

Greenbook

LBO Analysis of Enacted Budget

Judiciary/Supreme Court

Robert Meeker, Budget Analyst
August 2021

TABLE OF CONTENTS

Quick look.....	1
Agency overview	1
Probation Workload Study Committee	1
Analysis of FY 2022-FY 2023 budget	2
Operating Expenses – Judiciary/Supreme Court (ALI 005321)	2
State Criminal Sentencing Council (ALI 005401).....	2
Law-Related Education (ALI 005406)	2
Ohio Courts Technology Initiative (ALI 005409)	3
Attorney Services (ALI 005605).....	3
Court Interpreter Certification (ALI 005617)	4
Civil Justice Grant Program (ALI 005626)	4
Grants and Awards (ALI 005609)	5
Judiciary/Supreme Court Education (ALI 005601)	5
County Law Library Resources Boards (ALI 005620)	6
Federal Grants (ALI 005603)	6

Attachment:

Appropriation Spreadsheet

LBO Greenbook

Judiciary/Supreme Court

Quick look...

- The Judiciary/Supreme Court pays the salaries or partial salaries for seven justices, over 700 judges, and over 500 staff members, plus supplements to the 88 clerks of the courts of common pleas.
- Total appropriation: \$204.4 million in FY 2022 and \$208.8 million in FY 2023.
- Sources of the budget: GRF (93.8%), state non-GRF (5.7%), and federal grants (0.5%).

Fund Group	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
General Revenue (GRF)	\$183,127,764	\$183,027,691	\$191,405,688	\$196,022,005
Dedicated Purpose (DPF)	\$10,391,167	\$9,956,324	\$11,482,310	\$11,446,027
Federal (FED)	\$1,639,208	\$1,754,641	\$1,155,203	\$1,026,530
Fiduciary (FID)	\$220,800	\$223,909	\$308,000	\$323,500
Total	\$195,378,939	\$194,962,564	\$204,351,201	\$208,818,062
% change	--	-0.2%	4.8%	2.2%
GRF % change	--	-0.1%	4.6%	2.4%

Agency overview

As specified in Article IV of the Ohio Constitution, the Supreme Court of Ohio can be viewed as having two distinct general requirements:

- Ruling upon legal matters, including cases arising under the U.S. Constitution or the Ohio Constitution, cases originating in the courts of appeals, cases in which there have been conflicting opinions on the same question from courts of appeals, cases involving the death penalty, and appeals arising from the actions of certain administrative agencies;
- Regulating the admission to and practice of law, promulgating rules of practice and procedure in Ohio courts, and exercising general superintendence over all Ohio courts.

The Court itself is comprised of a chief justice and six justices who are elected in even-numbered years to six-year terms. The majority of the cases heard by the Court are appeals from the state's 12 district courts of appeals.

Probation Workload Study Committee

The budget creates a nine-member Probation Workload Study Committee within the Ohio Supreme Court to study and discuss probation caseload principles, education standards for probation officers, workload capacity principles, and any additional subjects the Study Committee determines to be relevant. The Study Committee is required to provide its

recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 31, 2021. Members of the Study Committee are prohibited from receiving compensation for their service or reimbursement for expenses incurred through participation.

Analysis of FY 2022-FY 2023 budget

Operating Expenses – Judiciary/Supreme Court (ALI 005321)

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
GRF ALI 005321, Operating Expenses – Judiciary/Supreme Court					
\$155,966,577	\$164,394,673	\$177,767,680	\$176,475,684	\$185,879,257	\$190,389,942
% change	5.4%	8.1%	-0.7%	5.3%	2.4%

This GRF line item's appropriation, which accounts for 91.1% of the Court's total biennial budget, is allocated for three major expenditure categories, in order of magnitude, as follows: (1) the payment of the state portion of the salaries and benefits of 716 judges and seven justices, (2) the operating costs of the Court's administrative structure, and (3) the payment of salaries and benefits for 292 staff of the appellate courts.

State Criminal Sentencing Council (ALI 005401)

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
GRF ALI 005401, State Criminal Sentencing Council					
\$0	\$0	\$457,134	\$609,653	\$1,346,891	\$1,438,123
% change	--	--	33.4%	120.9%	6.8%

This GRF line item's appropriation funds the operation of the State Criminal Sentencing Commission which is a 31-member commission originally created by S.B. 258 of the 118th General Assembly. The Commission reviews sentencing statutes and sentencing patterns and makes recommendations on statutory changes to the General Assembly.

Law-Related Education (ALI 005406)

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
GRF ALI 005406, Law-Related Education					
\$166,172	\$166,172	\$200,000	\$200,000	\$350,000	\$350,000
% change	0.0%	20.4%	0.0%	75.0%	0.0%

This line item is earmarked in FY 2022 and FY 2023 for two specific purposes as described below:

- \$200,000 for distribution to the Ohio Center for Law-Related Education for the purposes of providing continuing citizenship education activities to primary and secondary students, expanding delinquency prevention programs, increasing activities for at-risk youth, and accessing additional public and private money for new programs. The Center is a nonprofit organization that delivers a variety of law-related and citizenship education programs and materials to teachers and students of primary and secondary schools; and
- \$150,000 to promote information about candidates running for Chief Justice, Justice of the Ohio Supreme Court, or judge of a court of appeals who were nominated at a primary election to appear on the ballot at the general election with a political party designation. The budget prohibits any of the earmarked funds to be used for the endorsement or promotion of any candidate.

Prior to FY 2022, the entirety of the line item's appropriation was distributed exclusively to the Ohio Center for Law-Related Education.

Ohio Courts Technology Initiative (ALI 005409)

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
GRF ALI 005409, Ohio Courts Technology Initiative					
\$3,272,947	\$3,231,143	\$4,702,950	\$5,742,354	\$3,829,540	\$3,843,940
% change	-1.3%	45.6%	22.1%	-33.3%	0.4%

This GRF line item's appropriation is used to facilitate the exchange of information and warehousing of data by and between Ohio courts and other justice system partners, including: (1) the continuing development and maintenance of the Ohio Courts Network (OCN), (2) operation of the Commission on Technology and the Courts which aids in the orderly adoption and use of technology in the courts, and (3) grants to local courts to support the adoption and use of relevant technology.

Attorney Services (ALI 005605)

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
DPF Fund 4C80 ALI 005605, Attorney Services					
\$8,227,676	\$8,430,087	\$9,941,502	\$9,672,666	\$11,015,310	\$10,979,027
% change	2.5%	17.9%	-2.7%	13.9%	-0.3%

This line item pays for various services and activities of the Court, including the Office of Disciplinary Counsel, the Board of Commissioners on Grievances and Discipline, the Clients' Security Fund, and the Attorney Services Division. The line item is supported by money

appropriated from the Attorney Registration Fund (Fund 4C80), which consists of attorney registration and continuing legal education fees.

H.B. 166 of the 133rd General Assembly consolidated the Supreme Court Admissions Fund (Fund 6A80) into the Attorney Registration Fund (Fund 4C80). As a result, starting with FY 2020, all of Fund 6A80's money and related expenses are processed through Fund 4C80.

Temporary law. A related ongoing temporary law provision: (1) increases the line item's appropriation if deemed necessary by the Administrative Director of the Court, (2) prohibits the Director of Budget and Management or the Controlling Board from transferring money from Fund 4C80 to any other fund, and (3) requires any interest earned on the fund's money be credited to the fund.

Court Interpreter Certification (ALI 005617)

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
DPF Fund 5HT0 ALI 005617, Court Interpreter Certification					
\$21,387	\$4,970	\$7,950	\$4,041	\$7,000	\$7,000
% change	-76.8%	60.0%	-49.2%	73.2%	0.0%

This line item provides for language experts to rate, or grade, the oral examinations of those applying to become certified court interpreters. It is supported by money appropriated from the Court Interpreter Fund (Fund 5HT0), which consists of court interpreter certification fees.

Temporary law. A related temporary law provision: (1) increases the line item's appropriation if deemed necessary by the Administrative Director of the Court, (2) prohibits the Director of Budget and Management or the Controlling Board from transferring money from Fund 5HT0 to any other fund, and (3) requires any interest earned on the fund's money be credited to the fund.

Civil Justice Grant Program (ALI 005626)

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
DPF Fund 5SP0 ALI 005626, Civil Justice Grant Program					
\$12,337	\$103,828	\$284,012	\$274,843	\$350,000	\$350,000
% change	741.6%	173.5%	-3.2%	27.4%	0.0%

This line item is used for grants to not-for-profit organizations and agencies dedicated to providing legal aid to underserved populations, to fund innovative programs directed at this purpose, and to increase access to the judicial services of that population. It is supported by money appropriated from the Civil Justice Grant Program Fund (Fund 5SP0), which consists of: (1) one-half, or \$150, of every pro hac vice fee charged to attorneys from other states trying cases in Ohio, and (2) revenues from a voluntary \$50 donation made as part of the biennium attorney registration process.

Temporary law. A related temporary law provision: (1) increases the line item's appropriation if deemed necessary by the Administrative Director of the Court, (2) prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund 5SP0 to any other fund, and (3) requires any interest earned on the fund's money be credited to the fund.

Grants and Awards (ALI 005609)

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
DPF Fund 5T80 ALI 005609, Grants and Awards					
\$590	\$178	\$0	\$375	\$5,000	\$5,000
% change	-69.8%	-100.0%	--	1,233.3%	0.0%

This line item is used to distribute grants and awards that the Court has received for a designated purpose or purposes and credited to the Grants and Awards Fund (Fund 5T80). No new grants/awards have been received since August 2016.

Temporary law. A related ongoing temporary law provision: (1) increases the line item's appropriation if deemed necessary by the Administrative Director of the Court, (2) prohibits the Director of Budget and Management and the Controlling Board from transferring money from Fund 5T80 to any other fund, and (3) requires any interest earned on the fund's money be credited to the state's GRF.

Judiciary/Supreme Court Education (ALI 005601)

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
DPF Fund 6720 ALI 005601, Judiciary/Supreme Court Education					
\$208,346	\$117,765	\$134,475	\$4,400	\$105,000	\$105,000
% change	-43.5%	14.2%	-96.7%	2,286.4%	0.0%

This line item pays for the expense of providing continuing education courses to judges and other court personnel. It is supported by money appropriated from the Judiciary/Supreme Court Education Fund (Fund 6720), which largely consists of fees paid by judges and other court personnel for attending continuing education courses.

Temporary law. A related, ongoing temporary law provision: (1) increases the line item's appropriation if deemed necessary by the Administrative Director of the Court, (2) prohibits the Director of Budget and Management or the Controlling Board from transferring moneys from Fund 6720 to any other fund, and (3) requires any interest earned on the fund's money be credited to the fund.

County Law Library Resources Boards (ALI 005620)

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
FID Fund 5JY0 ALI 005620, County Law Library Resources Boards					
\$286,279	\$196,505	\$220,780	\$223,909	\$308,000	\$323,500
% change	-31.4%	12.4%	1.4%	37.6%	5.0%

This line item, which consists of money forwarded from each county law library resources fund and credited to the Statewide Consortium of County Law Library Resources Boards Fund (Fund 5JY0), funds the operation of the Statewide Consortium of County Law Library Resources Boards. The Consortium was established in 2011 for the purposes of: (1) negotiating contracts that each county law library resources board may use for purchasing or obtaining access to legal research and reference materials, (2) cataloging existing resources held by county law library resources boards and facilitate the sharing of those resources, (3) developing and recommending guidelines for the collection of or access to legal resources, and (4) providing consultation and assistance to county law library resources boards.

Temporary law. A related temporary law provision: (1) increases the line item's appropriation if deemed necessary by the Administrative Director of the Court, (2) prohibits the Director of Budget and Management or the Controlling Board from transferring money from Fund 5JY0 to any other fund, and (3) requires any interest earned on the fund's money be credited to the fund.

Federal Grants (ALI 005603)

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
FED Fund 3J00 ALI 005603, Federal Grants					
\$881,718	\$1,282,097	\$1,639,208	\$1,754,641	\$1,155,203	\$1,026,530
% change	45.4%	27.9%	7.0%	-34.2%	-11.1%

This line item is used to expend federal grants that are awarded either directly to the Court by the federal government, e.g., the U.S. Department of Health and Human Services, or indirectly through other entities, e.g., the Ohio Department of Job and Family Services and the Ohio Department of Public Safety's Office of Criminal Justice Services.

This line item is largely used to expend federal grants awarded for the assessment and improvement of court performance in cases involving children and families. Additional grants have been awarded to support family drug court system reform, and a six-state regional joint opioid initiative that includes Kentucky, Illinois, Indiana, Michigan, Ohio, and Tennessee.

Temporary law. A related, ongoing temporary law provision: (1) increases the line item's appropriation if deemed necessary by the Administrative Director of the Court, (2) prohibits the Director of Budget and Management and the Controlling Board from transferring money from

Fund 3J00 to any other fund, and (3) requires any interest earned on the fund's money be transferred or credited to the state's GRF.

FY 2022 - FY 2023 Final Appropriations

All Fund Groups

Line Item Detail by Agency			Appropriations			FY 2021 to FY 2022	Appropriations	FY 2022 to FY 2023
			FY 2020	FY 2021	FY 2022	% Change	FY 2023	% Change
Report For: Main Operating Appropriations Bill			Version: As Enacted					
JSC	Judiciary/Supreme Court							
GRF	005321	Operating Expenses - Judiciary/Supreme Court	\$ 177,767,680	\$ 176,475,684	\$ 185,879,257	5.33%	\$ 190,389,942	2.43%
GRF	005401	State Criminal Sentencing Commission	\$ 457,134	\$ 609,653	\$ 1,346,891	120.93%	\$ 1,438,123	6.77%
GRF	005406	Law-Related Education	\$ 200,000	\$ 200,000	\$ 350,000	75.00%	\$ 350,000	0.00%
GRF	005409	Ohio Courts Technology Initiative	\$ 4,702,950	\$ 5,742,354	\$ 3,829,540	-33.31%	\$ 3,843,940	0.38%
General Revenue Fund Total			\$ 183,127,764	\$ 183,027,691	\$ 191,405,688	4.58%	\$ 196,022,005	2.41%
4C80	005605	Attorney Services	\$ 9,941,502	\$ 9,672,666	\$ 11,015,310	13.88%	\$ 10,979,027	-0.33%
5HT0	005617	Court Interpreter Certification	\$ 7,950	\$ 4,041	\$ 7,000	73.22%	\$ 7,000	0.00%
5SP0	005626	Civil Justice Grant Program	\$ 284,012	\$ 274,843	\$ 350,000	27.35%	\$ 350,000	0.00%
5T80	005609	Grants and Awards	\$ 0	\$ 375	\$ 5,000	1,233.33%	\$ 5,000	0.00%
6720	005601	Judiciary/Supreme Court Education	\$ 134,475	\$ 4,400	\$ 105,000	2,286.36%	\$ 105,000	0.00%
6A80	005606	Supreme Court Admissions	\$ 23,227	\$ 0	\$ 0	N/A	\$ 0	N/A
Dedicated Purpose Fund Group Total			\$ 10,391,167	\$ 9,956,324	\$ 11,482,310	15.33%	\$ 11,446,027	-0.32%
5JY0	005620	County Law Library Resources Boards	\$ 220,800	\$ 223,909	\$ 308,000	37.56%	\$ 323,500	5.03%
Fiduciary Fund Group Total			\$ 220,800	\$ 223,909	\$ 308,000	37.56%	\$ 323,500	5.03%
3J00	005603	Federal Grants	\$ 1,639,208	\$ 1,754,641	\$ 1,155,203	-34.16%	\$ 1,026,530	-11.14%
Federal Fund Group Total			\$ 1,639,208	\$ 1,754,641	\$ 1,155,203	-34.16%	\$ 1,026,530	-11.14%
Judiciary/Supreme Court Total			\$ 195,378,939	\$ 194,962,564	\$ 204,351,201	4.82%	\$ 208,818,062	2.19%