

### Agency Budget Comparison

The following table compares 2014 actuals expenditures without one-time appropriations plus 2015 estimated appropriations including one-time appropriations, but excluding certain base appropriations to the 2017 biennial total legislative budget. The comparison is listed by year, type of expenditure, and source of funding. The biennial percent change column has been eliminated to allow for the transition to a comparison of biennial appropriations consistent with SB 140 in the future. The biennial appropriation growth/decline is listed in the agency highlight tables and the expenditure section of Volume 1 of this Fiscal Report.

Agency Budget Comparison							
Budget Item	Base Fiscal 2014	Approp. Fiscal 2015	Legislative Budget 2016	Legislative Budget 2017	Biennium Fiscal 14-15	Biennium Fiscal 16-17	Biennium Change
FTE	422.58	422.58	439.08	439.08	422.58	439.08	16.50
Personal Services	30,426,015	33,828,396	36,048,288	36,903,877	64,254,411	72,952,165	8,697,754
Operating Expenses	7,667,678	8,100,821	9,177,824	9,159,838	15,768,499	18,337,662	2,569,163
Equipment & Intangible Assets	179,822	125,605	125,605	125,605	305,427	251,210	(54,217)
Grants	71,248	0	0	0	71,248	0	(71,248)
Benefits & Claims	530,639	457,800	1,997,329	1,997,329	988,439	3,994,658	3,006,219
Transfers	24,350	0	3,065,954	3,065,954	24,350	6,131,908	6,107,558
Debt Service	9,158	8,875	8,875	8,875	18,033	17,750	(283)
<b>Total Costs</b>	<b>\$38,908,910</b>	<b>\$42,521,497</b>	<b>\$50,423,875</b>	<b>\$51,261,478</b>	<b>\$81,430,407</b>	<b>\$101,685,353</b>	<b>\$20,254,946</b>
General Fund	36,436,807	39,746,252	48,531,678	49,313,409	76,183,059	97,845,087	21,662,028
State/Other Special Rev. Funds	2,352,154	2,649,004	1,765,099	1,819,756	5,001,158	3,584,855	(1,416,303)
Federal Spec. Rev. Funds	119,949	126,241	127,098	128,313	246,190	255,411	9,221
<b>Total Funds</b>	<b>\$38,908,910</b>	<b>\$42,521,497</b>	<b>\$50,423,875</b>	<b>\$51,261,478</b>	<b>\$81,430,407</b>	<b>\$101,685,353</b>	<b>\$20,254,946</b>

### Agency Description

Mission Statement: The Judicial Branch's mission is to provide an independent, accessible, responsive, impartial, and timely forum to resolve disputes; to preserve the rule of law; and to protect the rights and liberties guaranteed by the Constitutions of the United States and Montana.

Article III, Section I, and Article VII of the Montana Constitution authorize the Judicial Branch. There are five programs within the branch: 1) Supreme Court Operations; 2) Law Library; 3) District Court Operations; 4) Water Court Supervision; and 5) Clerk of the Supreme Court.

### Agency Highlights

<b>Judicial Branch Major Budget Highlights</b>
<ul style="list-style-type: none"> <li>• In total funds, biennial appropriations increased by 21.6%, or \$18.1 million due primarily to approval of funding for: <ul style="list-style-type: none"> <li>◦ Moving juvenile delinquency intervention and prevention (JDIP) funds and their administration, along with 4.00 FTE, from the Department of Corrections to implement HB 233</li> <li>◦ 3.00 FTE information technology positions to support court automation systems that were funded with one-time-only funds in the 2015 biennium</li> <li>◦ 5.00 FTE to support the Court Help Program that were funded with one-time-only funds in the 2015 biennium</li> <li>◦ 3.50 FTE to provide minimum staffing for district courts</li> <li>◦ Elected official pay increases per the statutory salary survey</li> <li>◦ Increases in fixed costs to address office space provided by the public sector and to purchase services from other state agencies</li> <li>◦ The 2017 biennium pay plan</li> </ul> </li> <li>• Biennial appropriations of general fund increased by 25.2%, or \$19.7 million due primarily to: <ul style="list-style-type: none"> <li>◦ A funding switch from state special revenue to general fund in the Water Court Supervision Program due to lack of state special revenue cash balance in the natural resources operations state special revenue account</li> <li>◦ Movement of JDIP funds from the Department of Corrections</li> </ul> </li> </ul>

### Summary of Legislative Action

The legislature approved the branch budget with an increase of \$18.1 million, or 21.6%, over the 2015 biennium. The following items were funded and drove the increase:

- General fund to switch the funding in the Water Court Program because of lack of state special revenue cash balance in the natural resources operations state special revenue account
- An increase in state special revenue from fees assessed to treatment court participants
- Funding for court appointed special advocates

The funding for the JDIP program was moved from the Department of Corrections where offsetting reductions were made. The movement of JDIP funds accounted for more than half of the growth from the 2015 biennium.

The legislature included funding for a 2017 biennium pay plan in HB 2 and allocated the funds to each branch of Montana government. Funding is included for the branch to provide pay increases of \$0.50 per hour beginning on the pay period that includes January 15, 2016 and an additional \$0.50 per hour on the pay period that includes January 15, 2017. Additionally, the state share for employee health insurance increases \$89 per month beginning January 1, 2016 and an additional \$78 per month beginning January 1, 2017. The funding for the 2017 biennium pay plan was included in the HB 2 funding for the Supreme Court Operations Program with language that allows the branch to allocate the funding among programs.

### Funding

The following table shows agency funding by source of authority. Funding for each program is discussed in detail in the individual program narratives that follow.

Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
General Fund	97,845,087	0	0	97,845,087	90.86 %
State Special Total	3,584,855	0	5,628,886	9,213,741	8.56 %
Federal Special Total	255,411	0	0	255,411	0.24 %
Proprietary Total	0	368,594	0	368,594	0.34 %
Other Total	0	0	0	0	0.00 %
<b>Total All Funds</b>	<b>\$101,685,353</b>	<b>\$368,594</b>	<b>\$5,628,886</b>	<b>\$107,682,833</b>	
<b>Percent - Total All Sources</b>	<b>94.43 %</b>	<b>0.34 %</b>	<b>5.23 %</b>		

The branch receives the majority of its funding from the general fund. The largest sources of state special revenue is the water adjudication fund, which supports the Water Court. Other sources of state special revenue include fines, fees, and assessments for training events. Federal funds received by the branch support the Court Assessment Program.

**Budget Summary by Category**

The following summarizes the total budget utilizing the FY 2015 legislative base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Leg. Budget Fiscal 2016	Leg. Budget Fiscal 2017	Leg. Biennium Fiscal 16-17	Percent of Budget	Leg. Budget Fiscal 2016	Leg. Budget Fiscal 2017	Leg. Biennium Fiscal 16-17	Percent of Budget
2015 Budget	39,258,698	39,258,698	78,517,396	80.25 %	42,033,943	42,033,943	84,067,886	82.67 %
PL Adjustments	2,207,316	3,003,176	5,210,492	5.33 %	2,223,974	3,078,242	5,302,216	5.21 %
New Proposals	7,065,664	7,051,535	14,117,199	14.43 %	6,165,958	6,149,293	12,315,251	12.11 %
<b>Total Budget</b>	<b>\$48,531,678</b>	<b>\$49,313,409</b>	<b>\$97,845,087</b>		<b>\$50,423,875</b>	<b>\$51,261,478</b>	<b>\$101,685,353</b>	

**Other Legislation**

HB 233 - HB 233 transferred the administration of juvenile placement funds from the Department of Corrections to the Judicial Branch. HB 2 includes the transfer of the funding for the administration, including 4.00 FTE, and for Judicial Branch juvenile placement funds. Refer to new proposal DP 100233 in the Supreme Court Operations program of the Judicial Branch and new proposal DP 500233 in the Youth Services program of the Department of Corrections for the transfer of these functions to implement HB 233.

HB 612 - The legislature established a child abuse court diversion pilot project to use meetings facilitated by a court diversion officer to informally resolve cases prior to the filing of an abuse and neglect petition. The bill authorized the Office of the Court Administrator to administer the pilot project, including:

- Select three judicial districts in which to implement the pilot project
- Hire court diversion officers to staff the pilot project in each of the selected judicial districts
- Establish and measure performance benchmarks

Additionally, the court administrator is required to report to the Law and Justice Interim Committee on the administration and performance of the pilot project. HB 612 included an appropriation for \$300,000 general fund for staff and program administration in the 2017 biennium.

### Executive Budget Comparison

The following table compares the legislative budget for the 2017 biennium to the budget requested by the Governor, by type of expenditure and source of funding.

Executive Budget Comparison	Base Budget	Executive Budget	Legislative Budget	Leg — Exec. Difference	Executive Budget	Legislative Budget	Leg — Exec. Difference	Biennium Difference
Budget Item	Fiscal 2014	Fiscal 2016	Fiscal 2016	Fiscal 2016	Fiscal 2017	Fiscal 2017	Fiscal 2017	Fiscal 16-17
FTE	422.58	433.58	439.08	5.50	433.58	439.08	5.50	5.50
Personal Services	30,426,015	35,229,934	36,048,288	818,354	35,158,455	36,903,877	1,745,422	2,563,776
Operating Expenses	7,667,678	8,920,494	9,177,824	257,330	8,902,825	9,159,838	257,013	514,343
Equipment & Intangible Assets	179,822	183,067	125,605	(57,462)	184,739	125,605	(59,134)	(116,596)
Grants	71,248	71,248	0	(71,248)	71,248	0	(71,248)	(142,496)
Benefits & Claims	530,639	734,827	1,997,329	1,262,502	734,827	1,997,329	1,262,502	2,525,004
Transfers	24,350	24,350	3,065,954	3,041,604	24,350	3,065,954	3,041,604	6,083,208
Debt Service	9,158	9,158	8,875	(283)	9,158	8,875	(283)	(566)
<b>Total Costs</b>	<b>\$38,908,910</b>	<b>\$45,173,078</b>	<b>\$50,423,875</b>	<b>\$5,250,797</b>	<b>\$45,085,602</b>	<b>\$51,261,478</b>	<b>\$6,175,876</b>	<b>\$11,426,673</b>
General Fund	36,436,807	43,457,266	48,531,678	5,074,412	43,365,866	49,313,409	5,947,543	11,021,955
State/other Special Rev. Funds	2,352,154	1,595,863	1,765,099	169,236	1,599,787	1,819,756	219,969	389,205
Federal Spec. Rev. Funds	119,949	119,949	127,098	7,149	119,949	128,313	8,364	15,513
<b>Total Funds</b>	<b>\$38,908,910</b>	<b>\$45,173,078</b>	<b>\$50,423,875</b>	<b>\$5,250,797</b>	<b>\$45,085,602</b>	<b>\$51,261,478</b>	<b>\$6,175,876</b>	<b>\$11,426,673</b>

The legislative budget is \$11.4 million in total funds and \$11.0 million in general fund higher than the executive request. The main differences are:

- The juvenile delinquency intervention and prevention funds and their administration, including funding for 4.00 FTE, were transferred from the Department of Corrections to the branch to implement HB 233
- Funding was not provided for requests for general fund to continue funding for additional new treatment courts where federal grant funding is expiring or to address cost increases in treatment courts currently funded by the state, except an increase in state special revenue derived from fees assessed to treatment court participants was funded
- Funding for the Court Help Program was approved with 1.00 FTE fewer than requested
- Funding for judicial education was provided at levels \$105,000 per year lower than requested
- Funding, not in the executive budget, for court appointed special advocates was added
- A plan for the 2017 biennium was included in HB 2 instead of as a separate bill

Additionally, the legislature approved funding for 3.50 FTE to provide minimum staffing for district courts. This adjustment was not in the executive budget.

### Language and Statutory Authority

The legislature included the following language in HB 2:

JDIP Administration - HB 233 is contingent on passage and approval of HB 233.

(Note: HB 233 has become law so this contingency language does not apply and the adjustments in the Supreme Court Operations Program under new proposal DP100233 remain in effect.)

Employee Pay and State Share may be allocated and transferred among agency programs when establishing 2017 biennium operating plans.

**Program Budget Comparison**

The following table summarizes the total Legislative budget by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2014	Approp. Fiscal 2015	Legislative Budget 2016	Legislative Budget 2017	Biennium Fiscal 14-15	Biennium Fiscal 16-17	Biennium Change	Biennium % Change
FTE	71.75	71.75	84.75	84.75	71.75	84.75	13.00	18.12 %
Personal Services	4,952,371	6,205,218	7,281,672	8,148,445	11,157,589	15,430,117	4,272,528	38.29 %
Operating Expenses	4,531,605	4,601,180	5,803,193	5,796,684	9,132,785	11,599,877	2,467,092	27.01 %
Equipment & Intangible Assets	24,386	8,885	8,885	8,885	33,271	17,770	(15,501)	(46.59)%
Grants	71,248	0	0	0	71,248	0	(71,248)	(100.00)%
Benefits & Claims	490,934	416,800	1,997,329	1,997,329	907,734	3,994,658	3,086,924	340.07 %
Transfers	24,350	0	3,065,954	3,065,954	24,350	6,131,908	6,107,558	25,082.37 %
<b>Total Costs</b>	<b>\$10,094,894</b>	<b>\$11,232,083</b>	<b>\$18,157,033</b>	<b>\$19,017,297</b>	<b>\$21,326,977</b>	<b>\$37,174,330</b>	<b>\$15,847,353</b>	<b>74.31 %</b>
General Fund	9,705,328	10,864,188	17,564,387	18,369,287	20,569,516	35,933,674	15,364,158	74.69 %
State/Other Special Rev. Funds	269,617	241,654	465,548	519,697	511,271	985,245	473,974	92.71 %
Federal Spec. Rev. Funds	119,949	126,241	127,098	128,313	246,190	255,411	9,221	3.75 %
<b>Total Funds</b>	<b>\$10,094,894</b>	<b>\$11,232,083</b>	<b>\$18,157,033</b>	<b>\$19,017,297</b>	<b>\$21,326,977</b>	<b>\$37,174,330</b>	<b>\$15,847,353</b>	<b>74.31 %</b>

**Program Description**

The Supreme Court has appellate jurisdiction for the State of Montana. The court has original jurisdiction to issue, hear, and determine writs of habeas corpus and other writs provided by law. It also has general supervisory control over all other courts in the state. The Supreme Court is charged with establishing rules governing appellate procedure, the practice and procedure for all other courts, and admission to the bar and conduct of its members. Within the Supreme Court Operations program, the Office of Court Administrator provides centralized services to the Judicial Branch including information technology, budget and finance, payroll and human resource management, policy and technical support for the Youth Courts, judicial education, and services provided through the federal Court Assessment Program related to child abuse and neglect cases. The program also provides staff and other support to constitutionally and statutorily required commissions attached to the Montana Supreme Court, specifically the Judicial Standards Commission, the Sentence Review Board, and the Commission on Courts of Limited Jurisdiction. It also supports activities of the Commission on Practice. Other specialized commissions and task forces - not required by the Constitution and statute but created by the Supreme Court to address specific issues - receive minimal financial assistance with travel expenses and supplies.

**Program Highlights**

<b>Supreme Court Operations Major Budget Highlights</b>	
<ul style="list-style-type: none"> <li>• Funding increases for this program are primarily to:                             <ul style="list-style-type: none"> <li>◦ Annualize the pay plan passed by the 2013 Legislature and provide elected official increases per a statutory survey</li> <li>◦ Fund the 2017 biennium pay plan</li> <li>◦ Fund activities of the Judicial Standards Commission</li> <li>◦ Adjust certain expenditure accounts for inflation</li> <li>◦ Fund office lease contract increases</li> <li>◦ Fund information technology staff and the Court Help Program that were budgeted as one-time-only in the 2015 biennium</li> <li>◦ Transfer juvenile delinquency intervention and prevention (JDIP) funds and their administration from the Department of Corrections per the provisions of HB 233</li> </ul> </li> <li>• The legislature funded the addition of 13.00 FTE, with 3.00 FTE funded as one-time-only, for the following purposes:                             <ul style="list-style-type: none"> <li>◦ 3.00 FTE information technology positions to support court automation systems were funded as one-time-only</li> <li>◦ 1.00 FTE treatment court coordinator for treatment courts funded by the 2013 Legislature but that were only partially expended in the base</li> <li>◦ 5.00 FTE to support the Court Help Program</li> <li>◦ 4.00 FTE transferred from the Department of Corrections to administer JDIP funds</li> </ul> </li> </ul>	

**Funding**

The following table shows program funding by source from all sources of authority.

Judicial Branch, 01-Supreme Court Operations Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	35,933,674	0	0	35,933,674	96.66 %	
02151 YthCrt Intervention?evention	343,436	0	0	343,436	34.86 %	
02342 Court Automation Surcharge	706	0	0	706	0.07 %	
02399 Judicial Education Conferences	129,466	0	0	129,466	13.14 %	
02431 Water Adjudication	107,877	0	0	107,877	10.95 %	
02536 Legal Assistance	281,338	0	0	281,338	28.56 %	
02961 State Grants to Drug Courts	122,422	0	0	122,422	12.43 %	
<b>State Special Total</b>	<b>\$985,245</b>	<b>\$0</b>	<b>\$0</b>	<b>\$985,245</b>	<b>2.65 %</b>	
03041 Probation Training Fund	480	0	0	480	0.19 %	
03083 Judicial Education Grant	0	0	0	0	0.00 %	
03136 STATE JUSTICE INSTITUTE GRANT	0	0	0	0	0.00 %	
03153 Court Improvement Prg Grants	0	0	0	0	0.00 %	
03240 COURT ASSESSMENT PROGRAM	254,931	0	0	254,931	99.81 %	
<b>Federal Special Total</b>	<b>\$255,411</b>	<b>\$0</b>	<b>\$0</b>	<b>\$255,411</b>	<b>0.69 %</b>	
<b>Proprietary Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
<b>Total All Funds</b>	<b>\$37,174,330</b>	<b>\$0</b>	<b>\$0</b>	<b>\$37,174,330</b>		

The bulk of the program’s funding comes from the general fund. State special revenue supporting the program include revenue from a portion of the dissolution of marriage fees used to provide civil legal services for indigent victims of domestic

violence (3-2-714, MCA) and fees collected by drug courts. State special revenue from fees charged for training events provides a portion of the funding in support of boards and commissions. Federal funds support the court assessment program.

**Budget Summary by Category**

The following summarizes the total budget utilizing the FY 2015 legislative base, present law adjustments, and new proposals.

Budget Summary by Category								
	-----General Fund-----				-----Total Funds-----			
Budget Item	Leg. Budget Fiscal 2016	Leg. Budget Fiscal 2017	Leg. Biennium Fiscal 16-17	Percent of Budget	Leg. Budget Fiscal 2016	Leg. Budget Fiscal 2017	Leg. Biennium Fiscal 16-17	Percent of Budget
2015 Budget	10,318,531	10,318,531	20,637,062	57.43 %	10,686,426	10,686,426	21,372,852	57.49 %
PL Adjustments	1,625,602	2,431,196	4,056,798	11.29 %	1,678,395	2,539,353	4,217,748	11.35 %
New Proposals	5,620,254	5,619,560	11,239,814	31.28 %	5,792,212	5,791,518	11,583,730	31.16 %
<b>Total Budget</b>	<b>\$17,564,387</b>	<b>\$18,369,287</b>	<b>\$35,933,674</b>		<b>\$18,157,033</b>	<b>\$19,017,297</b>	<b>\$37,174,330</b>	

**Present Law Adjustments**

The "Present Law Adjustments" table shows the adopted changes from the FY 2015 legislative appropriation. Each is discussed in the narrative that follows.

Present Law Adjustments	Fiscal 2016					Fiscal 2017				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 510 - Legislative Audit-HB 2 2014 Fixed Costs (Restricted/Biennial)	0.00	45,412	0	0	45,412	0.00	0	0	0	0
DP 515 - State Share Health Insurance	0.00	34,871	0	0	34,871	0.00	34,871	0	0	34,871
DP 516 - Correct State Share Health Insurance	0.00	607	0	0	607	0.00	607	0	0	607
DP 525 - Fixed Cost Adjustment	0.00	481,674	0	0	481,674	0.00	506,205	0	0	506,205
DP 526 - 2017 Biennium Legislative Audit (Restricted/Biennial)	0.00	1,271	0	0	1,271	0.00	0	0	0	0
DP 527 - Inflation/Deflation Adjustment	0.00	(24,303)	0	0	(24,303)	0.00	(19,568)	0	0	(19,568)
DP 531 - SITSD Rate Adjustment	0.00	65,250	316	0	65,566	0.00	80,694	390	0	81,084
DP 532 - General Liability Insurance Rate Adjustment	0.00	(8,574)	(41)	0	(8,615)	0.00	(8,574)	(41)	0	(8,615)
DP 535 - Program Transfers	0.00	58,103	0	0	58,103	0.00	58,103	0	0	58,103
DP 550 - Motor Pool Rate Adjustment	0.00	(3,527)	0	0	(3,527)	0.00	(3,125)	0	0	(3,125)
DP 590 - Employee Pay and State Share	0.00	434,830	26,901	617	462,348	0.00	1,306,944	80,976	1,832	1,389,752
DP 600 - Elected Official Pay Increase Per Statutory Survey	0.00	105,134	0	0	105,134	0.00	105,134	0	0	105,134
DP 606 - Supreme Court Operations Base Adjustments	0.00	254,174	0	0	254,174	0.00	211,642	0	0	211,642
DP 100001 - Judicial Standards (Restricted/Biennial)	0.00	25,000	0	0	25,000	0.00	0	0	0	0
DP 100004 - Rent Old Federal Building	0.00	8,642	0	0	8,642	0.00	11,317	0	0	11,317
DP 100005 - Annualize Drug Courts Funding	1.00	120,610	0	0	120,610	1.00	120,518	0	0	120,518
DP 100007 - Drug Court Increase to Existing Funding (Restricted)	0.00	0	25,000	0	25,000	0.00	0	25,000	0	25,000
DP 100010 - Information Technology System Maintenance Costs	0.00	26,428	0	0	26,428	0.00	26,428	0	0	26,428
<b>Grand Total All Present Law Adjustments</b>	<b>1.00</b>	<b>\$1,625,602</b>	<b>\$52,176</b>	<b>\$617</b>	<b>\$1,678,395</b>	<b>1.00</b>	<b>\$2,431,196</b>	<b>\$106,325</b>	<b>\$1,832</b>	<b>\$2,539,353</b>

\*\*\*Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 510 - Legislative Audit-HB 2 2014 Fixed Costs (Restricted/Biennial) -

The legislature provided a restricted biennial appropriation for the legislative audit costs. The funding is established at the level of the 2015 biennial appropriation contained in HB 2 as enacted by the 2013 Legislature.

DP 515 - State Share Health Insurance -

The legislature provided appropriation authority for the state share of health insurance, as adopted by the 2013 Legislature.

DP 516 - Correct State Share Health Insurance -

The legislature approved an adjustment to the state share for health insurance to correct for an error in calculating the initial amounts.

DP 525 - Fixed Cost Adjustment -

The legislature adopted proprietary rates for fixed costs charged to state agencies for services such as information technology or rent and grounds maintenance within the capitol complex. Rates for messenger services, legislative audit, grounds maintenance, records management, agency legal costs, and the statewide cost allocation plan were adopted as



proposed by the executive. The legislature lowered proprietary rates for warrant writer, payroll services, SABHRS, SITSD fees, and rent. The legislature increased insurance premiums to provide for increased costs of claims and to establish a reserve for the insurance fund.

DP 526 - 2017 Biennium Legislative Audit (Restricted/Biennial) -

The legislature adjusted legislative audit costs and funding based on the current estimate of the Legislative Auditor.

DP 527 - Inflation/Deflation Adjustment -

The legislature adopted inflation/deflation factors for budgeted expenditures such as food or electricity. The legislature concurred with the executive on the factors with the exception of gasoline, aviation gasoline, diesel fuel, and jet fuel. For these factors the legislature further deflated costs to align the budget with more current information on declining prices of oil and gas projected to continue into the 2017 biennium.

DP 531 - SITSD Rate Adjustment -

The legislature approved an increase for fixed cost rates included in state agency budgets for information technology services provided by the State Information Technology Services Division (SITSD).

DP 532 - General Liability Insurance Rate Adjustment -

The legislature reduced the rate assessed to state agencies for general liability insurance provided by the Risk Management and Tort Defense Division.

DP 535 - Program Transfers -

The legislature adopted program transfers made by the department in the interim. This includes transfers of \$58,103 in general fund in each FY 2016 and FY 2017 from the District Court Operations Program to the Supreme Court Operations Program including funding for 0.50 FTE from the District Court Operations Program to the Supreme Court Operations Program.

DP 550 - Motor Pool Rate Adjustment -

The legislature adopted a reduction to the motor pool rates.

DP 590 - Employee Pay and State Share -

The legislature approved a pay plan for state employees that provides a \$0.50 an hour raise for employees effective on the first day of the first complete pay period that includes January 15, 2016 and 2017. In addition, the legislature increased the state share contribution towards employee insurance by 10% the first year of the biennium and 8% the second.

DP 600 - Elected Official Pay Increase Per Statutory Survey -

The legislature funded an increase in pay for elected officials per the statutory pay survey.

DP 606 - Supreme Court Operations Base Adjustments -

The legislature approved an unspecified present law adjustment to move operating costs to the 2015 legislative base.

DP 100001 - Judicial Standards (Restricted/Biennial) -

The legislature funded the constitutionally mandated Judicial Standards Commission and designated the funding as restricted and biennial with the funding restricted for the investigations of complaints against judges.

DP 100004 - Rent Old Federal Building -

The legislature funded increases in lease payments for space rented at the Old Federal Building in Helena.

DP 100005 - Annualize Drug Courts Funding -

The legislature funded annualization of three drug courts, including funding for 1.00 FTE, that received funding from the 2013 Legislature, but were only funded for a portion of the 2015 legislative base year due to timing of when the federal funds were no longer available. This funding is for the Adult Treatment Court and Veteran's Treatment Court in the Judicial District 13 and the Treatment Court in Judicial District 19.

DP 100007 - Drug Court Increase to Existing Funding (Restricted) -

The legislature funded an increase derived from drug court fees paid by drug court participants. The funding was restricted only to costs that are supported by drug court participants.

DP 100010 - Information Technology System Maintenance Costs -

The legislature funded increased costs for information technology system maintenance contracts for systems that support branch operations.

**New Proposals**

The "New Proposals" table shows the adopted changes from the FY 2015 legislative appropriation. Each is discussed in the narrative that follows.

New Proposals	-----Fiscal 2016-----					-----Fiscal 2017-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 100002 - Information Technology Increased Staffing (OTO)	3.00	206,275	0	0	206,275	3.00	205,938	0	0	205,938
DP 100003 - Court Help Program (Restricted)	5.00	295,000	0	0	295,000	5.00	295,000	0	0	295,000
DP 100009 - Judicial Education (Restricted)	0.00	50,000	0	0	50,000	0.00	50,000	0	0	50,000
DP 100233 - HB 233 JDIP Administration Transfer	4.00	5,068,979	171,718	240	5,240,937	4.00	5,068,622	171,718	240	5,240,580
<b>Total</b>	<b>12.00</b>	<b>\$5,620,254</b>	<b>\$171,718</b>	<b>\$240</b>	<b>\$5,792,212</b>	<b>12.00</b>	<b>\$5,619,560</b>	<b>\$171,718</b>	<b>\$240</b>	<b>\$5,791,518</b>

\*\*Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 100002 - Information Technology Increased Staffing (OTO) -

The legislature approved funding for 3.00 FTE and operating costs to support branch automated court systems. The legislature designated the funding as one-time-only.

DP 100003 - Court Help Program (Restricted) -

The legislature funded the addition of 5.00 FTE and associated operating costs for the Court Help Program. The legislature restricted funding only for costs of the Court Help Program.

DP 100009 - Judicial Education (Restricted) -

The legislature approved funding for judicial education. The legislature restricted the funding only to support costs of judicial education.

DP 100233 - HB 233 JDIP Administration Transfer -

The legislature moved the funding and administration of the juvenile delinquency intervention and prevention funds from the Department of Corrections to the Judicial Branch including funding for 4.00 FTE. This adjustment implements the provisions of HB 233 that generally revised juvenile delinquency laws and is offset by a similar adjustment in the Department of Corrections.

**Program Budget Comparison**

The following table summarizes the total Legislative budget by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2014	Approp. Fiscal 2015	Legislative Budget 2016	Legislative Budget 2017	Biennium Fiscal 14-15	Biennium Fiscal 16-17	Biennium Change	Biennium % Change
FTE	6.75	6.75	6.75	6.75	6.75	6.75	0.00	0.00 %
Personal Services	362,445	417,170	420,572	420,572	779,615	841,144	61,529	7.89 %
Operating Expenses	404,813	404,305	428,494	428,606	809,118	857,100	47,982	5.93 %
Equipment & Intangible Assets	110,459	88,710	88,710	88,710	199,169	177,420	(21,749)	(10.92)%
Debt Service	9,158	8,875	8,875	8,875	18,033	17,750	(283)	(1.57)%
<b>Total Costs</b>	<b>\$886,875</b>	<b>\$919,060</b>	<b>\$946,651</b>	<b>\$946,763</b>	<b>\$1,805,935</b>	<b>\$1,893,414</b>	<b>\$87,479</b>	<b>4.84 %</b>
General Fund	886,875	919,060	946,651	946,763	1,805,935	1,893,414	87,479	4.84 %
<b>Total Funds</b>	<b>\$886,875</b>	<b>\$919,060</b>	<b>\$946,651</b>	<b>\$946,763</b>	<b>\$1,805,935</b>	<b>\$1,893,414</b>	<b>\$87,479</b>	<b>4.84 %</b>

**Program Description**

The State Law Library of Montana (22-1-501, MCA) provides access to legal information consistent with the present and anticipated needs, responsibilities, and concerns of Montana's courts, legislature, state officers and employees, members of the bar of the Supreme Court of Montana, and members of the general public. The library selects, acquires, and maintains resources consistent with this mission. The acquisition of more electronic licenses, which frequently replace the hard copies, allows the library to get information to the customer more quickly and to conserve available shelf space for books and other printed material.

Library staff also provides training in legal research methods and access to the Montana court system. The library's web site ([www.lawlibrary.mt.gov](http://www.lawlibrary.mt.gov)) has been designed to help Montana's citizens find the statutes, court cases and rules, legal forms, and explanation of the laws they need. 75% of the people the Law Library assists are non-lawyers. The library also operates a Court-Help Center.

**Program Highlights**

<b>Law Library Major Budget Highlights</b>
<ul style="list-style-type: none"> <li>• Funding changes for this program are primarily to:                             <ul style="list-style-type: none"> <li>◦ Fund inflation on library books</li> <li>◦ Fund fixed costs to purchase services from other agencies</li> <li>◦ Annualize 2015 biennium pay increases</li> </ul> </li> </ul>

**Funding**

The following table shows program funding by source from all sources of authority.

Judicial Branch, 03-Law Library Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	1,893,414	0	0	1,893,414	83.70 %	
<b>State Special Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
<b>Federal Special Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
06019 Law Library Searches/Research	0	368,594	0	368,594	100.00 %	
<b>Proprietary Total</b>	<b>\$0</b>	<b>\$368,594</b>	<b>\$0</b>	<b>\$368,594</b>	<b>16.30 %</b>	
<b>Total All Funds</b>	<b>\$1,893,414</b>	<b>\$368,594</b>	<b>\$0</b>	<b>\$2,262,008</b>		

HB 2 funding for the law library is entirely from general fund. The law library also operates an enterprise type proprietary funded program for which the legislature does not approve rates.

**Budget Summary by Category**

The following summarizes the total budget utilizing the FY 2015 legislative base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Leg. Budget Fiscal 2016	Leg. Budget Fiscal 2017	Leg. Biennium Fiscal 16-17	Percent of Budget	Leg. Budget Fiscal 2016	Leg. Budget Fiscal 2017	Leg. Biennium Fiscal 16-17	Percent of Budget
2015 Budget	919,060	919,060	1,838,120	97.08 %	919,060	919,060	1,838,120	97.08 %
PL Adjustments	27,591	27,703	55,294	2.92 %	27,591	27,703	55,294	2.92 %
New Proposals	0	0	0	0.00 %	0	0	0	0.00 %
<b>Total Budget</b>	<b>\$946,651</b>	<b>\$946,763</b>	<b>\$1,893,414</b>		<b>\$946,651</b>	<b>\$946,763</b>	<b>\$1,893,414</b>	

**Present Law Adjustments**

The "Present Law Adjustments" table shows the adopted changes from the FY 2015 legislative appropriation. Each is discussed in the narrative that follows.

Present Law Adjustments	-----Fiscal 2016-----				-----Fiscal 2017-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 515 - State Share Health Insurance	0.00	3,281	0	0	3,281	0.00	3,281	0	0	3,281
DP 516 - Correct State Share Health Insurance	0.00	121	0	0	121	0.00	121	0	0	121
DP 525 - Fixed Cost Adjustment	0.00	1,758	0	0	1,758	0.00	1,847	0	0	1,847
DP 527 - Inflation/Deflation Adjustment	0.00	(89)	0	0	(89)	0.00	(71)	0	0	(71)
DP 550 - Motor Pool Rate Adjustment	0.00	(20)	0	0	(20)	0.00	(15)	0	0	(15)
DP 607 - Law Library Base Adjustments	0.00	22,540	0	0	22,540	0.00	22,540	0	0	22,540
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$27,591</b>	<b>\$0</b>	<b>\$0</b>	<b>\$27,591</b>	<b>0.00</b>	<b>\$27,703</b>	<b>\$0</b>	<b>\$0</b>	<b>\$27,703</b>

\*\*Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 515 - State Share Health Insurance -

The legislature provided appropriation authority for the state share of health insurance, as adopted by the 2013 Legislature.

DP 516 - Correct State Share Health Insurance -

The legislature approved an adjustment to the state share for health insurance to correct for an error in calculating the initial amounts.

DP 525 - Fixed Cost Adjustment -

The legislature adopted proprietary rates for fixed costs charged to state agencies for services such as information technology or rent and grounds maintenance within the capitol complex. Rates for messenger services, legislative audit, grounds maintenance, records management, agency legal costs, and the statewide cost allocation plan were adopted as proposed by the executive. The legislature lowered proprietary rates for warrant writer, payroll services, SABHRS, SITSD fees, and rent. The legislature increased insurance premiums to provide for increased costs of claims and to establish a reserve for the insurance fund.

DP 527 - Inflation/Deflation Adjustment -

The legislature adopted inflation/deflation factors for budgeted expenditures such as food or electricity. The legislature concurred with the executive on the factors with the exception of gasoline, aviation gasoline, diesel fuel, and jet fuel. For these factors the legislature further deflated costs to align the budget with more current information on declining prices of oil and gas projected to continue into the 2017 biennium.

DP 550 - Motor Pool Rate Adjustment -

The legislature adopted a reduction to the motor pool rates.

DP 607 - Law Library Base Adjustments -

The legislature approved an unspecified present law adjustment to move operating costs to the 2015 legislative base.

**Other Issues**

**Proprietary Rates**

Law Library Searches/Research Enterprise Fund – 06019

**Program Description**

The law library contracts with an on-line provider for access to a legal database.

**Proprietary Rates**

This program is funded with an enterprise type proprietary fund. As such, the legislature does not appropriate funds or approve rates for the program.

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**Program Budget Comparison**

The following table summarizes the total Legislative budget by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2014	Approp. Fiscal 2015	Legislative Budget 2016	Legislative Budget 2017	Biennium Fiscal 14-15	Biennium Fiscal 16-17	Biennium Change	Biennium % Change
FTE	314.08	314.08	317.58	317.58	314.08	317.58	3.50	1.11 %
Personal Services	22,978,861	24,744,848	25,844,854	25,830,756	47,723,709	51,675,610	3,951,901	8.28 %
Operating Expenses	2,426,256	2,795,714	2,631,713	2,616,434	5,221,970	5,248,147	26,177	0.50 %
Equipment & Intangible Assets	44,977	19,723	19,723	19,723	64,700	39,446	(25,254)	(39.03)%
Benefits & Claims	39,705	41,000	0	0	80,705	0	(80,705)	(100.00)%
<b>Total Costs</b>	<b>\$25,489,799</b>	<b>\$27,601,285</b>	<b>\$28,496,290</b>	<b>\$28,466,913</b>	<b>\$53,091,084</b>	<b>\$56,963,203</b>	<b>\$3,872,119</b>	<b>7.29 %</b>
General Fund	25,358,889	27,452,267	28,405,693	28,376,316	52,811,156	56,782,009	3,970,853	7.52 %
State/Other Special Rev. Funds	130,910	149,018	90,597	90,597	279,928	181,194	(98,734)	(35.27)%
Federal Spec. Rev. Funds	0	0	0	0	0	0	0	0.00 %
<b>Total Funds</b>	<b>\$25,489,799</b>	<b>\$27,601,285</b>	<b>\$28,496,290</b>	<b>\$28,466,913</b>	<b>\$53,091,084</b>	<b>\$56,963,203</b>	<b>\$3,872,119</b>	<b>7.29 %</b>

**Program Description**

The District Courts have original jurisdiction in all felony criminal cases, most civil matters and other cases in law, and in equity. These courts may issue all writs appropriate to their jurisdiction and hear appeals from Courts of Limited Jurisdiction pursuant to statutory parameters. The District Courts are also the state's Youth Courts, responsible for managing juvenile probation functions. There are 46 District Court judges in 22 judicial districts serving all 56 counties. The 2001 Legislature mandated state funding of District Court expenses, including salaries and operating expenses for judges and their employees. District Court costs are the largest segment of the Judicial Branch budget.

**Program Highlights**

<b>District Court Operations Major Budget Highlights</b>
<ul style="list-style-type: none"> <li>• Funding changes for this program are primarily to:                             <ul style="list-style-type: none"> <li>◦ Fund the addition of 3.50 FTE to move closer to providing minimum staffing for district courts</li> <li>◦ Fund inflation on certain expenses</li> <li>◦ Fund fixed costs to purchase services from other agencies</li> <li>◦ Annualize 2015 biennium pay increases</li> </ul> </li> </ul>

**Funding**

The following table shows program funding by source from all sources of authority.

Judicial Branch, 04-District Court Operations Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	56,782,009	0	0	56,782,009	90.72 %
02141 Youth Court Fees	181,194	0	0	181,194	3.12 %
02151 YthCrt Intervention?evention	0	0	5,628,886	5,628,886	96.88 %
02183 CFSD Pilot Project Coordinator	0	0	0	0	0.00 %
02788 Acc. Cty Sick/Vacation Leave	0	0	0	0	0.00 %
<b>State Special Total</b>	<b>\$181,194</b>	<b>\$0</b>	<b>\$5,628,886</b>	<b>\$5,810,080</b>	<b>9.28 %</b>
03035 clerk of SC Mgt Info System	0	0	0	0	0.00 %
03045 COPS Technology Grant	0	0	0	0	0.00 %
03077 Drug Trmt Court Fed Res 13VTC	0	0	0	0	0.00 %
03078 PROJECT SAFE NEIGHBORHOOD GRANT	0	0	0	0	0.00 %
03114 SMHSA Lewistown Drug Court	0	0	0	0	0.00 %
03165 MISSOULA JAIB GRANT	0	0	0	0	0.00 %
03177 Dawson JAIB Grant Fund	0	0	0	0	0.00 %
03373 Drug Trmt Court Fed Res JD7	0	0	0	0	0.00 %
03699 County Grants/Contracts	0	0	0	0	0.00 %
<b>Federal Special Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>
<b>Proprietary Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>
<b>Total All Funds</b>	<b>\$56,963,203</b>	<b>\$0</b>	<b>\$5,628,886</b>	<b>\$62,592,089</b>	

The bulk of the funding for District Court Operations comes from the general fund. State special revenue supporting the program comes from court imposed fines and fees. 2015 biennium funding from state special revenue includes county payments to the accrued sick/vacation leave fund made at the time of state assumption of District Court costs. 2017 biennium funding does not include accrued sick/vacation leave funds and is the reason for the funding reduction in state special revenue from the 2015 biennium to the 2017 biennium.

**Budget Summary by Category**

The following summarizes the total budget utilizing the FY 2015 legislative base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Leg. Budget Fiscal 2016	Leg. Budget Fiscal 2017	Leg. Biennium Fiscal 16-17	Percent of Budget	Leg. Budget Fiscal 2016	Leg. Budget Fiscal 2017	Leg. Biennium Fiscal 16-17	Percent of Budget
2015 Budget	27,510,370	27,510,370	55,020,740	96.90 %	27,659,388	27,659,388	55,318,776	97.11 %
PL Adjustments	521,577	508,171	1,029,748	1.81 %	463,156	449,750	912,906	1.60 %
New Proposals	373,746	357,775	731,521	1.29 %	373,746	357,775	731,521	1.28 %
<b>Total Budget</b>	<b>\$28,405,693</b>	<b>\$28,376,316</b>	<b>\$56,782,009</b>		<b>\$28,496,290</b>	<b>\$28,466,913</b>	<b>\$56,963,203</b>	

**Present Law Adjustments**

The "Present Law Adjustments" table shows the adopted changes from the FY 2015 legislative appropriation. Each is discussed in the narrative that follows.



	-----Fiscal 2016-----					-----Fiscal 2017-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 515 - State Share Health Insurance	0.00	152,643	0	0	152,643	0.00	152,643	0	0	152,643
DP 516 - Correct State Share Health Insurance	0.00	2,877	0	0	2,877	0.00	2,877	0	0	2,877
DP 525 - Fixed Cost Adjustment	0.00	(2,937)	0	0	(2,937)	0.00	(3,086)	0	0	(3,086)
DP 527 - Inflation/Deflation Adjustment	0.00	149	0	0	149	0.00	119	0	0	119
DP 535 - Program Transfers	0.00	(58,103)	0	0	(58,103)	0.00	(58,103)	0	0	(58,103)
DP 550 - Motor Pool Rate Adjustment	0.00	(20,423)	0	0	(20,423)	0.00	(19,999)	0	0	(19,999)
DP 600 - Elected Official Pay Increase Per Statutory Survey	0.00	525,912	0	0	525,912	0.00	525,912	0	0	525,912
DP 601 - Reduce District Court Assumption Retirement Funds	0.00	0	(58,421)	0	(58,421)	0.00	0	(58,421)	0	(58,421)
DP 602 - District Court Operations Base Adjustments	0.00	257,508	0	0	257,508	0.00	243,857	0	0	243,857
DP 605 - District Court Variable Costs	0.00	(336,049)	0	0	(336,049)	0.00	(336,049)	0	0	(336,049)
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$521,577</b>	<b>(\$58,421)</b>	<b>\$0</b>	<b>\$463,156</b>	<b>0.00</b>	<b>\$508,171</b>	<b>(\$58,421)</b>	<b>\$0</b>	<b>\$449,750</b>

\*\*\*Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 515 - State Share Health Insurance -

The legislature provided appropriation authority for the state share of health insurance, as adopted by the 2013 Legislature.

DP 516 - Correct State Share Health Insurance -

The legislature approved an adjustment to the state share for health insurance to correct for an error in calculating the initial amounts.

DP 525 - Fixed Cost Adjustment -

The legislature adopted proprietary rates for fixed costs charged to state agencies for services such as information technology or rent and grounds maintenance within the capitol complex. Rates for messenger services, legislative audit, grounds maintenance, records management, agency legal costs, and the statewide cost allocation plan were adopted as proposed by the executive. The legislature lowered proprietary rates for warrant writer, payroll services, SABHRS, SITSD fees, and rent. The legislature increased insurance premiums to provide for increased costs of claims and to establish a reserve for the insurance fund.

DP 527 - Inflation/Deflation Adjustment -

The legislature adopted inflation/deflation factors for budgeted expenditures such as food or electricity. The legislature concurred with the executive on the factors with the exception of gasoline, aviation gasoline, diesel fuel, and jet fuel. For these factors the legislature further deflated costs to align the budget with more current information on declining prices of oil and gas projected to continue into the 2017 biennium.

DP 535 - Program Transfers -

The legislature adopted program transfers made by the department in the interim. This includes transfers of \$58,103 in general fund in each FY 2016 and FY 2017 from the District Court Operations Program to the Supreme Court Operations

Program including funding for 0.50 FTE from the District Court Operations Program to the Supreme Court Operations Program.

DP 550 - Motor Pool Rate Adjustment -

The legislature adopted a reduction to the motor pool rates.

DP 600 - Elected Official Pay Increase Per Statutory Survey -

The legislature funded an increase in pay for elected officials per the statutory pay survey.

DP 601 - Reduce District Court Assumption Retirement Funds -

The legislature reduced state special revenue associated with funds transferred to the state during district court assumption used to fund retirement payouts for former county employees. The funds have been depleted and the budget authority is no longer needed.

DP 602 - District Court Operations Base Adjustments -

The legislature approved an unspecified present law adjustment to move operating costs to the 2015 legislative base.

DP 605 - District Court Variable Costs -

The legislature approved a reduction to district court variable costs.

**New Proposals**

The "New Proposals" table shows the adopted changes from the FY 2015 legislative appropriation. Each is discussed in the narrative that follows.

New Proposals	-----Fiscal 2016-----					-----Fiscal 2017-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 400 - Court Appointed Special Advocates (Restricted)	0.00	150,000	0	0	150,000	0.00	150,000	0	0	150,000
DP 603 - District Court Minimum Staffing	3.50	223,746	0	0	223,746	3.50	207,775	0	0	207,775
<b>Total</b>	<b>3.50</b>	<b>\$373,746</b>	<b>\$0</b>	<b>\$0</b>	<b>\$373,746</b>	<b>3.50</b>	<b>\$357,775</b>	<b>\$0</b>	<b>\$0</b>	<b>\$357,775</b>

\*\*Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 400 - Court Appointed Special Advocates (Restricted) -

The legislature provided funding for court appointed special advocates (CASA) based on a rate of \$10 per hour for 1,000 hours, for 15 non-profit CASA organizations across the state. Funding was restricted only for this purpose.

DP 603 - District Court Minimum Staffing -

The legislature funded an elected official request to add 3.50 FTE for minimum staffing of district courts. The funding would add 1.00 FTE law clerks for each Judicial District 14 (Musselshell County) and Judicial District 15 (Sheridan County), 1.00 FTE judicial assistant in Judicial District 11 (Flathead County), and 0.50 FTE judicial assistant in Judicial District 15.

**Program Budget Comparison**

The following table summarizes the total Legislative budget by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2014	Approp. Fiscal 2015	Legislative Budget 2016	Legislative Budget 2017	Biennium Fiscal 14-15	Biennium Fiscal 16-17	Biennium Change	Biennium % Change
FTE	24.50	24.50	24.50	24.50	24.50	24.50	0.00	0.00 %
Personal Services	1,690,684	1,994,663	2,022,992	2,025,906	3,685,347	4,048,898	363,551	9.86 %
Operating Expenses	260,943	255,382	270,248	273,935	516,325	544,183	27,858	5.40 %
Equipment & Intangible Assets	0	8,287	8,287	8,287	8,287	16,574	8,287	100.00 %
<b>Total Costs</b>	<b>\$1,951,627</b>	<b>\$2,258,332</b>	<b>\$2,301,527</b>	<b>\$2,308,128</b>	<b>\$4,209,959</b>	<b>\$4,609,655</b>	<b>\$399,696</b>	<b>9.49 %</b>
General Fund	0	0	1,092,573	1,098,666	0	2,191,239	2,191,239	0.00 %
State/Other Special Rev. Funds	1,951,627	2,258,332	1,208,954	1,209,462	4,209,959	2,418,416	(1,791,543)	(42.55)%
<b>Total Funds</b>	<b>\$1,951,627</b>	<b>\$2,258,332</b>	<b>\$2,301,527</b>	<b>\$2,308,128</b>	<b>\$4,209,959</b>	<b>\$4,609,655</b>	<b>\$399,696</b>	<b>9.49 %</b>

**Program Description**

The Water Courts Supervision Program, located in Bozeman, adjudicates claims of existing water rights in Montana pursuant to Title 3, Chapter 7 and Title 85, Chapter 2, MCA.

**Program Highlights**

<b>Water Courts Supervision Major Budget Highlights</b>
<ul style="list-style-type: none"> <li>• Funding changes for this program are primarily to:                             <ul style="list-style-type: none"> <li>◦ Fund inflation on certain expenses and office lease costs</li> <li>◦ Fund fixed costs to purchase services from other agencies</li> <li>◦ Annualize 2015 biennium pay increases</li> </ul> </li> <li>• The legislature approved a funding switch from state special revenue to general fund due to lack of state special revenue cash balance in the natural resources operations state special revenue account</li> </ul>

**Funding**

The following table shows program funding by source from all sources of authority.

Judicial Branch, 05-Water Courts Supervision Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	2,191,239	0	0	2,191,239	47.54 %	
02431 Water Adjudication	2,377,686	0	0	2,377,686	98.32 %	
02576 Natural Resources Operations SSR Fu	40,730	0	0	40,730	1.68 %	
<b>State Special Total</b>	<b>\$2,418,416</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,418,416</b>	<b>52.46 %</b>	
<b>Federal Special Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
<b>Proprietary Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
<b>Total All Funds</b>	<b>\$4,609,655</b>	<b>\$0</b>	<b>\$0</b>	<b>\$4,609,655</b>		

Funding for the Water Court is from a mix of general fund and state special revenue from the water adjudication fund. For the 2017 biennium, general fund replaces most of the state special revenue from the natural resources operations account due to insufficient fund balance.

**Budget Summary by Category**

The following summarizes the total budget utilizing the FY 2015 legislative base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Leg. Budget Fiscal 2016	Leg. Budget Fiscal 2017	Leg. Biennium Fiscal 16-17	Percent of Budget	Leg. Budget Fiscal 2016	Leg. Budget Fiscal 2017	Leg. Biennium Fiscal 16-17	Percent of Budget
2015 Budget	0	0	0	0.00 %	2,258,332	2,258,332	4,516,664	97.98 %
PL Adjustments	20,909	24,466	45,375	2.07 %	43,195	49,796	92,991	2.02 %
New Proposals	1,071,664	1,074,200	2,145,864	97.93 %	0	0	0	0.00 %
<b>Total Budget</b>	<b>\$1,092,573</b>	<b>\$1,098,666</b>	<b>\$2,191,239</b>		<b>\$2,301,527</b>	<b>\$2,308,128</b>	<b>\$4,609,655</b>	

**Present Law Adjustments**

The "Present Law Adjustments" table shows the adopted changes from the FY 2015 legislative appropriation. Each is discussed in the narrative that follows.

Present Law Adjustments	-----Fiscal 2016-----					-----Fiscal 2017-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 515 - State Share Health Insurance	0.00	0	11,907	0	11,907	0.00	0	11,907	0	11,907
DP 516 - Correct State Share Health Insurance	0.00	5,832	(5,103)	0	729	0.00	5,832	(5,103)	0	729
DP 525 - Fixed Cost Adjustment	0.00	0	2,321	0	2,321	0.00	0	2,440	0	2,440
DP 527 - Inflation/Deflation Adjustment	0.00	0	(117)	0	(117)	0.00	0	(95)	0	(95)
DP 600 - Elected Official Pay Increase Per Statutory Survey	0.00	11,433	11,433	0	22,866	0.00	11,433	11,433	0	22,866
DP 604 - Water Court Base Adjustments	0.00	0	1,845	0	1,845	0.00	0	4,748	0	4,748
DP 500012 - Water Court Rent Increase	0.00	3,644	0	0	3,644	0.00	7,201	0	0	7,201
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$20,909</b>	<b>\$22,286</b>	<b>\$0</b>	<b>\$43,195</b>	<b>0.00</b>	<b>\$24,466</b>	<b>\$25,330</b>	<b>\$0</b>	<b>\$49,796</b>

\*\*\*Total Funds\*\* amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 515 - State Share Health Insurance -

The legislature provided appropriation authority for the state share of health insurance, as adopted by the 2013 Legislature.

DP 516 - Correct State Share Health Insurance -

The legislature approved an adjustment to the state share for health insurance to correct for an error in calculating the initial amounts.

DP 525 - Fixed Cost Adjustment -

The legislature adopted proprietary rates for fixed costs charged to state agencies for services such as information technology or rent and grounds maintenance within the capitol complex. Rates for messenger services, legislative audit, grounds maintenance, records management, agency legal costs, and the statewide cost allocation plan were adopted as proposed by the executive. The legislature lowered proprietary rates for warrant writer, payroll services, SABHRS, SITSD fees, and rent. The legislature increased insurance premiums to provide for increased costs of claims and to establish a reserve for the insurance fund.

DP 527 - Inflation/Deflation Adjustment -

The legislature adopted inflation/deflation factors for budgeted expenditures such as food or electricity. The legislature concurred with the executive on the factors with the exception of gasoline, aviation gasoline, diesel fuel, and jet fuel. For these factors the legislature further deflated costs to align the budget with more current information on declining prices of oil and gas projected to continue into the 2017 biennium.

DP 600 - Elected Official Pay Increase Per Statutory Survey -

The legislature funded an increase in pay for elected officials per the statutory pay survey.

DP 604 - Water Court Base Adjustments -

The legislature approved an unspecified present law adjustment to move operating costs to the 2015 legislative base.

DP 500012 - Water Court Rent Increase -

The legislature approved funding to address lease cost increases.

**New Proposals**

The "New Proposals" table shows the adopted changes from the FY 2015 legislative appropriation. Each is discussed in the narrative that follows.

New Proposals	-----Fiscal 2016-----					-----Fiscal 2017-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 500013 - Water Court Funding Switch	0.00	1,071,664	(1,071,664)	0	0	0.00	1,074,200	(1,074,200)	0	0
<b>Total</b>	<b>0.00</b>	<b>\$1,071,664</b>	<b>(\$1,071,664)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00</b>	<b>\$1,074,200</b>	<b>(\$1,074,200)</b>	<b>\$0</b>	<b>\$0</b>

\*\*\*Total Funds\*\* amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 500013 - Water Court Funding Switch -

The legislature approved a funding switch to replace most of the state special revenue from the natural resources operations account with general fund for support of Water Court operations due to insufficient state special revenue funds.

**Program Budget Comparison**

The following table summarizes the total Legislative budget by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2014	Approp. Fiscal 2015	Legislative Budget 2016	Legislative Budget 2017	Biennium Fiscal 14-15	Biennium Fiscal 16-17	Biennium Change	Biennium % Change
FTE	5.50	5.50	5.50	5.50	5.50	5.50	0.00	0.00 %
Personal Services	441,654	466,497	478,198	478,198	908,151	956,396	48,245	5.31 %
Operating Expenses	44,061	44,240	44,176	44,179	88,301	88,355	54	0.06 %
<b>Total Costs</b>	<b>\$485,715</b>	<b>\$510,737</b>	<b>\$522,374</b>	<b>\$522,377</b>	<b>\$996,452</b>	<b>\$1,044,751</b>	<b>\$48,299</b>	<b>4.85 %</b>
General Fund	485,715	510,737	522,374	522,377	996,452	1,044,751	48,299	4.85 %
<b>Total Funds</b>	<b>\$485,715</b>	<b>\$510,737</b>	<b>\$522,374</b>	<b>\$522,377</b>	<b>\$996,452</b>	<b>\$1,044,751</b>	<b>\$48,299</b>	<b>4.85 %</b>

**Program Description**

The Office of Clerk of the Supreme Court Program, pursuant to Title 3, Chapter 2, part 4, conducts the business of the court, and serves as the liaison between the public, attorneys, and the Supreme Court. By statutory authority, the clerk controls the docket and filings, manages the appellate process, and is the custodian of all legal records for the public and the court. Additionally, the clerk administers appellate mediation, maintains the official roll of Montana attorneys, and is responsible for licensing Montana’s attorneys. The Clerk of Court is an elected official.

**Program Highlights**

<b>Clerk of Court Major Budget Highlights</b>
<ul style="list-style-type: none"> <li>• Funding changes for this program are primarily to:                             <ul style="list-style-type: none"> <li>◦ Fund fixed costs to purchase services from other agencies</li> <li>◦ Annualize 2015 biennium pay increases</li> </ul> </li> </ul>

**Funding**

The following table shows program funding by source from all sources of authority.

Judicial Branch, 06-Clerk of Court Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	1,044,751	0	0	1,044,751	100.00 %	
<b>State Special Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
<b>Federal Special Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
<b>Proprietary Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
<b>Total All Funds</b>	<b>\$1,044,751</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,044,751</b>		

This program is funded entirely by the general fund.

**Budget Summary by Category**

The following summarizes the total budget utilizing the FY 2015 legislative base, present law adjustments, and new proposals.

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Leg. Budget Fiscal 2016	Leg. Budget Fiscal 2017	Leg. Biennium Fiscal 16-17	Percent of Budget	Leg. Budget Fiscal 2016	Leg. Budget Fiscal 2017	Leg. Biennium Fiscal 16-17	Percent of Budget
2015 Budget	510,737	510,737	1,021,474	97.77 %	510,737	510,737	1,021,474	97.77 %
PL Adjustments	11,637	11,640	23,277	2.23 %	11,637	11,640	23,277	2.23 %
New Proposals	0	0	0	0.00 %	0	0	0	0.00 %
<b>Total Budget</b>	<b>\$522,374</b>	<b>\$522,377</b>	<b>\$1,044,751</b>		<b>\$522,374</b>	<b>\$522,377</b>	<b>\$1,044,751</b>	

**Present Law Adjustments**

The "Present Law Adjustments" table shows the adopted changes from the FY 2015 legislative appropriation. Each is discussed in the narrative that follows.

Present Law Adjustments										
	-----Fiscal 2016-----					-----Fiscal 2017-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 515 - State Share Health Insurance	0.00	2,673	0	0	2,673	0.00	2,673	0	0	2,673
DP 516 - Correct State Share Health Insurance	0.00	729	0	0	729	0.00	729	0	0	729
DP 525 - Fixed Cost Adjustment	0.00	(14)	0	0	(14)	0.00	(15)	0	0	(15)
DP 550 - Motor Pool Rate Adjustment	0.00	(50)	0	0	(50)	0.00	(46)	0	0	(46)
DP 600 - Elected Official Pay Increase Per Statutory Survey	0.00	8,299	0	0	8,299	0.00	8,299	0	0	8,299
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$11,637</b>	<b>\$0</b>	<b>\$0</b>	<b>\$11,637</b>	<b>0.00</b>	<b>\$11,640</b>	<b>\$0</b>	<b>\$0</b>	<b>\$11,640</b>

\*\*Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 515 - State Share Health Insurance -

The legislature provided appropriation authority for the state share of health insurance, as adopted by the 2013 Legislature.

DP 516 - Correct State Share Health Insurance -

The legislature approved an adjustment to the state share for health insurance to correct for an error in calculating the initial amounts.

DP 525 - Fixed Cost Adjustment -

The legislature adopted proprietary rates for fixed costs charged to state agencies for services such as information technology or rent and grounds maintenance within the capitol complex. Rates for messenger services, legislative audit, grounds maintenance, records management, agency legal costs, and the statewide cost allocation plan were adopted as proposed by the executive. The legislature lowered proprietary rates for warrant writer, payroll services, SABHRS, SITSD



fees, and rent. The legislature increased insurance premiums to provide for increased costs of claims and to establish a reserve for the insurance fund.

DP 550 - Motor Pool Rate Adjustment -

The legislature adopted a reduction to the motor pool rates.

DP 600 - Elected Official Pay Increase Per Statutory Survey -

The legislature funded an increase in pay for elected officials per the statutory pay survey.