

<b>Impact of applied vacancy savings, turnover, staffing, mandatory overtime</b>		<b>Agency/Program #:</b> 2110-01-G2
		<b>Division:</b> all
		<b>Program:</b> all
<b>Agency Name:</b>	Judicial Branch	
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**Program or Project Description:**

Monitor the affect of 2 percent applied vacancy savings including turnover, staffing, mandatory overtime and other impacts

Appropriation, Expenditure and Source					
Fund Name:	2010		2011		Approp & Expenditure numbers are as of April 30, 2010
	Approp.	Expended	Approp.	Expended	
General Fund	26,930,573	20,925,084			
State Special	1,509,488	1,061,758			
Federal Funds	383,640	153,719			
<b>Total:</b>	<b>\$28,823,701</b>	<b>\$22,140,561</b>	<b>\$0</b>	<b>\$0</b>	

**Goal(s):**

Monitor the affect of applied vacancy savings (2 percent) to the Judicial Branch for the 1st time.

**Performance Measures :**

Actual personal services expenses incurred as a percentage of appropriation compared to percentage of year elapsed. Based on data through April 2010, the Branch has expended 77.70%of its personal services appropriation (general fund only) while 77.78% of the year has elapsed.

Note: Appropriation and expenditure amounts above includes only the amounts for the personal services category for all programs of the Judicial Branch.

2009 Biennium Significant Milestones:	Completion Dates	
	Target	Actual
1 Monitor personal services expended compared to total year elapsed	Monthly	Monthly
1 Periodically report status of Judicial Branch budget to District Court Council	Jan. 2010; July 2010; Fall 2010	Jan. 2010; May 2010
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**Performance Report:**

- The Judicial Branch reported in December 2009 that it was unlikely that the Branch would be able to achieve the vacancy savings applied during the 2009 legislative session. Based on data through September 2009, the Branch had expended 20.71% of its personal services appropriation (general fund only) while 20.31% of the year had elapsed resulting in a projected shortfall of appropriately \$350,000.
- Based on expenditures through April 30, 2010, the Branch now projects that it will be able to achieve the applied vacancy savings and remain within its general fund personal services budget.
- Among the Judicial Branch programs, the District Court Operations Program was unable to meet its applied vacancy savings because of low turnover in positions and the need to fill positions more quickly to maintain court operations. The general fund personal services budget in the District Court Operations Program represents 78% of the Branch's total personal services general fund budget. This funding supports judges, direct support staff for judges (judicial assistants, law clerks, and court reporters), and juvenile probation staff. Nearly all of these positions are based outside of Helena.
- However, the Supreme Court Operations Program, which includes the Office of Court Administrator, was able to help the Branch stay within its general fund personal services budget by keeping several positions vacant and allowing employees to voluntarily reduce their work hours. In some cases, keeping positions open resulted in less timely support for limited jurisdiction and district courts, particularly in the area of court technology. The Branch has 17 information technology positions to support nearly 1,000 users, and currently two of these positions are vacant to generate vacancy savings.
- Another factor helping the Branch stay within its general fund personal services appropriation is the state special revenue account for accrued sick and annual leave payouts for former county employees. This account was created at the time of District Court assumption from county payments. Because of the availability of this account, the Branch has not needed to use its general fund appropriation to cash out terminating employees. Once the account is depleted, however, the Branch will be forced to make these payments with general fund money.

**LFD Narrative:**

LFD Assessment: On track  
 Data Relevance: Yes  
 Appropriation Status: Appropriations and expenditures for personal services are included  
 Comments/Issues: The branch indicates it is on track to achieve the 2 percent vacancy savings. The largest impacts have been in district court operations and information technology support.  
 Options:  
 -- Change LFD assessment  
 -- Release from reporting  
 -- Request update in October 2010

Version	Date	Author
D2	6/2/2010	Gervais

Change Description
June 2010 update