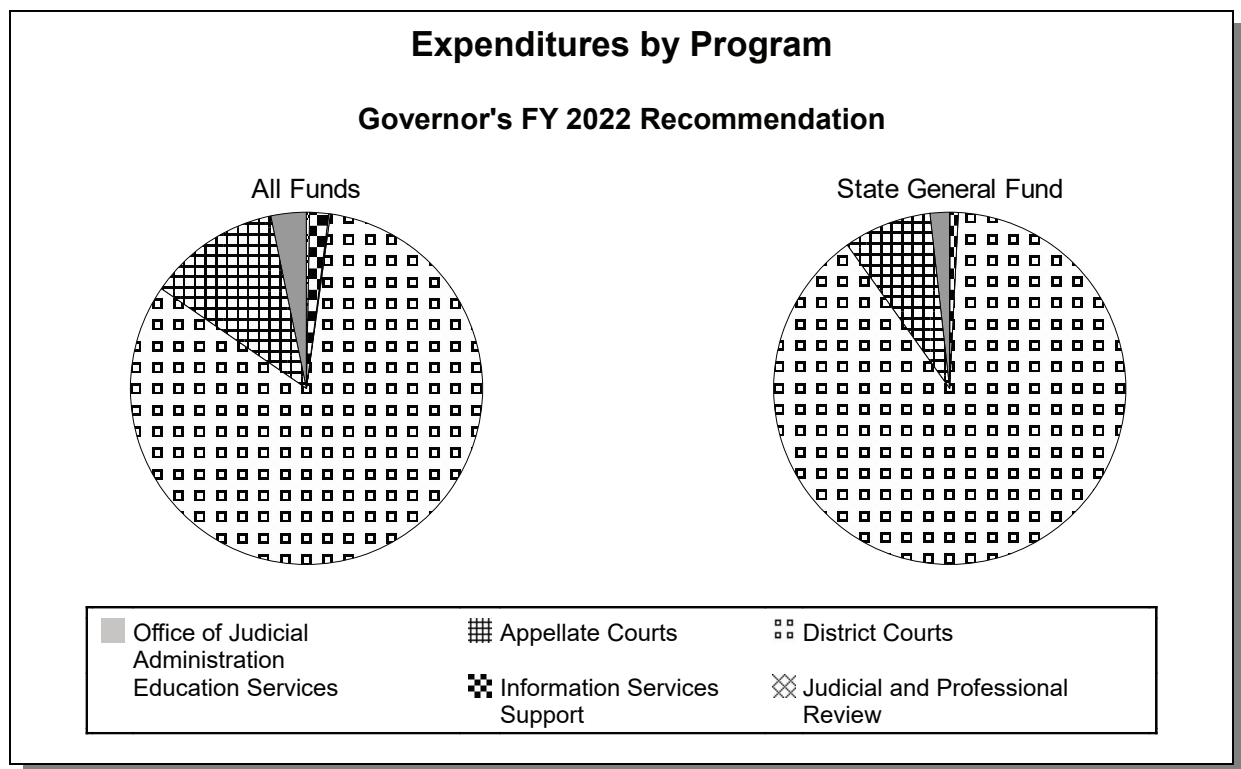
The Docket Fee Fund generates revenue from 99.01 percent of clerks' fees forwarded to the State and funds Judicial Branch operations. Through FY 2021, the first \$3.1 million of clerks' fees is deposited into the Electronic Filing Management Fund before the remainder is deposited into the Docket Fee Fund. From FY 2022 forward, the amount deposited in the Electronic Filing and Management Fund will decrease to \$1.5 million.

The 2014 Legislature increased docket fees in several categories, with major increases in traffic filings and the Chapter 60 civil docket fee and new fees for summary judgment motions and garnishments among others. The Legislature projected the increased fees would generate an additional \$6.2 million with the majority coming from summary judgments, traffic filings, and Chapter 60 civil filings. The increased docket fees occur against a general background of declining docket fees of 4.0 percent to 6.0 percent per year.

The 2015 Legislature further adjusted docket fees to expand the scope of summary judgment motions to include all dispositive motions, increasing the number of categories in which docket fees are collected.

Resource Estimate	Actual FY 2020	Agency Estimate FY 2021	Gov. Rec. FY 2021	Agency Request FY 2022	Gov. Rec. FY 2022
Beginning Balance	\$ 11,085,822	\$ 6,277,619	\$ 6,277,619	\$ 2,520,693	\$ 2,520,693
Revenue	23,525,805	23,779,116	23,779,116	25,379,116	25,379,116
Transfers in	0	0	0	0	0
<i>Funds Available</i>	<u>\$ 34,611,627</u>	<u>\$ 30,056,735</u>	<u>\$ 30,056,735</u>	<u>\$ 27,899,809</u>	<u>\$ 27,899,809</u>
Less:					
Expenditures	\$ 28,334,008	\$ 27,536,042	\$ 27,536,042	\$ 27,300,395	\$ 27,300,395
Transfers Out	0	0	0	0	0
Off-Budget Expenditures	0	0	0	0	0
<b>Ending Balance</b>	<u><b>\$ 6,277,619</b></u>	<u><b>\$ 2,520,693</b></u>	<u><b>\$ 2,520,693</b></u>	<u><b>\$ 599,414</b></u>	<u><b>\$ 599,414</b></u>
Ending Balance as Percent of Expenditures	22.2%	9.2%	9.2%	2.2%	2.2%

# PROGRAM DETAIL



Program	Gov. Rec. All Funds FY 2022	Percent of Total	Gov. Rec. SGF FY 2022	Percent of Total
Office of Judicial Administration	\$ 5,726,978	3.3 %	\$ 2,486,133	1.8 %
Appellate Courts	21,336,388	12.2	11,225,585	8.1
District Courts	144,681,715	82.4	124,111,011	89.3
Education Services	257,297	0.1	0	0.0
Information Services Support	3,060,098	1.7	1,069,327	0.8
Judicial and Professional Review	501,033	0.3	12,851	0.0
<b>TOTAL</b>	<b>\$ 175,563,509</b>	<b>100.0 %</b>	<b>\$ 138,904,907</b>	<b>100.0 %</b>



<b>FTE POSITIONS BY PROGRAM FY 2020 – FY 2022</b>					
<b>Program</b>	<b>Actual FY 2020</b>	<b>Agency Est. FY 2021</b>	<b>Gov. Rec. FY 2021</b>	<b>Agency Req. FY 2022</b>	<b>Gov. Rec. FY 2022</b>
Office of Judicial Administration	39.0	41.8	41.8	41.8	41.8
Appellate Courts	129.5	125.5	125.5	125.5	125.5
District Courts	1,681.5	1,680.7	1,680.7	1,750.7	1,750.7
Education Services	0.0	0.0	0.0	0.0	0.0
Information Services Support	16.0	18.0	18.0	18.0	18.0
Judicial and Professional Review	2.0	2.0	2.0	2.0	2.0
<b>TOTAL</b>	<b>1,868.0</b>	<b>1,868.0</b>	<b>1,868.0</b>	<b>1,938.0</b>	<b>1,938.0</b>

(Note: For purposes of this analysis, full-time equivalent (FTE) positions include non-FTE permanent unclassified positions but continue to exclude temporary employees. FTE positions reflect permanent state positions equating to a 40-hour work week.)

### **A. Office of Judicial Administration**

The Office of Judicial Administration (OJA) program implements the rules and polices of the Supreme Court as they apply to the operation and administration of the Judicial Branch. Duties prescribed by law or directed by the Supreme Court include fiscal operations, personnel management, public information services, general counsel services, compilation, and assessment of court statistical information.

OJA activities with recent updates include the following:

- **Centralized Court Payment Center.** OJA recently began implementing a centralized payment center to consolidate district court accounting functions associated with the eCourt case management system. The agency indicates this process will create efficiencies, thus allowing staff to concentrate more on case management duties. In August 2019, OJA began implementing the centralized payment center on the same rollout schedule as eCourt, beginning with Clay, Dickinson, Geary, Marion, Morris, and Riley counties;
- **Language Access.** OJA also administers a Language Access Committee to assist with the development and management of a comprehensive language access program for people with limited English proficiency. At the committee's recommendation, OJA contracted with Johnson County Community College to host an online court interpreter orientation and attendant services, which would allow a court interpreter to access, view, and complete court interpreter orientation online, free of charge to the interpreter. The program will be video-based, and OJA contracted with Wichita State University for recording and production. Recording occurred in January 2020, and the orientation is scheduled to go live in FY 2021;
- **Specialty Courts.** Several Kansas judicial districts operate specialty courts, which are also called problem-solving courts. These include drug, veterans, mental health, teen, and truancy courts. Pursuant to KSA 2019 Supp. 21-6902,

the Kansas Criminal Justice Reform Commission is required to "study specialty courts and make recommendations for the use of specialty courts throughout the state." During the 2020 Interim Session, OJA worked with the Commission to study this topic, with the intent of drafting proposed legislation regarding specialty courts for the 2021 Legislative Session;

- **Collections.** The 2015 Legislature transferred responsibility for negotiating, executing, and overseeing contracts for collecting restitution and debt owed to courts from the Office of the Attorney General to the judicial administrator, pursuant to KSA 2019 Supp. 20-169. OJA has been creating and implementing debt collection standards and benchmarks. The current contracts expire on July 31, 2021. At that time, current vendors will be given an opportunity to renew for another year. The next request for proposal on debt collection services will be issued in Spring 2022;
- **Video Conferencing.** The Kansas Court of Appeals video conferencing committee developed a pilot project using video conferencing, rather than personal appearances, for some appellate court cases under specific circumstances. In 2016, the Court of Appeals heard its first oral arguments presented *via* video conference, and in 2020, the Supreme Court conducted its first ever hearing over Zoom. With the onset of the COVID-19 pandemic, the agency determined that in-person hearings and meetings were not feasible for an undetermined amount of time. Both the Supreme Court and the Court of Appeals currently conduct hearings *via* Zoom. All meetings are currently conducted using either the Zoom or Microsoft Teams video conferencing systems. It is expected that these videoconferencing formats will continue to be used for certain meetings and hearings after the ability for in-person contact has been restored;
- **Workshare.** Workshare allows for courts using the Centralized Case Management System (CCMS) to create tasks that can be accessed and processed remotely at any other court location that is connected to the same system. Tasks can be worked by multiple users and at multiple locations simultaneously. Tasks can also be designated for certain users or user groups to ensure processing of specialized workshare assignments. In FY 2020, Clay, Dickinson, Geary, Marion, Morris, and Riley counties began using using CCMS and implementing workshare activities. In FY 2021, the agency anticipates that several more counties, including Sedgwick County, will be integrated into CCMS. Workshare will be expanded from the first six counties to all counties using CCMS and to other counties preparing to implement CCMS for FY 2022; and
- **COVID-19 Pandemic.** Expenditures from the federal Coronavirus Supplemental Emergency Fund (CSEF) and the Coronavirus Relief Fund (CRF) are budgeted to OJA. On March 18, 2020, the Chief Justice entered 2020-PR-016, which ordered statewide restricted operations for the Judicial Branch due to the COVID-19 pandemic. Employees and judges were required to perform their duties remotely, if possible. At that point, the agency used existing funds to provide some of the necessary equipment to its employees, such as laptops, cellphones, and wireless hot spots for those with inadequate internet access. Additionally, some employees required personal protective equipment (PPE), such as face coverings and hand sanitizer. The agency subsequently applied for, and received, additional funds from the CSEF, through the Office of the Governor's Grants Program, and the CRF, administered by the Strengthening People and Revitalizing Kansas (SPARK) Taskforce.

PERFORMANCE MEASURES						
Measure	Actual FY 2018	Actual FY 2019	Gov. Rec. FY 2020	Actual FY 2020	Gov. Rec. FY 2021	Gov. Rec. FY 2022
There are no performance measures submitted for this program.						
<u>Agency Expenditures</u>						
All Funds (Dollars in Millions)	\$ 4.6	\$ 5.1	\$ 5.1	\$ 6.3	\$ 10.1	\$ 5.7
FTE Positions	33.0	33.0	39.0	39.0	41.8	41.8

OFFICE OF JUDICIAL ADMINISTRATION SUMMARY OF EXPENDITURES FY 2020 – FY 2022					
Item	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
<b>Expenditures:</b>					
Salaries and Wages	\$ 3,470,904	\$ 3,592,449	\$ 3,792,449	\$ 3,930,577	\$ 3,930,577
Contractual Services	1,070,082	1,209,605	3,300,355	829,984	829,984
Commodities	27,607	17,143	1,076,393	16,417	16,417
Capital Outlay	802,488	787,485	958,733	150,000	150,000
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<i>\$ 5,371,081</i>	<i>\$ 5,606,682</i>	<i>\$ 9,127,930</i>	<i>\$ 4,926,978</i>	<i>\$ 4,926,978</i>
Aid to Local Units	107,810	344,156	344,156	0	0
Other Assistance	800,000	800,000	800,000	800,000	800,000
<b>TOTAL</b>	<b>\$ 6,278,891</b>	<b>\$ 6,750,838</b>	<b>\$ 10,272,086</b>	<b>\$ 5,726,978</b>	<b>\$ 5,726,978</b>
<b>Financing:</b>					
State General Fund	\$ 2,306,194	\$ 2,175,170	\$ 2,175,170	\$ 2,486,133	\$ 2,486,133
All Other Funds	3,972,697	4,575,668	8,096,916	3,240,845	3,240,845
<b>TOTAL</b>	<b>\$ 6,278,891</b>	<b>\$ 6,750,838</b>	<b>\$ 10,272,086</b>	<b>\$ 5,726,978</b>	<b>\$ 5,726,978</b>
FTE Positions	39.0	41.8	41.8	41.8	41.8

The **agency** requests \$5.7 million, including \$2.5 million SGF, for the Office of Judicial Administration program for FY 2022. The request is an all funds decrease of \$1.0 million, or 15.2 percent, below the FY 2021 revised estimate. The decrease is primarily due to expenditures for COVID-19 pandemic relief measures from two federal sources, the CSEF and the CRF, that were incurred in FY 2021 that are not present for FY 2022 (\$1.2 million). The agency used these funds to provide some of the necessary equipment for its employees to work remotely, including laptops, cellphones, and wireless hot spots for those with inadequate internet access. This reduction is partially offset by increases in employee salaries (\$249,030) and higher employer contributions to public employee retirement (\$61,901). The request also includes 41.8 FTE positions, which is the same number as the FY 2021 revised estimate.

The **Governor** concurs with the agency request for FY 2022. Pursuant to KSA 75-3721f, the Governor is statutorily required to include the Judicial Branch's budget in *The Governor's Budget Report* as submitted by the agency.

## B. Appellate Courts

The Appellate Courts program consists of the Supreme Court, which has 7 members, and the Court of Appeals, which currently has 14 members. This program also includes the Clerk of the Appellate Court, Appellate Reporter, Supreme Court Law Library, eCourt, Municipal Court Training and Judicial Certification, and Alternative Dispute Resolution subprograms.

PERFORMANCE MEASURES						
Measure	Actual FY 2018	Actual FY 2019	Gov. Rec. FY 2020	Actual FY 2020	Gov. Rec. FY 2021	Gov. Rec. FY 2022
There are no performance measures submitted for this program.						
<u>Agency Expenditures</u>						
All Funds (Dollars in Millions)	\$ 17.0	\$ 18.3	\$ 21.8	\$ 18.2	\$ 19.3	\$ 21.3
FTE Positions	126.5	130.5	129.5	129.5	125.5	125.5

APPELLATE COURTS SUMMARY OF EXPENDITURES FY 2020 – FY 2022					
Item	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
<b>Expenditures:</b>					
Salaries and Wages	\$ 11,970,537	\$ 12,370,959	\$ 12,370,959	\$ 14,229,646	\$ 14,229,646
Contractual Services	4,357,596	5,068,610	5,068,610	4,833,859	4,833,859
Commodities	44,101	26,538	26,538	26,984	26,984
Capital Outlay	1,824,707	1,795,230	1,795,230	2,245,899	2,245,899
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<u>\$ 18,196,941</u>	<u>\$ 19,261,337</u>	<u>\$ 19,261,337</u>	<u>\$ 21,336,388</u>	<u>\$ 21,336,388</u>
Aid to Local Units	0	0	0	0	0
Other Assistance	0	0	0	0	0
<b>TOTAL</b>	<u><b>\$ 18,196,941</b></u>	<u><b>\$ 19,261,337</b></u>	<u><b>\$ 19,261,337</b></u>	<u><b>\$ 21,336,388</b></u>	<u><b>\$ 21,336,388</b></u>
<b>Financing:</b>					
State General Fund	\$ 9,285,622	\$ 9,418,384	\$ 9,418,384	\$ 11,225,585	\$ 11,225,585
All Other Funds	8,911,319	9,842,953	9,842,953	10,110,803	10,110,803
<b>TOTAL</b>	<u><b>\$ 18,196,941</b></u>	<u><b>\$ 19,261,337</b></u>	<u><b>\$ 19,261,337</b></u>	<u><b>\$ 21,336,388</b></u>	<u><b>\$ 21,336,388</b></u>
FTE Positions	129.5	125.5	125.5	125.5	125.5

The **agency** requests \$21.3 million, including \$11.2 million SGF, for the Appellate Courts program for FY 2022. The request is an all funds increase of \$2.1 million, or 10.8 percent, above the FY 2021 revised estimate. The increase is primarily due to the agency's enhancement requests for salary increases for judicial personnel (\$920,503) and non-judicial employees (\$730,435). Additional information on these enhancements may be found above. **Absent the enhancements**, the request also includes increased expenditures for furniture, fixtures, and equipment for eCourt (\$462,130) as well as higher employer contributions to public employees retirement (\$74,128) and judges retirement (\$39,867). The request includes 125.5 FTE positions, which is the same number as the FY 2021 revised estimate.

The **Governor** concurs with the agency request for FY 2022. Pursuant to KSA 75-3721f, the Governor is statutorily required to include the Judicial Branch's budget in *The Governor's Budget Report* as submitted by the agency.

<b>APPELLATE COURTS SUBPROGRAMS</b>					
<b>SUMMARY OF EXPENDITURES FY 2020 – FY 2022</b>					
Item	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
Supreme Court	\$ 3,882,481	\$ 4,276,120	\$ 4,276,120	\$ 4,865,541	\$ 4,865,541
Court of Appeals	6,420,545	6,380,566	6,380,566	7,396,733	7,396,733
Clerk of the Appellate Courts	776,498	786,326	786,326	886,270	886,270
Appellate Reporter	967,433	908,732	908,732	979,906	979,906
Law Library	971,768	979,271	979,271	1,023,063	1,023,063
eCourt	5,013,360	5,783,367	5,783,367	6,011,310	6,011,310
Municipal Court Training	158,180	142,280	142,280	163,806	163,806
Alternative Dispute Resolution	6,676	4,675	4,675	9,759	9,759
<b>TOTAL</b>	<b>\$ 18,196,941</b>	<b>\$ 19,261,337</b>	<b>\$ 19,261,337</b>	<b>\$ 21,336,388</b>	<b>\$ 21,336,388</b>

**Supreme Court.** The Supreme Court is the highest court of Kansas and consists of seven justices. The justice who is senior in term of continuous service is designated by the Kansas Constitution as the Chief Justice, unless the senior person declines or resigns the position. The Supreme Court exercises the general administrative authority of the courts throughout Kansas. It is the Chief Justice's responsibility to implement and carry out the administrative rules and policies established by the Supreme Court.

**Court of Appeals.** The Court of Appeals is Kansas' intermediate appellate court consisting of 14 judges. The Court's responsibilities include bringing the appellate court to the people, serving litigants and counsel with timely and well-written appellate opinions, and achieving efficiencies in appellate court operations for the taxpayers. The Court of Appeals sits in panels of three judges, but is also authorized to sit *en banc*. The court also assigns senior judges and district judges to three-judge panels by designation. Although Topeka is designated as the site of the court's principal offices, it is authorized by statute (KSA 20-3013) to hear oral arguments in any county in the state.

**Clerk of the Appellate Courts.** The Clerk of the Appellate Courts is clerk of both the Supreme Court and the Court of Appeals. In addition to case processing for both appellate courts, the Clerk is responsible for general supervision of support staff for the Board of Examiners of Court Reporters, the Board of Law Examiners, the Supreme Court Nominating Commission, the Judicial Qualifications Commission, and the Client Protection Fund Commission. The Clerk also serves as Secretary of the Board of Examiners of Court Reporters, the Judicial Qualifications Commission, the Board of Law Examiners, and the Client Protection Fund Commission, acting as custodian of the official files and records of the Commissions and performing such other ministerial functions as the Commissions direct. Additionally, the Clerk conducts elections for attorney members of the Supreme Court Nominating Commission and 17 nonpartisan district judicial nominating commissions.

**Appellate Reporter.** The Appellate Reporter is a constitutional officer and is required to be an attorney. The primary functions are editing all opinions filed by each appellate court, publishing those opinions each court so designates, and facilitating the placement of the published and unpublished opinions on the Judicial Branch website. In addition to the publication of the Kansas Reports and the Kansas Court of Appeals Reports, and the preparation of the opinions for online dissemination, the Reporter's Office is responsible for

compiling, editing, and publishing the more than 800-page annual book containing the Rules enacted by the Kansas Supreme Court. The office is also responsible for annotating all opinions that cite to the Supreme Court Rules.

**Law Library.** The Supreme Court Law Library supports the research needs of the Judicial Branch, although users of the library vary considerably and include employees of state agencies, the Legislature, attorneys from across the state, and the public, including prisoners. The library’s collection includes state reports, current statutes, digests, administrative rules and orders, legal encyclopedias, treatises, periodicals, and briefs filed in Supreme Court and Court of Appeals cases. Coverage includes state and federal entities. The law library is also a selective depository for federal documents.

**eCourt.** The eCourt system is the agency’s ongoing project to develop and implement a statewide, centralized electronic court environment. Use of eCourt technology will make access to the courts easier, improve court efficiency, and ensure judges have complete and timely information with which to make the most effective dispositions. eCourt will also transform how court staff conducts daily business. Court operations will be more centralized and standardized, thus allowing more effective use of personnel. Clerks available in one county will be able to electronically process case documents and court payments in other counties. The agency contracted with Tyler Technologies to provide a statewide court case management system through the Odyssey program. Implementation of the eCourt system began in 2018 and is scheduled to be completed statewide in 2022. In December 2020, the agency announced that Johnson County courts, which utilizes its own case management system and was previously not included in the project, would now be joining the Odyssey system. eCourt is currently live for courts in 23 counties, detailed below:

<b>ECOURT STATEWIDE IMPLEMENTATION PLAN — UPDATED DECEMBER 2020</b>		
<b>Track</b>	<b>Est. Completion</b>	<b>Counties</b>
Track 1	Live	Clay, Dickinson, Geary, Marion, Morris, Riley
Track 2	2021	Butler, Elk, Greenwood
Track 3	Live	Allen, Anderson, Bourbon, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Franklin, Labette, Linn, Miami, Montgomery, Neosho, Osage, Wilson, Woodson
Track 4	2021	Atchison, Chase, Douglas, Jackson, Jefferson, Leavenworth, Lyon, Pottawatomie, Shawnee, Wabaunsee, Wyandotte
Track 5	2021*	Barton, Brown, Cheyenne, Cloud, Decatur, Doniphan, Ellis, Ellsworth, Gove, Graham, Lincoln, Logan, Marshall, Mitchell, Nemaha, Norton, Osborne, Ottawa, Phillips, Rawlins, Rice, Rooks, Russell, Saline, Sheridan, Sherman, Smith, Stafford, Thomas, Trego, Wallace, Washington
Track 6	2021*	Barber, Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Greeley, Hamilton, Harper, Harvey, Haskell, Hodgeman, Kearny, Kingman, Kiowa, Lane, McPherson, Meade, Morton, Ness, Pawnee, Pawnee, Pratt, Reno, Rush, Scott, Sedgwick, Seward, Stanton, Stevens, Sumner, Wichita
Track 7	2021*	Appellate Courts
Track 8	2022	Johnson

\* These projected time lines are currently under review.

**Municipal Court Training.** KSA 12-4114 requires the Supreme Court to provide a training and examination program to ensure that non-lawyer municipal judges have the necessary minimum skills and knowledge of the law to carry out the duties of a municipal judge within 18 months of the judge taking office. These certification sessions are conducted by members of the Municipal Judges Education Committee who work with the Office of Judicial Administration to plan the training sessions. Once certified, municipal judges not licensed to practice law in Kansas must earn a minimum of ten hours of continuing judicial education each calendar year (Supreme Court Rule 502). An annual training session is provided to fulfill this requirement at no expense to the municipal judge or municipality (KSA 12-4114). This training is funded by the Judicial Branch Education Fund and is conducted by members of the Municipal Judges Education Committee along with the Office of Judicial Administration.

**Alternative Dispute Resolution.** The agency administers and supports statewide dispute resolution. The Supreme Court has appointed an advisory council of judges, lawyers, and mediators to help establish programs committed to non-adversarial dispute resolution. The Office of Judicial Administration coordinates mediation training for judges, court services officers, and state government staff. To accept referrals from Kansas district courts, mediators must meet qualifications and standards established by Kansas Supreme Court Rules 902-904. In FY 2020, 274 mediators, 15 domestic conciliators, 11 parenting coordinators, and 19 case managers were approved to accept mediation referrals from Kansas district courts. The Supreme Court also approved guidelines for individuals who provide domestic case management. All judicial districts use one or more dispute resolution methods.

**C. District Courts**

Kansas has 31 judicial districts consisting of one or more counties. Each county has a district court and a resident judge. The salaries of district court judges and non-judicial personnel are paid by the State. The counties pay most all other operating expenditures with the exceptions of funding for the statewide court accounting system and the case management system. The Judicial Branch estimates counties pay for approximately 20.0 percent of the total operating budget for the district courts.

<b>PERFORMANCE MEASURES</b>						
Measure	Actual FY 2018	Actual FY 2019	Gov. Rec. FY 2020	Actual FY 2020	Gov. Rec. FY 2021	Gov. Rec. FY 2022
There are no performance measures submitted for this program.						
<b>Agency Expenditures</b>						
All Funds (Dollars in Millions)	\$ 109.7	\$ 116.7	\$ 120.7	\$ 120.6	\$ 119.7	\$ 144.7
FTE Positions	1,688.5	1,687.5	1,681.5	1,681.5	1,680.7	1,750.7

<b>DISTRICT COURTS SUMMARY OF EXPENDITURES FY 2020 – FY 2022</b>					
Item	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
<b>Expenditures:</b>					
Salaries and Wages	\$ 119,123,742	\$ 118,838,185	\$ 118,312,896	\$ 143,440,765	\$ 143,440,765
Contractual Services	828,025	724,226	724,226	788,478	788,478
Commodities	33,268	33,013	33,013	33,575	33,575
Capital Outlay	332	50,000	50,000	0	0
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<u>\$ 119,985,367</u>	<u>\$ 119,645,424</u>	<u>\$ 119,120,135</u>	<u>\$ 144,262,818</u>	<u>\$ 144,262,818</u>
Aid to Local Units	197,443	618,897	618,897	418,897	418,897
Other Assistance	397,445	0	0	0	0
<b>TOTAL</b>	<b><u>\$ 120,580,255</u></b>	<b><u>\$ 120,264,321</u></b>	<b><u>\$ 119,739,032</u></b>	<b><u>\$ 144,681,715</u></b>	<b><u>\$ 144,681,715</u></b>
<b>Financing:</b>					
State General Fund	\$ 99,111,220	\$ 99,519,721	\$ 98,994,432	\$ 124,111,011	\$ 124,111,011
All Other Funds	21,469,035	20,744,600	20,744,600	20,570,704	20,570,704
<b>TOTAL</b>	<b><u>\$ 120,580,255</u></b>	<b><u>\$ 120,264,321</u></b>	<b><u>\$ 119,739,032</u></b>	<b><u>\$ 144,681,715</u></b>	<b><u>\$ 144,681,715</u></b>
FTE Positions	1,681.5	1,680.7	1,680.7	1,750.7	1,750.7

The **agency** requests \$144.7 million, including \$124.1 million SGF, for the District Courts program for FY 2022. The request is an all funds increase of \$24.4 million, or 20.3 percent, above the FY 2021 revised estimate. The increase is primarily due to the agency's enhancement requests for salary increases for judicial personnel (\$8.5 million) and non-judicial employees (\$9.8 million) as well as for 70 new Court Services Officer (CSO) positions (\$4.3 million). Additional information on these enhancements may be found above. **Absent the enhancements**, the request also includes increases for higher employer contributions to public employees retirement (\$649,932), judges retirement (\$411,929), and group health insurance (\$389,546).

These increases are partially offset by a reduction of grant funding for Court Appointed Special Advocate (CASA) programs (\$200,000). For the past several years, the Legislature has added proviso language to appropriations bills to transfer funds from the Kansas Endowment for Youth (KEY) Fund to the Permanent Families Account of the Family and Children Investment Fund, as grant funding to be distributed to CASA programs. The 2020 Legislature added language to transfer \$200,000 in FY 2021 for this purpose. That transfer is not included beyond FY 2021 however, which results in a \$200,000 reduction for FY 2022. Additional information on funding for CASA within this agency may be found below.

The request includes 1,750.7 FTE positions, which is an increase of the 70.0 FTE positions above the FY 2021 revised estimate. The increase is due to the agency's enhancement request for 70 new CSO positions.

The **Governor** concurs with the agency request for FY 2022. Pursuant to KSA 75-3721f, the Governor is statutorily required to include the Judicial Branch's budget in *The Governor's Budget Report* as submitted by the agency.



<b>DISTRICT COURTS SUBPROGRAMS</b>					
<b>SUMMARY OF EXPENDITURES FY 2020 – FY 2022</b>					
Item	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
Judges of District Courts	\$ 36,287,579	\$ 36,152,251	\$ 36,152,251	\$ 45,220,628	\$ 45,220,628
Non-judicial Personnel	82,172,323	81,747,138	81,221,849	97,122,108	97,122,108
CASA & CRB Programs	629,767	676,692	676,692	481,390	481,390
Court Improvements for Child Welfare	181,379	337,441	337,441	314,820	314,820
Correctional Supervision	380,203	420,751	420,751	501,743	501,743
Child Support Enforcement	929,004	930,048	930,048	1,041,026	1,041,026
<b>TOTAL</b>	<b>\$ 120,580,255</b>	<b>\$ 120,264,321</b>	<b>\$ 119,739,032</b>	<b>\$ 144,681,715</b>	<b>\$ 144,681,715</b>

**Judges of District Courts.** District court judges are constitutional officers with full judicial power over all cases filed with the district court. Magistrate judges have limited authority to hear traffic infractions, criminal misdemeanors, preliminary examination of felony charges, and certain civil matters. The state is responsible for all Judicial Branch district court salaries, while counties fund operating expenses for local courts. Consequently, the majority of the agency's budget is allocated for salaries and wages. Constitutional and statutory constraints limit savings that can be made from judicial salaries. Additionally, statutes mandate locations of judges and courts. KSA 2019 Supp. 75-3120k allows counties in a judicial district to supplement the compensation of a district magistrate judge. Currently, the 10th Judicial District (Johnson County) and the 5th Judicial District (Lyon and Chase Counties) provide additional compensation to district magistrate judges.

**Non-judicial Personnel.** In each county, an office of the clerk of the district court serves as a gateway to the courts. Staff in the clerk's office accepts court documents, file-stamps them, enters them into the case management system, scans them, files them, retrieves them, and safely stores them. Staff also accept and give receipts for all fines, judgments, and fees, and disburse money as directed by law and court order. Judicial support staff are critical to smoothly operating courts. Secretarial support provides word processing, calendaring, and other administrative services for judges. Without them, a judge would spend many hours performing these duties or relying on the clerk's office, reducing that office's ability to perform its own duties. Court services officers function as probation officers for adults and juveniles who are sentenced to probation for their crimes. They conduct criminal history checks, prepare presentence investigations that help judges apply sentencing guidelines, and administer a mandated, standardized risk assessment tool. Court reporters record and transcribe verbatim reports of judicial trials, conferences, and hearings. They also administer oaths or affirmations to witnesses, and they mark exhibits offered as evidence.

**CASA and CRB Programs.** Court Appointed Special Advocate (CASA) programs use citizen volunteers to personally investigate facts, conditions, and circumstances affecting the welfare of abused and neglected children. Currently, there are 23 CASA programs serving 25 judicial districts. The agency also provides technical assistance to eight Citizen Review Board (CRB) programs, which train citizen volunteers to review cases and recommend dispositional alternatives to judges on selected cases involving children who are in out-of-home placements. The purpose of a board is to ensure children do not linger unnecessarily in foster care and to promote a permanent and safe home for each child whose case is reviewed.

The Kansas CASA Association estimates expenditures totaling \$5.0 million in FY 2020. CASA programs receive a portion of funding from state grants and distributions. For example,

the Office of the Attorney General awarded \$202,807 from the State Crime Victims' Assistance Fund and \$15,000 from the Human Trafficking Victim Assistance Fund to CASA programs in FY 2020. The Judicial Branch distributed \$397,445, all from the Family and Children Investment Fund, in FY 2020.

The Family and Children Investment Fund, established by KSA 38-1808, provides resources to combat child abuse and neglect. While most accounts within this fund are administered by the Department for Children and Families, KSA 38-1808(d)(1) provides the Judicial Branch with administrative authority over the Permanent Families Account, which grants resources to CASA and CRB programs. This account generates revenue from surcharges related to birth certificates, per KSA 65-2418, and from incidental transfers from the Kansas Endowment for Youth Fund. Without legislation enacting such transfers, funding distributed from the Permanent Families Account is limited to revenue generated from birth certificates. The agency anticipates distributing \$409,449 to CASA programs and \$209,448 to CRB programs in FY 2021. Revenue generated for the Permanent Families Account is as follows:

<b>PERMANENT FAMILIES ACCOUNT REVENUE</b>			
Revenue	FY 2020	FY 2021 Est.	FY 2022 Est.
Birth Certificate Copies	\$ 417,798	\$ 400,000	\$ 425,000
Transfer from KEY Fund	200,000	200,000	0
<b>TOTAL</b>	<b>\$ 617,798</b>	<b>\$ 600,000</b>	<b>\$ 425,000</b>

**Court Improvements for Child Welfare.** This federally funded Court Improvement for Child Welfare program assesses current foster care and adoption procedures, laws, and regulations and implements improvements. A grant from the U.S. Department of Health and Human Services funds the collection and analysis of information from representative areas of state judicial systems to formulate improved procedures, laws, and regulations in this area of concern. The Supreme Court Task Force on Permanency Planning makes recommendations for improving Judicial Branch oversight for children in need of care and juvenile offenders. In recent years, the Office of Judicial Administration has sponsored regional workshops for judges, prosecutors, and attorneys representing children and parents in the child welfare system. These workshops focused on the Indian Child Welfare Act, Families First Prevention Services Act, adoption, and transitional planning. These workshops will again be held in FY 2021.

**Correctional Supervision.** As a part of offender supervision, court services officers use validated risk assessment instruments, Level of Service Inventory-Revised (LSI-R) and the Youth Level of Service (YLS) to address offender risk and needs appropriately. Approximately 300 officers are trained in the use of one or both of these instruments. Additionally, KSA 38-2394 requires training in evidence-based practices for individuals who work with juveniles who are adjudicated as juvenile offenders or who are in immediate intervention programs. In FY 2020, court services officers participated in ongoing education on effective practices in community supervision (EPICS) and case planning. Court services officers meet continuing education requirements through participation in regional training opportunities on evidence-based practices for topics such as motivational interviewing and effective case management.

**Child Support Enforcement.** The agency participates in a cooperative reimbursement agreement with the Department for Children and Families for expediting Title IV-D case processing. A formal time study of allowable activities in paternity, child support, and medical

support cases is conducted once each fiscal year over a single four-week period. The agency is also responsible for administering the Kansas Child Support Guidelines. Federal law (Chapter 45, Code of Federal Regulations, Section 302.56) requires each state to review the economic basis of the guidelines and deviations from the guidelines at least once every four years. The current guidelines became effective January 1, 2020. The Kansas Child Support Guidelines Committee is in recess until June 2022, when it will begin its next review session.

#### D. Education Services

The Education Services program provides essential training for judges and staff that focuses on improving judicial and administrative functions and procedures, interpreting statutory requirements, and improving individual skills and job performance. Many educational programs are originated by staff, although the Office of Judicial Administration also works closely with advisory committees representing all components of the agency.

PERFORMANCE MEASURES						
Measure	Actual FY 2018	Actual FY 2019	Gov. Rec. FY 2020	Actual FY 2020	Gov. Rec. FY 2021	Gov. Rec. FY 2022
There are no performance measures submitted for this program.						
Agency Expenditures						
All Funds (Dollars in Thousands)	\$ 388.0	\$ 286.7	\$ 423.9	\$ 384.5	\$ 196.9	\$ 257.3
FTE Positions	0.0	0.0	0.0	0.0	0.0	0.0

EDUCATION SERVICES SUMMARY OF EXPENDITURES FY 2020 – FY 2022					
Item	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
<b>Expenditures:</b>					
Salaries and Wages	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Contractual Services	375,789	190,487	190,487	248,495	248,495
Commodities	8,704	6,415	6,415	8,802	8,802
Capital Outlay	0	0	0	0	0
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<i>\$ 384,493</i>	<i>\$ 196,902</i>	<i>\$ 196,902</i>	<i>\$ 257,297</i>	<i>\$ 257,297</i>
Aid to Local Units	0	0	0	0	0
Other Assistance	0	0	0	0	0
<b>TOTAL</b>	<b>\$ 384,493</b>	<b>\$ 196,902</b>	<b>\$ 196,902</b>	<b>\$ 257,297</b>	<b>\$ 257,297</b>
<b>Financing:</b>					
State General Fund	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
All Other Funds	384,493	196,902	196,902	257,297	257,297
<b>TOTAL</b>	<b>\$ 384,493</b>	<b>\$ 196,902</b>	<b>\$ 196,902</b>	<b>\$ 257,297</b>	<b>\$ 257,297</b>
FTE Positions	0.0	0.0	0.0	0.0	0.0

The **agency** requests \$257,297, all from special revenue funds, for the Education Services program for FY 2022. The request is an all funds increase of \$60,395, or 30.7 percent, above the FY 2021 revised estimate. The increase is primarily due to higher expenditures on professional service fees (\$15,000) and other contractual services (\$35,000). The request also

includes additional expenditures for building rent (\$8,000) and for the purchase of educational materials (\$2,387). The request does not include any FTE positions, which is the same as the FY 2021 revised estimate.

The **Governor** concurs with the agency request for FY 2022. Pursuant to KSA 75-3721f, the Governor is statutorily required to include the Judicial Branch's budget in *The Governor's Budget Report* as submitted by the agency.

### **E. Information Services Support**

The Information Services Support program uses information technology to improve efficiency and productivity by providing enterprise-wide and integrated solutions and enabling effective and efficient operation of new and existing technology, including e-filing, electronic payments, and electronic citation systems.

<b>PERFORMANCE MEASURES</b>						
Measure	Actual FY 2018	Actual FY 2019	Gov. Rec. FY 2020	Actual FY 2020	Gov. Rec. FY 2021	Gov. Rec. FY 2022
There are no performance measures submitted for this program.						
<b>Agency Expenditures</b>						
All Funds (Dollars in Millions)	\$ 2.4	\$ 2.6	\$ 3.0	\$ 3.5	\$ 3.5	\$ 3.1
FTE Positions	15.0	15.0	16.0	16.0	18.0	18.0

<b>INFORMATION SERVICES SUPPORT SUMMARY OF EXPENDITURES FY 2020 – FY 2022</b>					
Item	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
<b>Expenditures:</b>					
Salaries and Wages	\$ 1,401,562	\$ 1,522,280	\$ 1,522,280	\$ 1,627,665	\$ 1,627,665
Contractual Services	1,247,476	1,104,951	1,104,951	1,123,552	1,123,552
Commodities	9,066	8,733	8,733	8,881	8,881
Capital Outlay	795,256	900,000	900,000	300,000	300,000
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<i>\$ 3,453,360</i>	<i>\$ 3,535,964</i>	<i>\$ 3,535,964</i>	<i>\$ 3,060,098</i>	<i>\$ 3,060,098</i>
Aid to Local Units	0	0	0	0	0
Other Assistance	0	0	0	0	0
<b>TOTAL</b>	<b>\$ 3,453,360</b>	<b>\$ 3,535,964</b>	<b>\$ 3,535,964</b>	<b>\$ 3,060,098</b>	<b>\$ 3,060,098</b>
<b>Financing:</b>					
State General Fund	\$ 949,744	\$ 976,055	\$ 976,055	\$ 1,069,327	\$ 1,069,327
All Other Funds	2,503,616	2,559,909	2,559,909	1,990,771	1,990,771
<b>TOTAL</b>	<b>\$ 3,453,360</b>	<b>\$ 3,535,964</b>	<b>\$ 3,535,964</b>	<b>\$ 3,060,098</b>	<b>\$ 3,060,098</b>
FTE Positions	16.0	18.0	18.0	18.0	18.0

The **agency** requests \$3.1 million, including \$1.1 million SGF, for the Information Services Support program for FY 2022. The request is an all funds decrease of \$475,866, or 13.5 percent, below the FY 2021 revised estimate. The decrease is primarily due to expenditures for replacing existing end-of-life hardware and software, including server and video

equipment, incurred in FY 2021 that are not present for FY 2022 (\$600,000). This reduction is partially offset by the agency's enhancement request for salary increases for non-judicial employees (\$71,627). Additional information on these enhancements may be found above. The request also includes 18.0 FTE positions, which is the same number as the FY 2021 revised estimate.

The **Governor** concurs with the agency request for FY 2022. Pursuant to KSA 75-3721f, the Governor is statutorily required to include the Judicial Branch's budget in *The Governor's Budget Report* as submitted by the agency.

## F. Judicial and Professional Review

The Judicial and Professional Review program consists of the Commission on Judicial Qualifications, the Judicial Nominating Commission, the Board of Law Examiners, and the Board of Examiners of Court Reporters. The first two boards are funded from the SGF, while the latter two are funded from the Bar Administration Fee Fund and the Court Reporter Fund, respectively.

PERFORMANCE MEASURES						
Measure	Actual FY 2018	Actual FY 2019	Gov. Rec. FY 2020	Actual FY 2020	Gov. Rec. FY 2021	Gov. Rec. FY 2022
There are no performance measures submitted for this program.						
Agency Expenditures						
All Funds (Dollars in Thousands)	\$ 386.6	\$ 410.3	\$ 502.6	\$ 404.9	\$ 481.9	\$ 501.0
FTE Positions	2.0	2.0	2.0	2.0	2.0	2.0

JUDICIAL AND PROFESSIONAL REVIEW SUMMARY OF EXPENDITURES FY 2020 – FY 2022					
Item	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
<b>Expenditures:</b>					
Salaries and Wages	\$ 191,031	\$ 195,966	\$ 195,966	\$ 207,039	\$ 207,039
Contractual Services	206,510	190,501	190,501	205,069	205,069
Commodities	6,871	6,316	6,316	6,425	6,425
Capital Outlay	447	89,100	89,100	82,500	82,500
Debt Service	0	0	0	0	0
Subtotal - Operations	\$ 404,859	\$ 481,883	\$ 481,883	\$ 501,033	\$ 501,033
Aid to Local Units	0	0	0	0	0
Other Assistance	0	0	0	0	0
<b>TOTAL</b>	<b>\$ 404,859</b>	<b>\$ 481,883</b>	<b>\$ 481,883</b>	<b>\$ 501,033</b>	<b>\$ 501,033</b>
<b>Financing:</b>					
State General Fund	\$ 3,920	\$ 3,254	\$ 3,254	\$ 12,851	\$ 12,851
All Other Funds	400,939	478,629	478,629	488,182	488,182
<b>TOTAL</b>	<b>\$ 404,859</b>	<b>\$ 481,883</b>	<b>\$ 481,883</b>	<b>\$ 501,033</b>	<b>\$ 501,033</b>
FTE Positions	2.0	2.0	2.0	2.0	2.0

The **agency** requests \$501,033, including \$12,851 SGF, for the Judicial and Professional Review program for FY 2022. The request is an all funds increase of \$19,150, or 4.0 percent, above the FY 2021 revised estimate. The increase is primarily due to the agency's enhancement request for salary increases for non-judicial personnel (\$9,597). Additional information on these enhancements may be found above. **Absent the enhancement**, the request also includes increases in repairing and servicing fees for the Board of Law Examiners (\$18,181), partially offset by expenditures on automated system software licenses for court reporter exams incurred in FY 2021 that are not present for FY 2022 (\$6,600). The request also includes 2.0 FTE positions, which is the same number as the FY 2021 revised estimate.

The **Governor** concurs with the agency request for FY 2022. Pursuant to KSA 75-3721f, the Governor is statutorily required to include the Judicial Branch's budget in *The Governor's Budget Report* as submitted by the agency.

<b>JUDICIAL AND PROFESSIONAL REVIEW SUBPROGRAMS</b>					
<b>SUMMARY OF EXPENDITURES FY 2020 – FY 2022</b>					
Item	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
Commission on Judicial Qualifications	\$ 29,435	\$ 22,284	\$ 22,284	\$ 22,607	\$ 22,607
Judicial Nominating Commission	19,042	13,732	13,732	9,532	9,532
Board of Law Examiners	342,110	419,385	419,385	450,971	450,971
Board of Examiners of Court Reporters	14,272	26,482	26,482	17,923	17,923
<b>TOTAL</b>	<b>\$ 404,859</b>	<b>\$ 481,883</b>	<b>\$ 481,883</b>	<b>\$ 501,033</b>	<b>\$ 501,033</b>

**Commission on Judicial Qualifications.** The Commission on Judicial Qualifications was created by order of the Supreme Court to assist the Supreme Court in the exercise of its responsibility under Article 3, Section 15, of the *Kansas Constitution*, which provides that "judges shall be subject to retirement for incapacity, and to discipline, suspension and removal for cause by the supreme court after appropriate hearing." The Court adopted a Code of Judicial Conduct, effective January 1, 1974, which prescribes a standard of conduct for judges. The code requires a judge not only to avoid impropriety in all of the judge's activities, but also to avoid any appearance of impropriety. It limits judges' political activities and business affairs and prohibits the practice of law by full-time judges. The Code also requires annual reporting of outside income. The Code was substantially amended, effective June 1, 1995, and again on March 1, 2009.

**Judicial Nominating Commission.** The Supreme Court Nominating Commission was established pursuant to the Kansas Constitution, Article 3, Section 5, and KSA 20-119 to 20-138, inclusive, as amended. This nonpartisan Commission has the responsibility of nominating and submitting to the Governor the names of three candidates who are eligible for appointment to vacancies on the Supreme Court. Each member of the Commission is entitled to receive \$15 per diem for meetings and reimbursement for travel, meals, and lodging. Additionally, each year the Clerk's Office holds an election among the attorneys in one of the Congressional Districts to elect a lawyer member to the Supreme Court Nominating Commission. In FY 2021, elections will be held in the Fourth Congressional District for the lawyer member from that district and also statewide for the Chair position. The agency also anticipates additional expenses in FY 2021 due to a vacancy on the Supreme Court.

**Board of Law Examiners.** The Board of Law Examiners is a ten-member board charged with all responsibilities relating to the admission of attorneys to practice law in Kansas. These responsibilities include conducting two bar examinations each year; certifying character

and fitness of applicants to take the bar exam; printing the Kansas essay examination, certificates, rules, and bar application forms; grading the examinations; notifying applicants of examination results; swearing in successful applicants; and issuing bar certificates. The Board grades bar examinations and holds character hearings. Each member of the Board receives an annual \$5,000 fee and subsistence expenses for two annual meetings.

<b>JUDICIAL BRANCH BOARD OF LAW EXAMINERS FEES</b>	
Item	Current Fee
Legal intern permit	\$ 50
Temporary permit to practice law	100
Regular bar examination fee (timely filed application)	700
Regular bar examination fee (untimely filed application)	900
Restricted license to perform legal services for a single employer	1,250
Restricted admission for military spouses	1,250
Reciprocal admission	1,250
Admission by Uniform Bar Examination score	1,250

**Board of Examiners of Court Reporters.** The State Board of Examiners of Court Reporters was established by the Supreme Court in 1941 pursuant to KSA 20-912. Rules of the Supreme Court relating to official reporters for district courts and rules adopted by the Board are set forth in the Kansas Court Rules Annotated. The Board, subject to direction and approval of the Supreme Court, has general supervision over the granting of certificates of eligibility for appointment as official reporters of district courts.