

**FY 2022
PUBLIC BUDGET HEARING
JUDICIAL BRANCH**

NOVEMBER 19, 2020



Delaware
C o u r t s

FY 2022 Operating Budget

- To the Governor, Budget Director, and the General Assembly, the Judicial Branch is grateful for your leadership during these difficult times.
- The Judicial Branch continues to heed advice from public health experts and put public safety first.
- The shift to remote proceedings, remote work, and safe courthouses has been expensive. Thank you for your help navigating federal reimbursement opportunities.



COVID-19

There are Four Phases in the Judicial Branch Reopening Plan

Phase One:

Implement safety protocols, allow limited number of attorneys and other professionals in courthouses, limited to 4 persons per elevator, visitors not to exceed 25% of total occupancy.

Phase Two:

Continue safety protocols, no more than 10 visitors per courtroom, non-courtroom public areas remain closed, jury trials remain on hold, court staff limited to 50%.

Phase Three:

Continue safety protocols, increased capacity in courtrooms, jury trials to resume slowly and carefully, court staffing limited to 75 percent.

Phase Four:

Return to full operations under “new normal” that may include certain safety protocols and increased use of technology.

eFiling

- E-Filing, Case Management and Document Management
 - ✓ To modernize our E-Filing across all courts and case types and unify case management and document management
 - ✓ 3-5 year project
- Progress: Currently completing virtual site visits. The Evaluation Committee plans to make a vendor recommendation to the Presiding Judges before the end of the calendar year.

Benefits of Modernizing E-Filing, Case Management and Document Management:

- ✓ Reducing Judicial Branch use of mainframe
- ✓ Eliminating hosting responsibilities including PCI compliance
- ✓ Standardizing data formats for better reporting capabilities
- ✓ Enhancing resource sharing and cross-training of court personnel by using a unified system
- ✓ Improving public access and filing capabilities for the public and our partners
- ✓ Eliminating the dependency on paper

Budget Overview

FY 2021 GF Operating Budget: \$102,132,200

FY 2021 Personnel Contingency: \$104,000

FY 2022 Requested Door Openers: \$610,900

FY 2022 Requested Judicial Enhancements: \$93,700

FY 2022 Request for Civil Indigent Services (OMB): \$60,000

FY 2022 Requested GF Budget: \$102,940,800

*The request for Civil Indigent Services is not calculated in the total FY 2022 Requested Judicial Branch budget as it would be part of OMB's budget.

FY 2022 Door Opener Requests

➤ \$500,000 for Technology Maintenance

- ✓ Supports the courts' IT infrastructure, hardware and software replacement plans, and emerging technologies.

➤ \$48,000 for JP Court Lease Escalators

- ✓ Annual cost increases have not been included in budget since FY 2019. Includes increases for leased space for JP Court 2, JP Court 9, JP Court 11, JP Court 13, and the JP Court Administrative Office.

➤ Switch-fund 3.0 Expiring Grant Positions in the Office of the Child Advocate

- ✓ Grant funds expire in March 2022, with little opportunity for continuation.

FY 2022 Operating Requests

➤ \$93,700 and 1.0 GF FTE for IT Security, PG 18

- ✓ Growing threat of cyber attacks
- ✓ Need someone who can focus daily on IT Security
- ✓ Needed skill sets are unique and critical

➤ \$200,000 ASF for Family Court Personnel line

- ✓ Costs to cover past pay policy and OEC adjustments. These costs are not appropriated automatically as it is for GF personnel.

FY 2022 Operating Requests

➤ \$60,000 for Civil Indigent Services

- ✓ Community Legal Aid Society of Delaware, Delaware Volunteer Legal Services, and Legal Services Corporation of Delaware
- ✓ This is a bare-bones minimum request that would only bring them up to FY 2017 funding level.
- ✓ Would bring them back to a \$600,000 annual appropriation.
- ✓ These service agencies are more critical than ever with today's COVID public health and unemployment situation. Housing is going to be a huge issue.
- ✓ About 2/3 of their cases are about keeping people house and free from domestic violence.

If the Revenue Forecast Changes

- The Judicial Branch will share in the sacrifices of the other branches of government until we see our way through this crisis.
- Should revenues improve, the Judicial Branch asks that additional long-standing requests be considered.
 - ✓ 3.0 Interpreters and \$254,600 in Personnel Costs
 - ✓ 1.0 FTE Commissioner, 2 GF FTEs Support Staff, and 1.0 ASF FTE Court Security Officer, and \$231,900 in operating costs and \$51,500 in ASF personnel costs.
 - ✓ 2.0 GF FTEs Court Security Officers and \$108,300 in Personnel Costs for Superior Court

Family Court Facilities

- Requesting \$75.4 million to begin construction on new Family Court facilities in Kent and Sussex Counties.
- Cost projections assume a completion date in Sussex County in December 2023, and June 2024 for Kent County.
- We have been making progress on pre-design and design activities with the help of Facilities Management and our consultants.

Family Court Facilities

Funding History

Appropriated and authorized resources to date are being used for property acquisition and design for both courthouses.

- FY 2016: \$500,000 appropriated
- HB 245: \$5,000,000 authorized from existing Family Court ASF funding
- FY 2017: \$500,000 appropriated
- FY 2018: \$3,500,000 authorized from existing Family Court ASF funding
- FY 2019: \$6,850,000 appropriated
- FY 2020: \$6,850,000 appropriated
- FY 2021: No appropriation

Family Court Facilities

Projected Funding Needs to Complete Facilities in FY 2024

FY 2022: \$75.4 million

FY 2023: \$74.5 million

FY 2024: \$34.1 million

Please keep previous efforts of the Judicial Branch in mind to keep costs lower.

- Studied the possibility of one facility covering the needs of both Kent and Sussex Counties, an idea which was rejected as inconvenient to both the public and executive branch agencies.
- Exhaustively studied alternative funding solutions.
- Requested smaller amounts of funding since FY 2008.
- The buildings must now be built in an expedited way for public safety.

Future Capital Needs

Unfortunately, our other facilities also continue to age as we await new Family Court facilities.

The Sussex County Courthouse is in desperate need of renovation and additions.

- The lobby is insecure
- Space is insufficient
- Holding cells and other spaces are in need of modernization

The Leonard L. Williams Justice Center is in need of expansion.

- Custom House has already been purchased.
- Plan to use existing properties to create an integrated complex.
- Will allow for one public entrance, lower security costs, lower lease costs, and beautification of that area of downtown Wilmington

Remaining Priorities

Still In Need Of Support

➤ **Judicial Information Center Salaries**

- ✓ The Judiciary proposed epilogue language requesting to work collaboratively on a compensation plan that would be comparable and equitable to the Department of Technology and Information.
- ✓ Judicial Information Center employees are tasked with similar responsibilities and proportionate workloads to DTI employees in similar classifications but are making as much as \$20,000 less.
- ✓ Judicial Branch is at considerable risk of losing talented and dedicated IT professionals seeking more pay. Compounding effect – vacancies are difficult to fill at current salary ranges.
- ✓ Epilogue language and salary plan would allow the Judicial Information Center to recruit and retain qualified information technology professionals for essential court functions.

Thank you.



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