

House Budget Committee Report

Agency: Judicial Branch

Bill No. HB 2397

Bill Sec. 33

Analyst: Wu

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Budget Page No. 200

Expenditure Summary	Agency Request FY 2022	Governor Recommendation FY 2022	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 138,904,907	\$ 138,904,907	\$ 0
Other Funds	36,658,602	36,658,602	0
<i>Subtotal</i>	<u>\$ 175,563,509</u>	<u>\$ 175,563,509</u>	<u>\$ 0</u>
Capital Improvements:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
<i>Subtotal</i>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 175,563,509</u></u>	<u><u>\$ 175,563,509</u></u>	<u><u>\$ 0</u></u>
FTE positions	1,938.0	1,938.0	0.0

Agency Request

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.

Governor's Recommendation

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.

House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's recommendation for FY 2022, with the following adjustments:

1. Add \$250,000, all from the Permanent Families Account of the Family and Children Investment Fund, for Court Appointed Special Advocate (CASA) programs, and transfer that amount from the Kansas Endowment for Youth (KEY) Fund to the Permanent Families Account for FY 2022.
2. The Budget Committee recommends the agency's enhancement request of \$9.4 million for a 25.4 percent salary increase for judges and justices for FY 2022 included in the Governor's recommendation be retained.

The Budget Committee notes the costs of phasing in these salary increases over three years, beginning in FY 2022 would total \$3.1 million per year for a 8.5 percent increase each year.

3. The Budget Committee recommends the agency's enhancement of \$10.8 million for salary increases for non-judge employees for FY 2022 included in the Governor's recommendation be retained.

The Budget Committee notes the costs of phasing in these salary increases over two years, beginning in FY 2022 would total \$5.4 million per year.

4. The Budget Committee recommends the agency's enhancement of \$4.3 million and 70.0 FTE positions for additional court services officer positions for FY 2022 included in the Governor's recommendation be retained.

The Budget Committee notes the costs of phasing in these new positions over two years, beginning in FY 2022 would total \$2.2 million and 35.0 FTE per year.

House Committee Recommendation

The **Committee** concurs with the Budget Committee's recommendation for FY 2022, with the following adjustment:

1. Add \$1.9 million, all SGF, for a 5.0 percent salary increase for judges and justices for FY 2022. The recommendation includes a three-year salary increase plan of 5.0 percent each year for FY 2022, FY 2023, and FY 2024.
2. Add language limiting non-judicial employee salary increases to a maximum of 12.0 percent for FY 2022. The Governor's recommendation includes \$10.8 million, all SGF, for salary increases for FY 2022.
3. Delete \$9.4 million, all SGF, to not adopt the agency's enhancement request for a 25.4 percent salary increase for judges and justices for FY 2022.

House Committee of the Whole Recommendation (Sub. for HB 2397)

The **Committee of the Whole** concurs with the Committee's recommendation for FY 2022 with the following adjustment:

1. Add language to delete 2.0 percent of SGF appropriations and reappropriations, except for debt service expenditures, for FY 2022.

Senate Subcommittee Report

Agency: Judicial Branch

Bill No. SB 267

Bill Sec. 33

Analyst: Wu

Analysis Pg. No. Vol. 2, 1135

Budget Page No. 200

Expenditure Summary	Agency Request FY 2022	Governor Recommendation FY 2022	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 138,904,907	\$ 138,904,907	\$ (4,313,602)
Other Funds	36,658,602	36,658,602	200,000
<i>Subtotal</i>	<u>\$ 175,563,509</u>	<u>\$ 175,563,509</u>	<u>\$ (4,113,602)</u>
Capital Improvements:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
<i>Subtotal</i>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 175,563,509</u></u>	<u><u>\$ 175,563,509</u></u>	<u><u>\$ (4,113,602)</u></u>
FTE positions	1,938.0	1,938.0	(70.0)

Agency Request

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.

Governor's Recommendation

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.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation for FY 2022, with the following adjustments:

1. Add \$200,000, all from the Permanent Families Account of the Family and Children Investment Fund, for Court Appointed Special Advocate (CASA) programs, and transfer that amount from the Kansas Endowment for Youth (KEY) Fund to the Permanent Families Account for FY 2022.
2. Delete \$4.3 million, all SGF, and 70.0 FTE positions for the agency's enhancement request for additional court services officer personnel for FY 2022 and review at Omnibus.
3. Review the agency's special revenue funding sources and receipts at Omnibus. The agency indicates that receipts to the Docket Fee Fund were \$2.7 million lower than the budgeted amount in FY 2020 and are projected to be \$4.7 million lower than anticipated in FY 2021. Adjusted estimates for Docket Fee Fund receipts were not determined until after submission of the agency's budget and are not reflected in the *Budget Analysis*.

Senate Committee Recommendation

The **Committee** concurs with the Subcommittee's recommendation for FY 2022, with the following adjustment:

1. Delete \$20.2 million, all SGF, for the agency's enhancement requests for salary increases for FY 2022 and review at Omnibus. Those requests include a 25.4 percent increase for judges and justices (\$9.4 million) and increases ranging from 2.7 percent to 18.9 percent for non-judge employees (\$10.8 million).

Senate Committee of the Whole Recommendation (Sub. for SB 267)

The **Committee of the Whole** concurs with the Committee's recommendation for FY 2022.

Conference Committee Recommendation (HB 2007)

The **Conference Committee** concurs with the Governor's recommendation for FY 2022, with the following adjustments:

1. Add \$225,000, all from the Permanent Families Account of the Family and Children Investment Fund, for Court Appointed Special Advocate (CASA) programs, and transfer that amount from the Kansas Endowment for Youth (KEY) Fund to the Permanent Families Account for FY 2022.
2. Delete \$10.8 million, all SGF, to not adopt the agency's enhancement request for salary increases for non-judge employees for FY 2022 and review at Omnibus.
3. Delete \$9.4 million, all SGF, to not adopt the agency's enhancement request for a 25.4 percent salary increase for judges and justices for FY 2022 and review at Omnibus.
4. Delete \$4.3 million, all SGF, and 70.0 FTE positions for the agency's enhancement request for additional court services officer personnel for FY 2022 and review at Omnibus.

Omnibus Action (SB 159)

1. Add \$1.9 million, all SGF, for a salary increase for judges and justices for FY 2022 and FY 2023. The recommendation includes a two-year salary adjustment of 5.0 percent each year for FY 2022 and FY 2023.
2. Add \$10.8 million, all SGF, for salary increases for non-judge employees for FY 2022.
3. Add language limiting non-judge salary increases to a maximum of 12.0 percent for FY 2022.
4. Add \$4.3 million, all SGF, and 70.0 FTE positions for the agency's enhancement request for additional court services officer personnel for FY 2022.

	Governor's Recommendation FY 2022	Legislative Action	Legislative Approved FY 2022	Governor's Vetoed FY 2022	Final Legislative Approved FY 2022
All Funds					
State Operations	\$ 174,344,612	\$ (7,557,706)	\$ 166,786,906	\$ 0	\$ 166,786,906
Aid to Local Units	418,897	225,000	643,897	0	643,897
Other Assistance	800,000	0	800,000	0	800,000
<i>Subtotal - Operations</i>	<i>\$ 175,563,509</i>	<i>\$ (7,332,706)</i>	<i>\$ 168,230,803</i>	<i>\$ 0</i>	<i>\$ 168,230,803</i>
Capital Improvements	0	0	0	0	0
TOTAL	\$ 175,563,509	\$ (7,332,706)	\$ 168,230,803	\$ 0	\$ 168,230,803

State General Fund

State Operations	\$ 138,904,907	\$ (7,557,706)	\$ 131,347,201	\$ 0	\$ 131,347,201
Aid to Local Units	0	0	0	0	0
Other Assistance	0	0	0	0	0
<i>Subtotal - Operating</i>	<i>\$ 138,904,907</i>	<i>\$ (7,557,706)</i>	<i>\$ 131,347,201</i>	<i>\$ 0</i>	<i>\$ 131,347,201</i>
Capital Improvements	0	0	0	0	0
TOTAL	\$ 138,904,907	\$ (7,557,706)	\$ 131,347,201	\$ 0	\$ 131,347,201

FTE Positions	1,938.0	0.0	1,938.0	0.0	1,938.0
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