

**C00A00
Judiciary**

Operating Budget Data

(\$ in Thousands)

	<u>FY 02 Actual</u>	<u>FY 03 Approp</u>	<u>FY 04 Allowance</u>	<u>FY 03 – 04 Change</u>	<u>FY 03 – 04 % Change</u>
General Funds	\$258,128	\$270,397	\$291,111	\$20,714	7.7%
Special Funds	12,849	13,682	13,219	-462	-3.4%
Federal Funds	1,818	1,865	1,931	66	3.6%
Adjusted Grand Total	\$272,795	\$285,944	\$306,262	\$20,318	7.9%

- Mandates and Judiciary initiatives account for \$16.4 million of the \$20.7 million general fund increase.

Personnel Data

	<u>FY 02 Actual</u>	<u>FY 03 Working</u>	<u>FY 04 Allowance</u>	<u>Change</u>
Regular Positions	3,009.75	3,223.75	3,241.75	18.00
Contractual FTEs	371.00	390.00	372.00	-18.00
Total Personnel	3,380.75	3,613.75	3,613.75	0.00

Vacancy Data: Regular Positions

Budgeted Turnover: FY 04	78.45	2.42%
Positions Vacant as of 02/14/2003	135.00	4.19%

- The Judiciary is asking for the conversion of 18 contractual positions.

Note: Numbers may not sum to total due to rounding.

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Analysis in Brief

Issues

Circuit Court Real Property Records Improvement Fund: The Judiciary is asking for an increase in the Land Record Surcharge from \$5 to \$15 to support the Electronic Land Records Online Imagery (ELROI) and the Plats Online (PLATO) electronic land record systems.

Fiscal 2003 Cost Containment: Judiciary has made a cost containment commitment to revert \$3 million in fiscal 2003, and DLS recommends a reversion of \$7 million.

Recommended Actions

	<u>Funds</u>	<u>Positions</u>
1. Add budget language to delete deferred compensation 401(k) match in the budget consistent with reductions taken in the Executive Branch.		
2. Reduce funds for law clerks to require 25% local match.	\$ 1,350,000	
3. Deny contractual conversion of 18 positions.	164,644	18.0
4. Increase turnover expectancy to 4% to maintain position freeze.	913,717	
5. Delete Maryland Legal Services Corporation general fund grant.	1,200,000	
6. Delete interpreter fee increase.	424,000	
7. Delete funds for increased training of interpreters.	146,000	
8. Delete funds to support expansion of drug courts in five jurisdictions due to State fiscal constraints.	308,346	
9. Add budget bill language to reduce the general fund appropriation \$5,000,000 and increase the special fund appropriation \$5,000,000 of the clerks of the court to fund personnel and operating expenses of the land record offices from the Circuit Court Real Property Records Improvement Fund.		
10. Delete rent payments to counties for clerk of court office space to reflect delay in State payment until fiscal 2007.	1,225,000	

C00A00 - Judiciary

11.	Delete miscellaneous and additional assistance salary expenses for clerks of the court.	830,853	
12.	Delete funds for expansion of family court services due to State fiscal constraints.	870,000	
13.	Delete increase in Court Appointed Special Advocates grants for program development in two additional jurisdictions due to State fiscal constraints.	140,000	
14.	Add budget bill language to reduce general funds \$1,209,349 and increase special fund appropriation for two major information technology projects.		
	Total Reductions	\$ 7,572,560	18.0

Updates

No New Circuit Court Judgeships Certified Although Study Projects a Need for 13 Circuit Court Judges and 10 District Court Judges: The Chief Judge for the Court of Appeals, by letter dated November 1, 2002, advised the General Assembly and the Governor that no new judges would be requested for fiscal 2004 due to the State financial condition.

C00A00 - Judiciary

C00A00 Judiciary

Operating Budget Analysis

Program Description

The Judiciary is composed of four courts and six agencies which support the administrative, personnel, and regulatory functions of the judicial branch of government. Courts consist of the Court of Appeals, Court of Special Appeals, circuit courts, and District Court. The Chief Judge of the Court of Appeals is the administrative head of the State's judicial system. The Chief Judge appoints the State court administrator as head of the Administrative Office of the Courts (AOC) to carry out the administrative duties which include data analysis, personnel policies, education, and training for judicial personnel.

Other agencies are included in the administrative and budgetary purview of the Judiciary. The Maryland Judicial Conference, consisting of judges of all levels, meets annually to discuss continuing education programs. Court-related agencies also include the State Reporter, the Commission on Judicial Disabilities, Orphan's Court, Maryland Conflict Resolution Office, and the State Board of Law Examiners. The State Law Library serves the legal information needs of the State. Judicial Data Processing manages information systems maintenance and development for the Judiciary. Major Information Technology (IT) development projects are in a separate program while all production and maintenance of current operating systems are in the Judicial Data Processing program.

Performance Analysis: Managing for Results

Judiciary case clearance or termination data is provided in **Exhibit 1**. Particularly significant is the projected decline in criminal cases cleared in the district court in Baltimore City in fiscal 2003 and 2004. In fiscal 2002 actual clearances increased to 78,309 from 72,476 in fiscal 2001. Baltimore City registered a substantial increase in traffic cases in fiscal 2002 over fiscal 2001. The new Baltimore City District Court on Patapsco Avenue is expected to open in March 2003 and should help address the rise in traffic cases.

There is no significant change in the circuit court criminal cases terminated either in Baltimore City or statewide. Civil cases cleared indicate a significant increase statewide. Finally, the significant increases in the number of juvenile cases that occurred in Baltimore City in fiscal 2002 will be sustained.

The Judiciary has implemented a differentiated case management system in Baltimore City. The Judiciary has improved case management and the sharing of data with other agencies with the migration of case management to an information technology application structured with a common relational database. Fiscal 2003 budget bill language withheld \$500,000 until the AOC submitted case time standards, data standards, performance measures, performance data, data measurements, and differentiated case management data to the Senate and House budget and judiciary committees. AOC

C00A00 - Judiciary

Exhibit 1

**Managing for Results
Judiciary**

	FY 01	FY 02	FY 03	FY 04	FY 03 - 04	FY 03 - 04
	<u>Actual</u>	<u>Actual</u>	<u>Est.</u>	<u>Est.</u>	<u>Amt. Chg.</u>	<u>% Chg.</u>
Court of Appeals						
Regular Docket Dispositions	148	126	133	129	(4)	-3.0%
Petitions for Certiori	712	718	720	723	3	0.4%
Atty. Griev. Proceedings	68	73	72	74	2	2.8%
Court of Special Appeals						
Regular Docket	1,825	1,813	1,797	1,759	-38	-2.1%
Circuit Court						
Civil Case Clearance						
Baltimore City	29,663	27,248	29,700	30,145	445	1.5%
Counties	136,477	141,885	151,371	159,713	8,342	5.5%
Total	166,140	169,133	181,071	189,858	8,787	4.8%
Criminal Cases Cleared						
Baltimore City	24,782	23,417	24,369	24,445	76	0.3%
Counties	48,543	49,442	50,416	51,644	1,228	2.4%
Total	73,325	72,859	74,785	76,089	1,304	1.7%
Juvenile Cases Cleared						
Baltimore City	6,748	8,767	8,400	8,805	405	4.8%
Counties	29,015	24,168	24,695	22,789	-1,906	-7.7%
Total	35,763	32,935	33,095	31,594	-1,501	-4.5%
District Court						
Civil Case Clearance						
Baltimore City	73,255	68,789	65,112	61,238	-3,874	-5.9%
Counties	258,157	282,153	300,497	320,254	19,757	6.6%
Total	331,412	350,942	365,609	381,492	15,883	4.3%
Criminal Cases Cleared						
Baltimore City	72,476	78,309	72,020	68,065	-3,955	-5.5%
Counties	133,932	131,630	134,344	135,364	1,020	0.8%
Total	206,408	209,939	206,364	203,429	-2,935	-1.4%
Traffic Cases Cleared						
Baltimore City	103,890	135,612	138,850	145,396	6,546	4.7%
Counties	958,003	1,101,917	1,013,673	1,027,985	14,312	1.4%
Total	1,061,893	1,237,529	1,152,523	1,173,381	20,858	1.8%

Source: Administrative Office of the Courts

C00A00 - Judiciary

submitted the required standards in December 1, 2002. Case standards have been adopted for both the District and circuit courts; however, only the criminal case management reporting system for the Circuit Court for Baltimore incorporates the caseload standards.

Fiscal 2003 Actions

The Judiciary is committed to reductions of \$3,000,000 in the fiscal 2003 appropriations announced in early January. Also, as a result of legislative action taken in the 2002 session, \$1.8 million in step increases included in the fiscal 2003 salary budget will be reverted bringing the total reversion to \$4.8 million. The back of the bill budget reduction for the employee transit subsidy only applies to executive branch agencies. The Judiciary has \$155,000 budgeted for this item.

Impact of Cost Containment

A letter (February 10, 2003) from the AOC to managers indicates that there will be reductions in family programs, dispute resolution, IT contractual programs, other contractual services, judiciary-wide advertising and printing, elimination of new or replacement vehicles, cancellation of staff appreciation events, and the elimination of all meals for meetings and training, as well as individual reimbursement for meals.

Judiciary Proposed Budget

The Judiciary budget increases \$20,318,226, an increase of 7.9% over the fiscal 2003 budget, as indicated in **Exhibit 2**. The general fund budget increase is \$20,713,940. The Judiciary has indicated that \$11,054,921 of the increase can be attributed to mandates and \$5,322,971 to Judiciary initiatives as indicated in **Exhibit 3**. The balance of the \$3,940,334 Judiciary increase is equal to 1.4% of the fiscal 2003 budget.

Impact of Cost Containment

Eliminating the 401k State match to employee 401k contributions in Section 32 of the budget bill only applies to the executive branch. The Judiciary has \$1,050,940 budgeted for this item in fiscal 2004.

Increases Attributable to Mandates

Circuit Court Law Clerks Annualized \$2,700,000: Chapter 667, Acts of 2001 requires each circuit court judge to be provided a law clerk funded in the State budget effective July 1, 2002. The effective date was subsequently delayed until January 1, 2003, by the Budget Reconciliation and Financing

C00A00 - Judiciary

Exhibit 2

**Governor's Proposed Budget
Judiciary
(\$ in Thousands)**

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General Funds	\$258,128	\$270,397	\$291,111	\$20,714	7.7%
Special Funds	12,849	13,682	13,219	-462	-3.4%
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Adjusted Grand Total	\$272,795	\$285,944	\$306,262	\$20,318	7.9%

Where It Grows:

Personnel Expenses

Contractual conversion of 18 positions	\$696
Health insurance for employees and retirees	5,760
Circuit court law clerks annualized	2,700
Reduction retirement contribution	-1,235
Reduction in turnover expectancy	1,001
401(k) increase	310
Transit subsidy.....	-150
Additional assistance	704
Workers' compensation contribution	-376
Annual leave payout	195
Miscellaneous adjustments	-202
Other changes	-174
Subtotal Salaries	\$9,229

Other Changes

Contractual payroll conversion of 18 contractual positions.....	-534
First year lease space for clerks of court at \$2.50 per sq. ft.	1,225
District Court Upper Marlboro Courthouse rent.....	625
Interpreter fee increase.....	424
Pro bono administration	175
Interpreter training increase.....	146

C00A00 - Judiciary

Where It Grows:

MLSC general fund grant	1,200
State archives – the plats online (PLATO) to funds for scanning new plats and maintenance for PLATO.....	1,103
New Silver Spring District Court fit-out expenses	1,040
Family grant increase.....	870
Statewide Warrant System.....	500
Local drug court coordinators.....	308
Court Appointed Special Advocates (CASA) in child abuse and neglect cases grant increas	140
Other changes	3,867
Total	\$20,318

Note: Numbers may not sum to total due to rounding.

Exhibit 3

**Judiciary Budget Increases for Fiscal 2004
Mandates and Initiatives**

	<u>Amount</u>	<u>Justification</u>
Increase Attributable to Mandates		
Employee and retiree health insurance	\$5,759,921	DBM budget instructions
Circuit court law clerks annualized	2,700,000	CJ 2-512
Circuit court leased space	1,225,000	CJ 1-504
Interpreters civil proceedings	424,000	Associated with Rule 16-819
Pro bono administration	175,000	Associated with Rule 16-901
Interpreter training increase	146,000	Associated with Rule 16-819
District Court Upper Marlboro Courthouse rent	625,000	
Subtotal	\$11,054,921	
Increases Attributable to Initiatives		
MLSC	\$1,200,000	Offset MLSC budget decline in interest income.
PLATO – The Plats initiative		Funds for State Archives to scan new plats and maintain PLATO
	1,103,000	
New District Court Silver Springs		Fitout expenses for new facility (security and furnishings)
	1,040,000	
Family grants increase	870,000	
Statewide warrant system	500,000	
Local drug court coordinators		Funds for five local administrators associated with Drug Treatment Court Commission.
	308,000	
CASA grant increase	140,000	
Contractual conversion of 18 positions	161,971	
Subtotal	\$5,322,971	
Total Mandates and Initiatives	\$16,377,892	
Other increases	\$3,940,334	
As a percent of fiscal 2003 budget	1.4%	

Source: Administrative Office of the Courts

Act (BRFA) of 2002 (Chapter 440, Acts of 2002). Budget Bill language was added to the fiscal 2003 circuit court judges appropriation (CA00.03) that withheld \$3,000,000 until the AOC submitted a report detailing the circuit court law clerk salary plan and setting forth historical salary data relevant to circuit court law clerks.

The required report was submitted in December 2002. The AOC has established a uniform pay plan for law clerks that recognizes the short-term nature of the law clerk position with the overwhelming

C00A00 - Judiciary

experience of law clerks serving one year. The fiscal 2004 increase reflects annualization of the salary plan for a full year. The AOC salary plan for law clerks is as follows:

- \$30,000 – nonmember of the bar first year;
- \$32,500 – nonmember of the bar second year;
- \$35,000 – member of the bar first year; and
- \$37,500 – member of bar second year.

Circuit Court Clerks Leased Space, \$1,225,000: Chapter 453, Acts of 2002 required the State to pay rent directly to the counties for space occupied in county facilities (the courthouse) by clerks of the court. To the extent provided in the State budget, the rent shall be calculated on the basis of per net usable square foot at the following rates:

- for fiscal 2004, at a rate not to exceed \$2.50;
- for fiscal 2005, at a rate not to exceed \$5.00; and
- for fiscal 2006 and each year thereafter, at a rate of \$10.

Interpreter Increase, \$424,000 and Interpreter Training Increase, \$146,000: Rule 16-819 of the Maryland Rules of Procedures proscribes the appointment of court interpreters for both sign language and spoken language interpreters. The \$424,000 reflects increased use of interpreters in criminal and civil proceedings. Legislation to require the use of interpreters in the circuit court for civil proceedings in 2002 (HB 320) was introduced but not adopted. Rule 16-819 requires that an interpreter to be eligible for certification must have attended the Judiciary orientation workshop on court interpreting. The \$146,000 provides funds for the workshop training. Court interpreters are compensated in accordance with the Criminal Procedure Article, §§ 1-202 and 3-103.

Upper Marlboro District Court Courthouse Rent, \$625,000: On May 24, 1989, (Board of Public Works (BPW) Department of General Service (DGS) agenda item 8-RP) the State entered into an agreement with the Revenue Authority of Prince George's County for the construction and occupancy of a multi-agency office and courthouse facility in Upper Marlboro. Under the agreement, the State rental payments to the revenue authority covered debt service on 30-year bonds required to finance construction and operating costs. DGS and Prince George's County renegotiated the lease payment to reflect fair market rates and to support restoration and expansion of the courthouse. This agreement increased the annual rent from \$13.27 to \$16.49 per sq. ft. effective July 1, 2000; increasing to \$21.39 per sq. ft. for years 2 through 30. The total annual rent is currently \$2,679,564 in the DGS budget of which \$960,000 is in reimbursable funds contributed by agencies occupying the facility. The District Court assessment is \$465,358 for 59,304 sq. ft. of the 122,340 sq. ft. facility.

Pro Bono Administration, \$175,000: Rule 16-901 establishes a standing committee on Pro Bono Legal Service. The rule requires local pro bono committees to submit an action plan and annual reports to

C00A00 - Judiciary

the standing committee. Lawyers as a condition to practice law in Maryland are required under Rule-903 to file annually a Pro Bono Legal Service report with the AOC. The proposed budget includes \$175,000 to cover administrative expenses of the standing committee. The budget covers mailing expenses (\$40,000) and consultant legal services (\$135,000).

Increases Attributable to Judiciary Initiatives

MLSC Grant, \$1,200,000: Currently, MLSC receives interest on lawyers trust accounts (IOLTA) budgeted under the AOC as a special fund account. IOTLA provided \$6,533,328 in fiscal 2002 and is budgeted at \$7,000,000 in fiscal 2003. The AOC has projected \$6,000,000 for fiscal 2004. IOLTA interest income has declined with the general decline in interest rates. The Judiciary is proposing to supplement the IOTLA with a \$1,200,000 grant to make up the interest income loss. MLSC receives the funds to represent indigent defendants in civil matters while the Public Defender represents defendants in criminal matters.

PLATO – The Plats Initiative, \$1,103,000: The PLATO initiative is a contract with State Archives to maintain the digital survey subdivision and condominium survey plats and scan new plats into PLATO. The PLATO project is a digital image reference system for land survey, subdivision, and condominium plats. The funds are provided by the existing Circuit Court Real Property Records Improvement Fund. PLATO is operational in all jurisdictions. Baltimore City is the last site to complete installation in fiscal 2003. The fiscal 2004 funds will maintain the existing PLATO system (\$500,000) and place new plats on the system. PLATO is assessable in the clerks land record offices and the Internet <http://www.plats.net/> from the State Archives File server.

New District Court Facility Silver Spring, \$1,040,000: This provides for fit-out expenses of the new Silver Spring District Court consisting of:

- \$195,000 – Work stations and chairs;
- \$59,000 – X-ray machines and metal detectors;
- \$486,000 – Sound and security equipment, detainment areas, and docket boards;
- \$200,000 – Courtroom fit-up expenses; and
- \$100,000 – Installation of computer cables.

Family Service Grant Increase, \$870,000: The Judiciary proposes a \$570,000 increase to expand grants to jurisdictions to provide core services essential to the family justice system. Family service special project grants would also be increased \$300,000.

C00A00 - Judiciary

The special project grant increase is to supplement the IOLTA funds provided to the MLSC. The special grants will be used to:

- extend representation for victims of domestic violence to southeastern Baltimore County;
- increase access to family justice for the Latino community in Prince George's County;
- enhance pro bono representation in Allegany County;
- provide legal assistance to incarcerated persons seeking to establish visitation rights;
- provide a child waiting room in Carroll County;
- establish psycho-education programs for children of divorcing families and separating families in Charles County; and
- reduce domestic assault recidivism by providing evaluating treatment for offenders in Calvert County.

Local Drug Court Coordinators, \$308,000: Drug treatment courts are specialized dockets responsible for handling nonviolent, drug/alcohol related cases through judicial intervention, intensive supervision and immediate and consistent substance abuse treatment. Four jurisdictions currently have drug courts: Anne Arundel Juvenile Court and Adult District Court, Baltimore City Juvenile, Adult District and circuit courts, Harford County Juvenile and Adult District Court and Prince George's Adult circuit courts. Four jurisdictions actively planning drug court programs include: Baltimore County, Howard County, Talbot County, and Wicomico County. Another five jurisdictions are interested in implementing drug treatment courts: Caroline, Cecil, Frederick, Montgomery, and St. Mary's counties. The \$308,346 provides:

- \$262,505 – grants for five coordinators;
- \$10,890 – equipment;
- \$10,000 – supplies;
- \$15,000 – training;
- \$4,951 – travel; and
- \$5,000 – communications.

Issues

1. Circuit Court Real Property Records Improvement Fund

Land records constitute one of the most voluminous, and arguably most important, record series created by government. Court clerks are vested with responsibility to record and maintain all land records. Land records include deeds, mortgages, releases, leases, assignments, powers of attorney, agreements, easements, and other instruments affecting title to or interest in real property.

The Circuit Court Real Property Records Improvement Fund was enacted to provide a revenue source for the electronic recording and archival of land record transactions. Currently, a surcharge of \$5.00 is collected on each recordable instrument to be recorded among the land records and the financing statement records. The fees collected go into the Circuit Court Real Property Records Improvement Fund, a special nonlapsing fund used to repair, replace, improve, modernize, update office equipment, and equipment related services in the land record office of each circuit court clerk's office. The surcharge currently averages about \$4.5 million annually.

The current level of funding is inadequate. The Judiciary, with support from the real property title industry, proposes to increase the surcharge from \$5 to \$15 for each recordable instrument in HB 92/SB 136.

The Maryland Judiciary and State Archives share the responsibility for preserving and providing access to land records. The indices to land records, both electronic and historic bound volumes, provide the public with the means to research land record instruments. At present, there is no comprehensive way to access these land record indices. Many of the indices are available only in paper form. Until recently, little provision was made to provide the electronic index data to the Archives for preservation and access.

The sheer volume of land record filings demands that we have in place the means to manage these documents from their original filing through their maintenance in a safe, permanent, and easily accessible archival environment. The increase in the land record surcharge to \$15 represents an opportunity to continue some of the good work that has been done to date to ensure that land records are well managed, safeguarded, and provided quickly on demand to the public.

Nearly 80% of all existing land records have been created since the end of World War II. The quantity of land record instruments recorded each year currently numbers in the millions. Clearly, the old model for creating and providing public access to these materials (a model developed before 1700 to meet minimal demand, and a model made only slightly more responsive to ever increasing demand for access by the introduction of microfilm), will not be sufficient to carry us into the 21st century.

The Electronic Land Records Optical Imagery System (ELROI) is the Judiciary's answer to these manifest and daunting challenges. ELROI is a robust and comprehensive land recordation and access system which, together with its sister State Archives initiative at *mdlandrec.net*, represents an innovative and far-reaching attempt to deal with the challenges posed by the escalating pace of current land recordation and ever-increasing demand for access. ELROI has been well received in the 13 jurisdictions

C00A00 - Judiciary

in which it is currently available. Those clerks who have ELROI operational in their courthouses will tell you that they could not do their job as effectively, nor generate the income the recordation of land instruments provides, without the efficiencies offered by ELROI.

ELROI should be fully implemented in the remaining 11 jurisdictions to record and maintain ten years of current recordations, and this should be done with all deliberate speed. The Judiciary proposed increase in the surcharge to \$15 will make this possible.

ELROI, especially in its web-based environment, is a thoughtfully designed recordation system that currently provides no retrospective index information, and is burdened by an ever-increasing number of online images being captured. As an electronic archives indexing and retrieval system, working seamlessly with ELROI, *mdlandrec.net* will provide comprehensive index access to the records (based upon indexing done at the time of recordation) and will provide online intranet access to images preserved in *mdlandrec.net* as part of a conservation effort as well as those retired off ELROI.

The Maryland Judiciary through its clerks of court has raised significant concerns over missing and deteriorating land records in court custody. *Mdlandrec.net* will allow the Archives to image and store these targeted records and will, therefore, help the Judiciary and State Archives mission to safeguard these permanent records in perpetuity. Many county land record indices exist only as unique and irreplaceable bound volumes on a courthouse shelf. These, too, will be scanned to provide an electronic index to land record transactions.

Through successful implementation of the ELROI and *mdlandrec.net* partnership, Maryland will become the first state in the nation to provide comprehensive, cost-effective, and efficient access to all existing land record indices. This effort will also insure that there is a means to preserve and make accessible those records that the courts have identified in danger of being lost forever. Finally, *mdlandrec.net* helps to secure the State's significant investment in digital imaging of land records by providing a means of migrating older ELROI images to a cost effective, archival environment.

The Judiciary and State Archives have agreed in principle to a memorandum of understanding (MOU) wherein the Archives will participate in the accelerated implementation of ELROI in a number of significant ways. As a cost saving measure and to guarantee the development of timely security backups, the Judiciary has agreed to have the Archives manage the creation of the archival computer output microfilm (COM) master negatives. Archives will also coordinate the distribution of security microfilm or CDs to the clerks' offices. Finally, Archives will perform the activities related to back file conversion for the 11 remaining ELROI installations. Not only will this save money and provide efficiencies, Archives will be ensuring that the images to be placed in ELROI will be archived from the start.

The Use of the Fund in Fiscal 2004 and the Maryland State Archives Role

The Maryland Judiciary, as project lead for ELROI implementation, plans to roll out ELROI in eight additional jurisdictions during fiscal 2004. The rollout schedule is as follows:

- Charles County – July 2003;

C00A00 - Judiciary

- Calvert County – July 2003;
- Wicomico County – December 2003;
- Worcester County – December 2003;
- Somerset County – December 2003;
- Talbot County – April 2004;
- Caroline County – April 2004; and
- Dorchester County – April 2004.

The Maryland State Archives' role involves these principal areas of responsibility:

- providing access to all land record indices;
- performing conservation imaging on records in danger of being lost;
- backfile conversion for non-ELROI counties;
- providing archival storage for land records migrated from ELROI;
- performing services related to development and distribution of security copies; and
- maintaining and expanding PLATO.

The PLATO project is a digital reference system for land survey, subdivision, and condominium plats. The project was requested by the Land Records Oversight Committee of the Judiciary to assist with the handling of oversized plat media and plats that were in a variety of obsolete formats.

The first two items mentioned above, (providing access to land record indices and performing conservation imaging) is covered by an MOU to implement *mdlandrec.net*. This component of the work plan will cost \$400,000 for each year through fiscal 2008. Currently, there are a number of indices, some of which are electronic and resident on the Judiciary computer, and others that are in paper format. These include the following that are typically used in title searches:

- grantor/grantee index;
- block index (Baltimore City specific);
- plat indices;

C00A00 - Judiciary

- assessment records;
- county finance offices;
- circuit court plaintiff/defendant;
- District Court plaintiff/defendant in Baltimore City;
- minor subdivisions/greenways;
- notice of sales;
- tax sales; and
- home association records.

The next item – backfile conversion – will be managed by State Archives for the following counties: Charles, Calvert, Wicomico, Worcester, Somerset, Talbot, Caroline, and Dorchester. Backfile conversion for these counties will cost an estimated \$1,250,000.

Archives will also provide archival storage for land records migrated off of ELROI. Recordations older than ten years will be transferred to permanent, less expensive storage, and retrieval at Archives in a carefully designed security storage system, transparent to the user. Archives and the Judiciary have signed off on a MOU to implement that component of the plan. ELROI will be used to record land instruments on a daily basis and store approximately ten years of images. Recordations older than ten years, as well as comprehensive index information, would be accessible on ELROI terminals and from the *mdlandrec.net* system, without the user being aware that there are two complementary electronic image management systems at work.

The Maryland Judiciary will also provide Archives with ELROI image files needed to produce the archival microfilm and CD ROM backups. Archives will manage the development and quality control of the silver negative microfilm as well as the development of diazo copies and CD ROMs for distribution to the clerks' offices and other interested parties.

Archives has completed Phase I of the PLATO implementation. The anticipated annual cost for maintaining existing plats in the system is \$500,000. The estimated cost for implementing Phase II, which involves imaging and posting the remaining platted material including certificates of survey, chancery court material, etc., will be \$6,246,010. The total estimated amount to be required for Archives' portion of the Land Record implementation plan is roughly \$7.5 million, or 35% of the total amount available each year through 2010.

Is the \$12.5 Million Projected Increase an Annual Increase?

Based on more reliable information, the projected increase is estimated to be \$13.3 million with a \$15 Land Record surcharge. The Circuit Court Real Property Records Improvement Fund was created in 1991 to be used specifically “to repair, replace, improve, modernize, and update office equipment and equipment-related services in the land records office of the clerk of the circuit court for each county, as the administrator considers appropriate, with advice from the oversight committee.” The maximum surcharge fee allowed for each recordable instrument is \$5. The State Court Administrator has established a \$5 fee for mortgages, leases, deeds, and deeds of trust, and a \$2 fee for all other instruments.

To date, the fund has made it possible to make many improvements in record keeping processes in land record operations, including the completion of Phase I of the *plats.net* (PLATO) project and the installation of ELROI in 13 of Maryland’s 24 jurisdictions. The current fund balance as of January 30, 2003, is projected to total \$5,271,515. See **Appendix 4** for details on the income to the fund to date. Projected income and expenditures through fiscal 2008 is indicated in **Exhibit 4**.

What Is the Impact of the \$15 Surcharge on the 2006 Deadline?

This funding will provide the opportunity to implement ELROI in the remaining counties by the end of fiscal 2005, as well as providing much-needed upgrades to the older installations. The increase in revenue will allow funding for continuous maintenance costs of PLATO, ELROI, and other associated land record improvements. Otherwise, increases in maintenance fees could consume the fund and eliminate or slow progress and the ability to move forward. More importantly, this increased funding will make possible the most comprehensive approach to managing preservation and access to land records in the nation.

What Are the Projected Cost Savings from Choosing *mdlandrec.net*?

Mdlandrec.net is not offered as a replacement for ELROI. Rather, *mdlandrec.net* supports the overall goal of ELROI to make recent land records accessible. ELROI, especially in its web-based environment, is a thoughtfully designed, and much needed, recordation system. That system currently provides no retrospective index information, and is being cluttered and slowed down by attempting to encompass too many years of images online. As an electronic archives indexing and retrieval system, working seamlessly with ELROI, *mdlandrec.net* will provide comprehensive index access to the records (based upon indexing done at the time of recordation) and will provide online Intranet access to images preserved in *mdlandrec.net* as part of a conservation effort as well as those retired from ELROI. *Mdlandrec.net* will also provide a means to safeguard land records that are in danger of being lost.

Exhibit 4

**Circuit Court Real Property Records Improvement Fund
Projected Income and Expenditures
Fiscal 2004 through 2008**

	<u>FY 04</u>	<u>FY 05</u>	<u>FY 06</u>	<u>FY 07</u>	<u>FY 08</u>
<i>ELROI</i>					
ELROI implementation	\$7,430,000	\$3,675,000	\$0	\$0	\$0
ELROI maintenance	4,323,661	6,698,661	6,423,661	8,923,661	8,655,903
ELROI upgrade		500,000	4,000,000		267,758
Software, vendor coordination, and project management					
JIS infrastructure for ELROI, <i>mdlandrec.net</i> , and PLATO	1,488,334	2,468,334	3,018,334	4,918,334	4,918,334
<i>mdlandrec.net</i>					
Index access	400,000	400,000	400,000	0	0
New image acquisition	2,139,901	2,139,901	2,139,901	2,139,901	2,139,901
Archival backup	3,108,571	3,108,571	3,108,571	3,108,571	3,108,571
<i>mdlandrec.net</i> maintenance	328,864	328,864	328,864	328,864	328,864
<i>PLATO</i>					
PLATO Phase II implementation	624,601	624,601	624,601	624,601	624,601
PLATO maintenance	500,000	400,000	300,000	300,000	300,000
<i>Total Expenditures Anticipated from the Fund</i>	\$20,343,932	\$20,343,932	\$20,343,932	\$20,343,932	\$20,343,932
<i>Total Projected Revenue to the Fund</i>	\$20,343,932	\$20,343,932	\$20,343,932	\$20,343,932	\$20,343,932

Source: Judiciary Administrative Office of the Courts

Savings will come in the form of greater efficiencies – realized most by the parties that will be paying the increased fees. Efficiencies will also be realized by maintaining older images in a less expensive environment as well as by having the Archives manage the development of security copies and backfile conversion. The eventual goal will be to eliminate the need for production of COM film and the costly storage and maintenance of microfilm equipment in the courthouses.

What Are the Projected Cost Savings from Unbundling?

The cost savings from "unbundling" of processes/functions within the ELROI project is estimated at approximately 20%. Separation of the acquisition of hardware and project management function, such as pre-delivery assessments, will contribute to the projected savings. The Judiciary has assigned a technical manager to this project, which will result in the need for less contractor support in some areas of the implementation. Over time, when ELROI, a client/server relational database application, migrates to a

C00A00 - Judiciary

centralized open web-based architecture similar to *mdlandrec.net*, there will be savings from not being dependent on single source proprietary hardware and software.

What Are the Projected Costs to Upgrade the Older ELROI Counties?

Five counties need to be upgraded from SAS to the browser-based Optix operating system. Baltimore, Howard, Queen Anne's, Cecil, and Kent counties assume \$800,000 each (\$400,000 in services, \$350,000 in hardware and software, and \$50,000 in contingency) as indicated in Exhibit 4.

Should Land Record Surcharge Support All Land Record Operations?

Currently, the \$5 surcharge has covered most equipment and development costs of both ELROI and the PLATO systems, but the surcharge does not cover the cost of personnel in the clerks of the court land record offices. The Judiciary has currently budgeted the PLATO Phase II implementation (\$624,601) and PLATO maintenance (\$500,000) in the Major Information Technology Development Projects C00A.0012 budget program as a general fund contract with State Archives (subprogram DOO3). Exhibit 4 indicates that PLATO will be funded with the proposed \$15 surcharge. **It is recommended that the PLATO IT project be transferred to the Circuit Court Real Property Records Improvement Fund for a recommended reduction of \$1,102,790 in general funds and budget language be added to restrict the funds to the PLATO MOU with State Archives.**

The IT technical manager is currently funded as an \$111,293 general fund expense, but all other IT costs in support of the ELROI project account for the \$2,721,506 special fund budget against the Circuit Court Real Property Records Improvement Fund in the Major Information Technology Development Projects C00D00.12 budget program. **It is recommended that the IT technical manager be transferred to the Circuit Court Real Property Records Improvement Fund Project (Subprogram E003).**

Increase the Proposed Land Record Surcharge to \$20 to Support the Clerks Land Record Offices

Each of the clerks of the court offices performs the land record recordation function. The larger clerks offices have a land record division that performs this function. Personnel and operating expenses of all clerks' offices that perform the land record fund are budgeted as a general fund expense. **It is recommended that the Land Record surcharge be increased to \$20 through an amendment to the 2003 BRFA and that the Clerks of the Circuit Court C00A00.10 budget program general fund appropriation be reduced by \$5,000,000 and the special fund appropriation supported by the Circuit Court Real Property Records Improvement Fund be increased by \$5,000,000.** Based on the Judiciary revenue projection in Exhibit 4 each \$5 increase will produce an additional \$7 million in revenue.

2. Fiscal 2003 Cost Containment

On January 8, 2003, BPW approved total cost containment reductions of \$154.6 million. Governor Glendening asked the Legislative and the Judicial Branches of Government to contribute 4.9% of their respective budgets. On this basis the Legislative Branch contribution would be \$1,684,568 and the Judiciary contribution \$13,249,453.

In response, the Judiciary has agreed to a \$3,000,000 cost containment reduction in the fiscal 2003 budget. **While the \$13.2 million cost containment reduction would be difficult to achieve, it is recommended that the Judiciary, by letter from the Chief Judge, agree to an additional reduction of \$4,000,000 – for a total reduction of \$7,000,000 in fiscal year cost containment reduction.**

The Department of Legislative Services (DLS) believes that the Judiciary can reasonably be expected to make a contribution based on an analysis of the Financial Management Information System (FMIS) report of Judiciary expenditures for fiscal 2003 through January 31, 2003, as shown in **Exhibit 5**.

Exhibit 5

Judiciary DLS Recommended Fiscal 2003 Cost Containment

<u>Description of Expense</u>	<u>Amount</u>
Salary freeze	\$1,500,000
Eliminate employee transit subsidy	155,000
Contractual payroll freeze	1,800,000
Telephone and postage	300,000
In-state travel	150,000
Out-of-state travel	20,000
Printing and advertising	300,000
Legal/use of retired judges	1,000,000
Data process contractual	700,000
Supplies and materials	356,706
Replacement equipment – Clerks of Court	500,000
Replacement equipment – balance of Judiciary	200,000
New equipment – Clerks of Court	400,000
New equipment – balance of Judiciary	200,000
Renovations – Clerks of Court	200,000
Renovations – balance of Judiciary	500,000
Judicial Conference	128,000
Total Reductions	\$8,409,706

C00A00 - Judiciary

Recommended Actions

1. Add the following language:

SECTION XX. AND BE IT FURTHER ENACTED, That contingent upon the enactment of legislation to eliminate the payment of employer contributions for State Supplemental Plans in the Optional Defined Contribution System in fiscal year 2004, the funding for these payments included through out the Judiciary in Comptroller sub-object 0172 shall be reduced by \$1,035,766 in general funds and \$16,296 in federal funds consistent with reductions taken in the Executive and Legislative Branches of Government.

Explanation: This action deletes the 401(k) employer match to employee contributions up to \$600 in the employee individual 401(k) plan consistent with the action taken in the Executive Branch of government.

	<u>Amount Reduction</u>		<u>Position Reduction</u>
2. Reduce funds for law clerks to require 25% local match. DLS recommends the Budget Reconciliation and Financing Act of 2003 to require local jurisdictions to provide a 25% match for circuit court law clerks.	\$ 1,350,000	GF	
3. Deny contractual conversion of 18 positions. The remaining salary funds may be used to continue positions on a contractual basis:	164,644	GF	18.0
13 positions in District Court			
3 positions in Judicial Data Processing			
2 positions in Clerks of the Court offices			

C00A00 - Judiciary

- | | | | |
|----|--|-----------|----|
| 4. | Increase turnover expectancy to 4% to maintain position freeze. | 913,717 | GF |
| 5. | Delete Maryland Legal Services Corporation (MLSC) general fund grant. MLSC currently receives the interest on lawyers' Trust Accounts (IOLTA) from the Administrative Office of the Courts special fund appropriation. MLSC currently receives about \$6 million based on current interest rates. The fund provides representation to indigents in civil matters. This would be a major policy change to subsidize these services with State general funds. MLSC should limit services to live within its budget from IOLTA funds. | 1,200,000 | GF |
| 6. | Delete interpreter fee expense increase. While Rule 16-819 requires the appointment of sign language and spoken language interpreters where translation is required in a court proceeding and court interpreters are compensated in accordance with the criminal procedure Article §§ 1-202 and 3-103, the actual fee to be paid is not specified – only that the interpreter be compensated in an amount equal to that provided for interpreters of language other than English and that they be reimbursed for actual and necessary expenses. The provision does not mandate a fee increase, only that they be compensated. The legislation (HB 320, 2002) to expand State paid interpreters in civil proceedings did not pass. The increase expands coverage to civil cases in addition to criminal cases. The increase and program expansion should be denied due to the State's fiscal constraints. | 424,000 | GF |
| 7. | Delete funds for increased training of interpreters. While Rule 16-819 requires that an interpreter must attend the Judiciary orientation workshop on court reporting, there is nothing in the rule that would preclude charging a fee for the workshop. Also, there is nothing in the rule that mandates how frequent the workshops are offered. Due to fiscal constraints the State sponsored training should be limited to the funding level currently provided in the budget. | 146,000 | GF |

C00A00 - Judiciary

8. Delete funds to support expansion of drug courts in five jurisdictions due to State fiscal constraints. Local government should provide the additional support or obtain a federal grant to fund the coordinators. 308,346 GF

9. Add the following language to C00A00.10 Clerks of the Circuit Court Program:

provided that the general fund appropriation provided hereunder is reduced by \$5,000,000 and the special fund appropriation increased in the amount of \$5,000,000 to fund the personnel and operating expenses of the land record offices in the clerks of the court contingent upon legislation to increase the land records surcharge from \$15 to \$20.

Further provided, that the Administrative Office of the Courts (AOC) shall use the Financial Management Information (FMIS) System subprogram cost center to budget and expend funds to reflect how costs are budgeted initially and expended throughout the year for the land record personnel and operating expenses of recording land records and preservation of land records and indices to the land records.

Explanation: This amendment funds land record office operating expenses with special funds from the Circuit Court Real Property Records Improvement Fund consistent with a DLS recommendation to increase the land record surcharge for recording land record title transactions to \$20 from the current surcharge of \$15 through an amendment in the Budget Reconciliation and Financing Act of 2003 or SB 136 and HB 92. The added language requires proper budget and cost accounting of the Land Record Offices.

	<u>Amount Reduction</u>	<u>Position Reduction</u>
10. Delete rent payments to counties for clerk of court office space to reflect delay in State payment until fiscal 2007.	1,225,000	GF
11. Delete miscellaneous and additional assistance salary expenses for clerks of the court.	830,853	GF
12. Delete funds for expansion of family court services due to State fiscal constraints.	870,000	GF
13. Delete increase in Court Appointed Special Advocates grants for program development in two additional jurisdictions due to State fiscal constraints.	140,000	GF

C00A00 - Judiciary

14. Add the following language to C00A00.12 Major Information Projects:

,provided that the general fund appropriation hereunder shall be reduced \$1,209,349 and the special fund appropriation increased \$1,209,349 to fund the subprogram D003 PLATO application development and maintenance State Archives \$1,102,790 contract and to increase the special fund appropriation of subprogram ELROI Application development by \$106,559 to fund the salary and operating expenses for the technical manager with special funds from the Circuit Court Real Property Records Improvement Fund.

Further provided, that the special funds in the amount of \$1,102,790 from the Circuit Court Real Property Records Improvement Fund shall only be transferred to State Archives in support of the PLATO Major Information Technology (IT) project in subprogram D003 in accordance with a memorandum of understanding between the Administrative Office of the Courts and Maryland State Archives.

Explanation: This budget bill language reduces the general fund appropriation \$1,209,349 and increases the special fund appropriation by \$1,209,349 for two major IT projects that support electronic land records. Also, the budget bill language stipulates and restricts the funds to be provided to State Archives for the PLATO – Plats online application.

	<u>Amount Reduction</u>	<u>Position Reduction</u>
Total General Fund Reductions	\$ 7,572,560	18.0

Updates

1. No New Circuit Court Judgeships Certified Although Study Projects a Need for 13 Circuit Court Judges and 10 District Court Judges

The Chief Judge for the Court of Appeals, by letter dated November 1, 2002, advised the General Assembly and the Governor that no new judges or judicial masters would be requested for fiscal 2004 due to the State budget financial condition.

Since 1979, the Chief Judge of the Court of Appeals annually certifies to the General Assembly the need for additional judges in the State. The determination of need is based upon a statistical analysis of factors affecting workload and performance, as well as the comments of circuit court administrative judges and the Chief Judge of the District Court in consultation with area representatives. Legislation to create additional judgeships based upon the certification of need is then introduced to the General Assembly.

This is the second year that the Judiciary has used a new assessment model developed by the National Center for State Courts (NCSC). NCSC was commissioned by the Judiciary to conduct a judicial workload assessment to be used to determine the number of judges necessary in the circuit courts. NCSC submitted a final report dated July 2001 titled *Workload Assessment Model for the Maryland Circuit Courts*.

Exhibit 6 indicates the current number of circuit court judges and the additional judges needed by each county and Baltimore City. The total additional circuit court judges needed statewide is 13. The Chief Judge notes that children and family matters now comprise almost 50% of the circuit court statewide.

The Chief Judge cited the need for an additional judgeship in Worcester County to serve as a family law judge for the entire First Judicial Circuit that includes Dorchester, Somerset, and Wicomico counties. Also noted are the increased jury trial prayers from the District Court and its impact, in particular, on the criminal caseload in Baltimore City. Also noted is the Judiciary's efforts to develop a more reliable means of reporting criminal cases in Baltimore City which will likely indicate the need for additional judges for Baltimore City. Until the new statistical approach is validated, the same number as last year –two – are certified for that court.

Exhibit 6 indicates that ten additional District Court judges are required statewide. The Chief Judge cites the increase in civil protection in domestic violence cases and the significant volume of petitions for peace orders in the District Court. In addition, there has been significant growth in traffic cases, particularly driving while intoxicated cases. Trends in Anne Arundel and St. Mary's counties were cited as driving the need for one judge each in those jurisdictions. In Anne Arundel County, the need is driven by consistently higher bench times and the expanded time from filing to trial. St. Mary's is one of the fastest growing counties in the State. The State Police and the Sheriff's Office have grown substantially, resulting in greater volumes of arrests and traffic citations.

Exhibit 6

C00A00 - Judiciary

Additional Circuit Court and District Court Judges Needed As of November 2002

<u>Jurisdiction</u>	<u>Actual Number Circuit Court Judges</u>	<u>Additional Circuit Court Judges Needed</u>	<u>Actual Number District Court Judges</u>	<u>Additional District Court Judges Needed</u>
Chief Judge of the District Court			1	
Allegany	2	0	2	0
Anne Arundel	10	2	8	1 ⁽³⁾
Baltimore City	30	2 ⁽¹⁾	26	1
Baltimore County	16	3	13	3
Calvert	2	0	1	0
Caroline	1	0	1	0
Carroll	3	0	2	0
Cecil	3	1	2	0
Charles	4	0	2	0
Dorchester	1	0	1	0
Frederick	4	0	3	0
Garrett	1	0	1	0
Harford	5	1	4	0
Howard	5	0	5	0
Kent	1	2	1	0
Montgomery	20	0	11	0
Prince George's	23	0	13	3
Queen Anne's	1	0	1	0
St. Mary's	3	0	1	1 ⁽³⁾
Somerset	1	0	1	0
Talbot	1	0	1	0
Washington	4	1	2	0
Wicomico	3	0	2	0
Worcester	2	1 ⁽²⁾	1	1
Statewide	146	13	106	10

⁽¹⁾ Due to a newly adopted method of statistical compilation and pending validations of this methods, the judgeship need certified for Baltimore in the previous assessment will be used for fiscal 2004.

⁽²⁾ Judgeship would be shared with other counties in the First Judicial Circuit (Dorchester, Somerset, and Wicomico) for family law matters.

⁽³⁾ Significant qualitative factors indicate a need for judicial resources.

Source: Judiciary Judgeship Needs for Fiscal 2004

Current and Prior Year Budgets

Current and Prior Year Budgets Judiciary (\$ in Thousands)

	<u>General Fund</u>	<u>Special Fund</u>	<u>Federal Fund</u>	<u>Reimb. Fund</u>	<u>Total</u>
Fiscal 2002					
Legislative Appropriation	\$260,819	\$9,311	\$1,967	0	\$272,097
Deficiency Appropriation	0	0	0	0	
Budget Amendments	0	6,000	0	0	6,000
Reversions and Cancellations	-2,691	-2,462	-148	0	-5,301
Actual Expenditures	\$258,128	\$12,849	\$1,819	\$0	\$272,796
Fiscal 2003					
Legislative Appropriation	\$270,397	\$12,911	\$1,865	\$0	\$285,173
Budget Amendments	0	771	0	0	771
Working Appropriation	\$270,397	\$13,682	\$1,865	\$0	\$285,944

Note: Numbers may not sum to total due to rounding.

Fiscal 2002

In July 2001 a \$6.0 million amendment was processed to increase the revenue available from the Circuit Court Real Property Improvement Fund for the land records improvement project.

Object/Fund Difference Report
Judiciary

	<u>Object/Fund</u>	<u>FY 02 Actual</u>	<u>FY 03 Working Appropriation</u>	<u>FY 04 Allowance</u>	<u>FY 03 - 04 Amount Change</u>	<u>Percent Change</u>
Positions						
01	Regular	3,009.75	3,223.75	3,241.75	18.00	0.6%
02	Contractual	371.00	390.00	372.00	-18.00	-4.6%
	Total Positions	3,380.75	3,613.75	3,613.75	0	0%
Objects						
01	Salaries and Wages	\$ 171,120,485	\$ 186,485,803	\$ 195,714,438	\$ 9,228,635	4.9%
02	Technical & Spec Fees	8,581,026	11,466,780	10,932,578	-534,202	-4.7%
03	Communication	7,195,517	8,105,599	8,627,914	522,315	6.4%
04	Travel	1,102,751	1,274,939	1,272,990	-1,949	-0.2%
06	Fuel & Utilities	344,352	456,010	456,010	0	0%
07	Motor Vehicles	230,974	180,386	150,576	-29,810	-16.5%
08	Contractual Services	27,723,105	26,169,695	30,248,258	4,078,563	15.6%
09	Supplies & Materials	4,609,568	5,002,034	5,332,349	330,315	6.6%
10	Equip - Replacement	6,897,222	2,541,815	4,587,731	2,045,916	80.5%
11	Equip - Additional	4,178,020	3,190,476	3,220,096	29,620	0.9%
12	Grants, Subsidies, Contr	26,328,219	27,113,909	29,395,400	2,281,491	8.4%
13	Fixed Charges	10,685,621	11,433,329	13,804,775	2,371,446	20.7%
14	Land & Structures	3,798,425	2,522,762	2,518,648	-4,114	-0.2%
	Total Objects	\$ 272,795,285	\$ 285,943,537	\$ 306,261,763	\$ 20,318,226	7.1%
Funds						
01	General Fund	\$ 258,128,058	\$ 270,397,009	\$ 291,110,944	\$ 20,713,935	7.7%
03	Special Fund	12,848,943	13,681,500	13,219,349	-462,151	-3.4%
05	Federal Fund	1,818,284	1,865,028	1,931,470	66,442	3.6%
	Total Funds	\$ 272,795,285	\$ 285,943,537	\$ 306,261,763	\$ 20,318,226	7.1%

Note: Fiscal 2003 appropriations and fiscal 2004 allowance do not include cost containment and contingent reductions.

Fiscal Summary
Judiciary

<u>Unit/Program</u>	<u>FY 02</u>	<u>FY 03</u>	<u>FY 03</u>	<u>FY 02 - 03</u>	<u>FY 04</u>	<u>FY 03 - 04</u>
	<u>Actual</u>	<u>Legislative</u>	<u>Working</u>	<u>% Change</u>	<u>Allowance</u>	<u>% Change</u>
01 Court of Appeals	\$ 5,350,850	\$ 5,605,049	\$ 6,096,815	13.9%	\$ 6,704,704	10.0%
02 Court of Special Appeals	6,235,652	6,971,839	6,971,839	11.8%	7,076,082	1.5%
03 Circuit Court Judges	35,944,446	40,505,202	40,505,202	12.7%	45,519,804	12.4%
04 District Court	102,386,000	107,191,676	106,491,684	4.0%	109,468,742	2.8%
05 Maryland Judicial Conference	150,493	130,966	130,966	-13.0%	130,867	-0.1%
06 Administrative Office of the Courts	16,355,003	19,214,990	20,551,274	25.7%	22,665,937	10.3%
07 Court Related Agencies	3,688,035	4,217,781	4,217,781	14.4%	4,494,816	6.6%
08 State Law Library	1,569,088	1,715,172	1,715,172	9.3%	1,770,024	3.2%
09 Judicial Data Processing	18,531,600	16,892,097	15,973,825	-13.8%	19,591,579	22.6%
10 Clerks of the Circuit Court	65,327,986	65,311,639	65,840,353	0.8%	70,740,528	7.4%
11 Family Law Division	9,233,577	11,275,465	11,306,965	22.5%	12,327,274	9.0%
12 Major IT Projects	8,022,555	6,141,661	6,141,661	-23.4%	5,771,406	-6.0%
Total Expenditures	\$ 272,795,285	\$ 285,173,537	\$ 285,943,537	4.8%	\$ 306,261,763	7.1%
General Fund	\$ 258,128,058	\$ 270,397,009	\$ 270,397,009	4.8%	\$ 291,110,944	7.7%
Special Fund	12,848,943	12,911,500	13,681,500	6.5%	13,219,349	-3.4%
Federal Fund	1,818,284	1,865,028	1,865,028	2.6%	1,931,470	3.6%
Total Appropriations	\$ 272,795,285	\$ 285,173,537	\$ 285,943,537	4.8%	\$ 306,261,763	7.1%

Note: Fiscal 2003 appropriations and fiscal 2004 allowance do not include cost containment and contingent reductions.

Special Funds Fund Balance

The fund is a no-lapsing revolving fund. At the end of January 2003, the year-to-date fund balance is estimated to be \$5,271,515 as detailed below:

<u>Fiscal Year</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Fund Balance</u>
1992	\$2,676,582	\$907,053	\$1,769,529
1993	3,349,912	2,457,091	2,662,350
1994	4,088,912	2,987,299	3,763,963
1995	2,995,141	3,476,599	3,282,505
1996	3,088,527	2,556,545	3,814,487
1997	3,183,194	1,615,242	5,382,439
1998	3,758,387	3,722,889	5,417,937
1999	5,691,294	6,316,559	4,792,672
2000	4,947,541	7,197,531	2,542,682
2001	6,198,804	4,872,880	3,868,606
2002	8,555,831	6,312,745	6,111,692
2003*	5,508,855	6,349,032	5,271,515
Total	\$54,042,980	\$48,771,465	\$5,271,515

2003 Expenditures

Year-to-Date Expenditures	\$2,081,511
P.O. Balances	793,027
Requisitions in Process	34,000
Projected Expenditures	3,440,494
Total	\$6,349,032

Note: 2003 totals reflect actual revenues, year-to-date expenditures, committed, and projected expenditures as of January 31, 2003.

Source: Judiciary Administrative Office of the Courts