



Supreme Court of Appeals State of West Virginia

News

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Chief Justice Armstead Presents Budget Request That is \$4 Million Less Than Five Years Ago

For immediate release, Monday, January 13, 2020

Note: Budget Presentation PowerPoint slides attached at the end.

CHARLESTON, W.Va. – Supreme Court Chief Justice Tim Armstead presented a budget request today that is \$4 million less than the court system’s budget five years ago.

Chief Justice Armstead presented the West Virginia judicial branch’s \$135.5 million budget request to the Senate Finance Committee today. He was accompanied by Justices Beth Walker, Evan Jenkins, and John Hutchison. The budget presentation to the House Finance Committee will be at 9 a.m. on Thursday, January 16.

The appropriation request for Fiscal Year 2021, which begins on July 1, is the first since the Judicial Budget Oversight Amendment went into effect.

“Our new Supreme Court has worked hard to ensure that the judiciary’s budget sets the right priorities and spends the taxpayers’ hard-earned money more efficiently,” Chief Justice Armstead said. “This is the first year in which the Legislature has oversight over the Court’s budget. We look forward to working with the Legislature to finalize a budget that is fiscally responsible and addresses the growing needs of our courts and probation officers throughout our state in light of the increasing opioid crisis.”

Approximately 82 percent of the judicial branch budget is for employee salaries and benefits. The budget funds approximately 1,468 full-time positions throughout the state.

“The Court’s budget operates the judiciary’s work throughout the state. The proposed budget funds the work of our magistrates, family court judges, circuit court judges and probation officers in each of our fifty-five counties, as well as the dedicated support staff who assist them each day. It also funds much-needed updates and improvements in technology and equipment that will help make our court system more modern and accessible to our citizens,” Chief Justice Armstead said.

Last year, the Court undertook a thorough review of its budget which led to a significant reduction in the amount requested. In addition, the Court worked with the Legislature to return to the general revenue fund \$10 million remaining from previous fiscal years for use in other areas of the state budget. This return of excess funds was accomplished through a one-time reduction of the “Current Expenses” line item in the Fiscal Year 2020 budget from approximately \$19.9 million to \$9.9 million with the expectation that the line item would be restored to its current amount in Fiscal Year 2021.

The Court has filled this gap in its current year's budget by spending down nearly \$10 million in remaining excess funds from prior fiscal years. The "Current Expenses" line item funds such crucial services as guardians *ad litem*, mental hygiene commissioners, drug court counselors and staff, drug testing, family court space leases, and payments to jurors throughout the state. While this line item was restored to approximately \$19.9 million in the proposed Fiscal Year 2021 budget, the overall 2021 budget proposal is still more than \$4 million less than the court system's Fiscal Year 2019 budget approved by the Legislature. Indeed, the budget request is \$4 million less than the court's budget five years ago in Fiscal Year 2016.

This \$4 million budget reduction in comparison to the Fiscal Year 2019 budget is made despite the fact that the Court system provided two back-to-back 5 percent pay raises to its employees at the same time as the West Virginia Legislature provided teachers and state employees commensurate pay raises in Fiscal Years 2019 and 2020.¹

Of the \$135.5 million, the Court anticipates the following distribution:

- 25 percent to circuit courts
 - 75 judges in 31 circuits plus administrative assistants, law clerks, and court reporters
- 10 percent to family courts
 - 47 judges in 27 circuits plus administrative assistants and court reporters
- 23 percent to magistrate courts
 - 158 magistrates in 55 counties plus assistants and magistrate clerks' offices
- 21 percent to probation
 - 300 officers currently
- 16 percent to court administration
 - Includes the Administrative Office in Charleston (see slide 13 of the presentation) as well as financial expenses including insurance payments, judicial retirement system contributions, wvOASIS user fees and software licenses and Law Library purchases.
- 5 percent to the Supreme Court
 - Includes five Justices, administrative assistants, and staff attorneys. This amount also includes the Clerk of the Court and Office of Counsel.

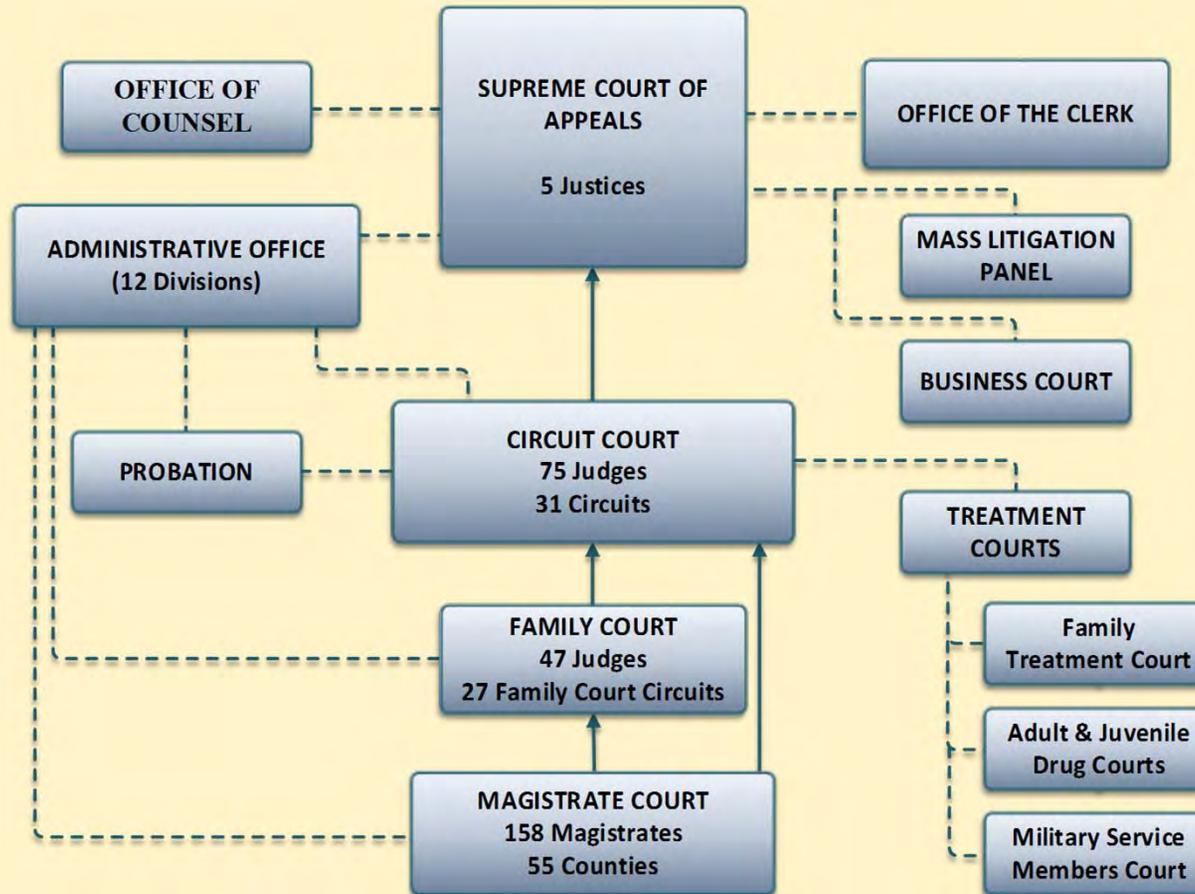
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¹ The pay raises were included in an increase in the Court's Personal Services and Employee Benefits line item from \$102,856,258 in the approved Fiscal Year 2019 budget to \$111,440,000 in the proposed Fiscal Year 2021 budget. The salary increases were provided to employees and staff and were not provided to elected justices, circuit judges, family court judges or magistrates, whose salaries are set by statute.

**Supreme Court of Appeals of West Virginia
Fiscal Year 2021 Budget Presentation**



WV Judicial Branch



Fiscal Year 2019 Review

July 1, 2018 – June 30, 2019



Judicial Branch at a Glance

1,452 employees (FY19 close)

- Magistrate Courts – 441
- Probation – 372
- Circuit Courts - 301
- Family Courts - 145
- Administration - 131
- Supreme Court – 62

Specialized Courts

- Treatment Courts
- Mass Litigation Panel
- Business Court

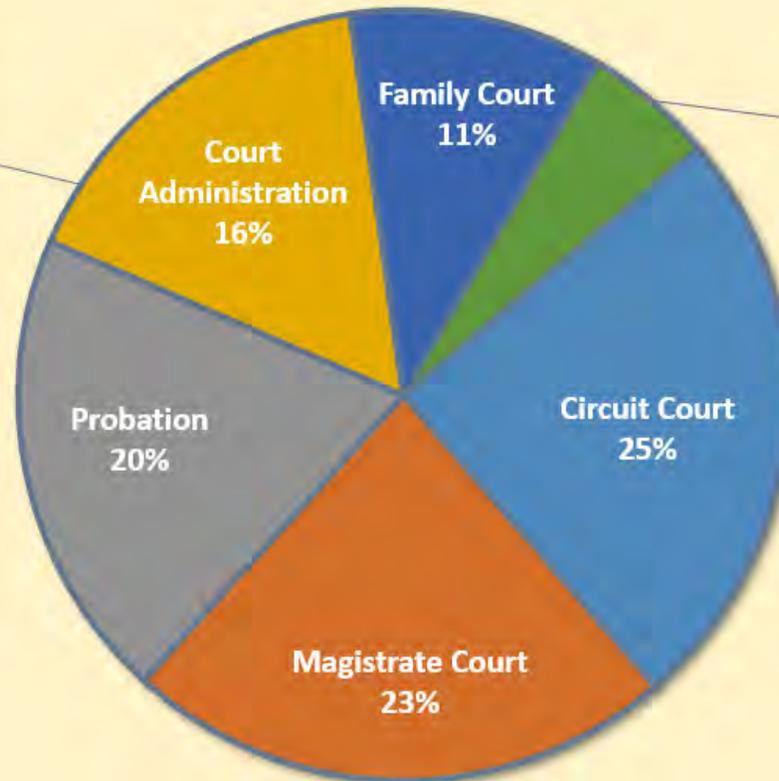


Supreme Court Fiscal Year 2019 General Revenue Expenditures-\$128.6M

Administrative costs include personal services costs for support staff.

Also, costs not directly allocated other areas such as:

- BRIM Premium
- Worker's Comp Premium
- Judicial Retirement Contribution
- wvOASIS User Fee
- Software Licenses
- Law Library Purchases



Supreme Court,
Clerk of the Court,
Office of Counsel
5%



Supreme Court of Appeals – Fiscal Year 2019 Expenditures

- **P-card usage:**

P-card payments processed in FY 2019 \$1,129,645

248 cardholders throughout the state

- **Fleet Expenses (19 vehicles):**

1. Vehicle Rental (from State fleet) \$ 2,455

2. Vehicle Operating Expense (batteries, tires, filters, oil changes) \$ 15,144

3. Vehicle Energy Expense (Gas and Diesel) \$ 28,914

4. Vehicle Repairs (other than routine maintenance) \$ 8,649

- **Outside Legal Counsel:**

\$222,600

FY 2020 year-to-date as of 12/31/2019 = \$ 46,798



Fiscal Year 2021 Appropriation Request



Supreme Court of Appeals Appropriation History

<u>Fiscal Year</u>	<u>Personal Services & Employee Benefits</u>	<u>Other Expenses</u>	<u>Total</u>	<u>Enrolled Budget Bill</u>
2016	98,955,687	40,616,808	\$ 139,572,495	HB 2016
2017	101,924,358	39,835,312	\$ 141,759,670	SB 1013
2018	102,856,258	36,903,412	\$ 139,759,670	SB 1013
2019	102,856,258	36,903,412	\$ 139,759,670	SB 152
2020	110,767,344	13,555,000	\$ 124,322,344 *	HB 2020
2021	111,440,000	24,060,000	\$ 135,500,000	

*Projected spending for FY 2020 is \$135 - \$136 million. See next slide.



Supreme Court of Appeals Fiscal Year 2020 Budget Reduction and One-Time Reduction of Unappropriated Funds

Fiscal Year 2019 Budget:	\$139,759,670
Fiscal Year 2020 Budget (Submitted):	\$131,150,000
Reduction in Requested Funds:	(\$8,609,670)
Reduction of Judges' Retirement:	(\$45,000)
Increase of Personal Services for 5% Raise:	\$2,917,344
Increase for Military Service Members Court:	\$300,000
Total Reduction Prior to Return of Unexpired Funds:	(\$5,437,326)
One-Time Reduction to Current Expenses:	(\$10,000,000)
TOTAL REDUCTION FROM 2019 BUDGET	(\$15,437,326)
FISCAL YEAR 2020 BUDGET APPROVED:	\$124,322,344



Supreme Court of Appeals FY 2020 Approved Budget - FY 2021 Budget Request Comparison

Appropriation	Description	FY 2020 Budget	Increase/(Decrease) Amount	FY 2021 Budget Request	Comments
00100	Personal Services And Employee Benefits	110,767,344	672,656	111,440,000	Current staffing levels, updated employee benefits to reflect current cost
06400	Repairs And Alterations (of Equipment)	10,000	30,000	40,000	Repairs of office/communication equipment statewide
07000	Equipment	1,480,187	469,813	1,950,000	Increase for planned computer equipment purchases statewide
09002	Military Services Members Court	300,000	-	300,000	No change
11000	Judges' Retirement System	791,000	48,000	839,000	Required contribution amount from CPRB
13000	Current Expenses	9,943,616	9,967,384	19,911,000	Restored \$10 million in funding which was removed from FY 2020 budget. Reduced other current expenses by \$32,616
25800	Buildings	20,000	(10,000)	10,000	Reduction from FY 2020 budget amount
69000	Other Assets	200,000	-	200,000	No change
91300	BRIM Premium	810,197	(197)	810,000	Estimated BRIM premium, based on FY 2020 premium
TOTAL GENERAL REVENUE EXPENDITURES		\$ 124,322,344	\$ 11,177,656	\$ 135,500,000	



Supreme Court Fiscal Year 2021 Current Expenses Budgeted at \$1.00 M and Over

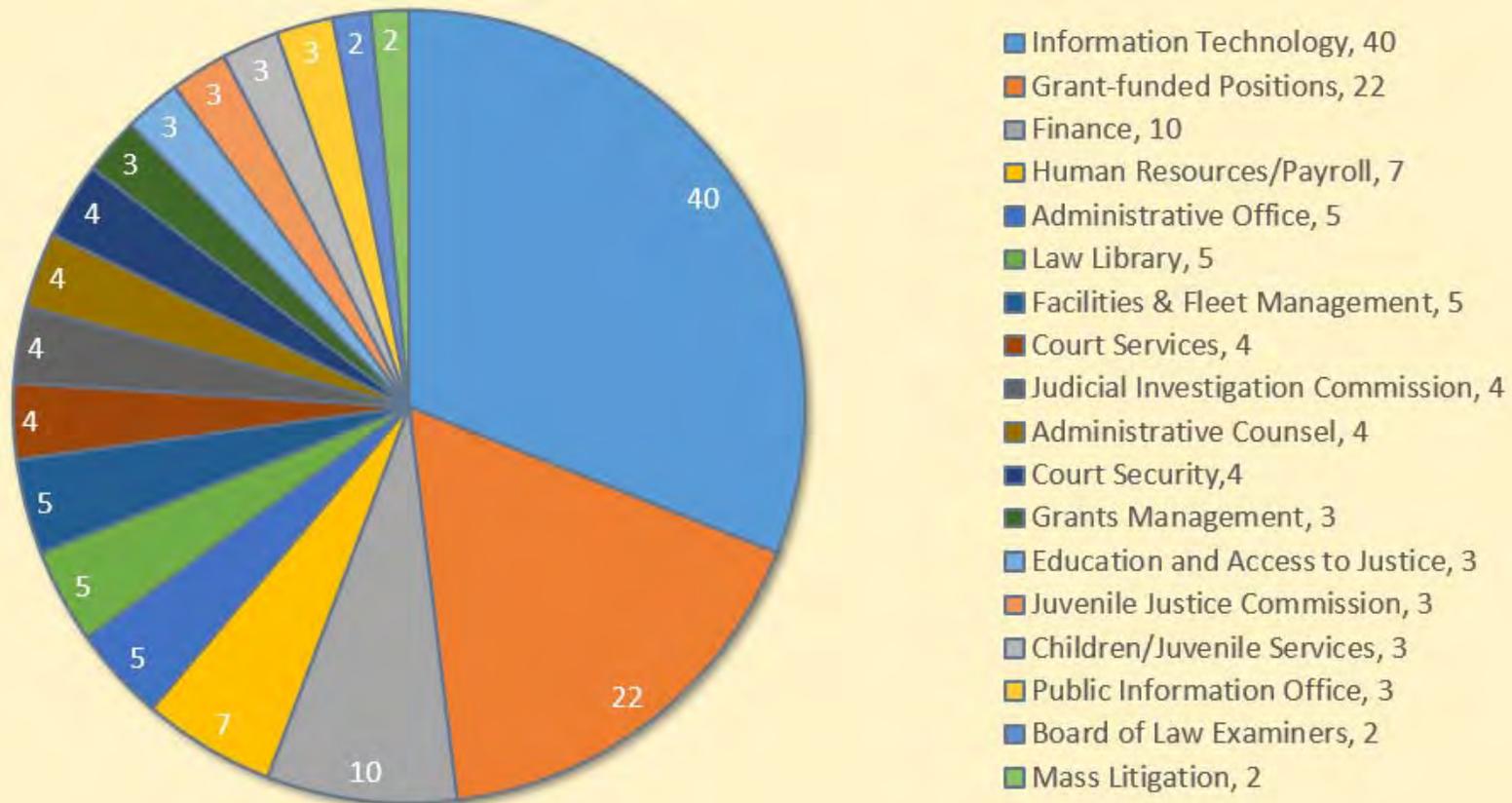
Object Code	Amount	Description
3250-Atty Legal Service Payments	\$2.80 M	Guardians Ad Litem, Mental Hygiene Commissioners, Guardianship
3204-Telecommunications	\$1.50 M	Data Circuits, Family Court Phone Lines
3214-Computer Services External	\$1.40 M	OLIS (E-File) Support Services, Jury+ Annual Maintenance, Oracle Support Services
3207-Professional Services	\$1.30 M	Drug Court Contract Services, Psychological Evaluations, Expert Witness Testimony (per TCR 27.02, TCR 35.05(a), TCR 35.05(c))
3202-Rent Expense	\$1.30 M	Family Court Leases, City Center East, Venable Ave Warehouse
3206-Contractual Services	\$1.26 M	Drug Testing (Probationers), Contract Workers for IT Division, Janitorial Services
8207-Jury Fees	\$1.19 M	Reimbursement of Jurors per WV Code §52-1-17
3211-Employee Travel	\$1.10 M	Mileage Reimbursements to Probation Officers, Circuit Judges Traveling Between Courthouses, Conference Related Travel



Supreme Court Fiscal Year 2021 Personal Services & Benefits



Supreme Court Fiscal Year 2021 Court Administration Employees (129)



Supreme Court Fiscal Year 2021 General Revenue Appropriation Request \$135.5M

