C00A00
Judiciary

Operating Budget Data

($ in Thousands)

	FY 07 Actual	FY 08 Working	FY 09 Allowance	FY 08-09 Change	% Change Prior Year
General Fund	$325,479	$347,064	$394,288	$47,224	13.6%
Special Fund	37,352	45,885	47,054	1,169	2.5%
Federal Fund	4,324	3,786	4,337	551	14.5%
Reimbursable Fund	605	77	208	132	172.2%
Total Funds	**$367,761**	**$396,812**	**$445,887**	**$49,075**	**12.4%**

- The Maryland Judiciary's budget increases by $49.1 million, or 12.4% above the fiscal 2008 working appropriation. However, when you adjust the budget to reflect changes in allocation of health insurance and Other Post Employment Benefits, the fiscal 2009 budget increases by $24.9 million, or 6.7%. Increases in the budget are primarily attributed to a $43.3 million increase in personnel expenses, a $2.6 million increase in contractual expenses, and a $1.7 million increase in grant expenditures.

- Personnel expenses increase by $43.3 million primarily due to (1) the addition of 157.5 new regular positions and contractual conversions ($6.3 million); (2) a reduction in turnover expectancy for existing employees ($4.7 million); (3) ongoing employee health insurance and post employment benefits ($22.6 million); and (4) employee increments, merit increases, and other pay adjustments ($6.5 million).

- Contractual services expenditures increase by $2.6 million primarily due to a $959,644 increase in contractual services for court interpreters and a $728,404 increase in retired judges' compensation.

- Grant expenditures increase by $1.7 million primarily due to a $1.2 million increase in grant funds for Maryland's drug courts.

- Reimbursable funds increase by $131,806 primarily due to funding received from the State Highway Administration and the Governor's Office of Crime Control and Prevention for the Anne Arundel and Howard counties drug court programs.

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

For further information contact: Chantelle M. Green Phone: (410) 946-5530

Personnel Data

	FY 07 Actual	FY 08 Working	FY 09 Allowance	FY 08-09 Change
Regular Positions	3,397.25	3,498.25	3,655.75	157.50
Contractual FTEs	370.50	376.50	336.50	-40.00
Total Personnel	**3,767.75**	**3,874.75**	**3,992.25**	**117.50**
Vacancy Data: Regular Positions				
Turnover, Excluding New Positions		89.93	2.46%	
Positions Vacant as of 12/31/07		249.50	7.13%	

- The fiscal 2009 budget includes 157.5 new positions which are located throughout the following programs:

  - ***District Court:*** The District Court budget includes 76.5 new positions, of which 25 are contractual conversions. Approximately 41% of the new positions requested are courtroom, civil, and criminal/traffic clerk positions;

  - ***Clerks of the Circuit Court:*** The clerks of the circuit court budget contains 62 new positions, of which 15 are contractual conversions. Approximately 70% of the new positions requested are civil, courtroom, and juvenile clerk positions;

  - ***Remaining Positions:*** The remaining 19 positions are distributed throughout the Administrative Office of the Courts (11), State Law Library (2), Judicial Information Systems (4), and Family Services (2).

- As of December 31, 2007, the vacancy rate for regular employees was 7.13%. Twenty-one and three-quarters of these vacancies have subsequently been filled, thereby reducing the vacancy rate to 6.50%.

- Turnover expectancy for regular employees is reduced from 4.7 to 2.5%.

Analysis in Brief

Major Trends

District Court Caseloads: The total number of criminal, civil, and landlord case fillings increased by 0.3% in fiscal 2007.

Circuit Court Caseloads: The total number of circuit court case filings increased by 5.5% in fiscal 2007.

Issues

No New Judgeships Certified Although the Weighted Caseload Methodology Indicates 15 Additional Judges Are Needed: In a letter dated November 1, 2007, the Chief Judge of the Court of Appeals advised the General Assembly that no additional judges or masters would be requested in fiscal 2009 due to the State's fiscal condition. **The Judiciary should comment on the current status of judgeship needs, including the projected need in fiscal 2010.**

Family Law Judicial Masters: During the 2007 session, the General Assembly added budget bill language that required the Judiciary to submit a report outlining its statistical methodology for determining annual need for masters. On November 1, 2007, the Judiciary submitted a report outlining its ongoing effort to develop a statistical methodology. According to the report, further analysis is needed to develop a reliable statistical methodology. **The Judiciary should comment on the status of developing a statistical methodology for determining annual magisterial need. The Department of Legislative Services (DLS) recommends budget bill language requiring the Judiciary to submit a status report outlining the development of a statistical methodology for determining annual needs for masters. The report should be submitted to the committees by November 1, 2008.**

New Positions Requested by the Judiciary: The Maryland Judiciary has requested 157.5 new positions, including 110.5 new regular positions and 47 contractual conversions in fiscal 2009. **Due to the State's fiscal condition, DLS recommends that the Judiciary's position growth be limited to approximately 2%. DLS recommends that 53.5 of the 110.5 new positions requested by the Judiciary be denied and that 41 out of the 47 contractual conversions be denied.**

Major Information Technology Development Projects: As the State's level of support for the Judiciary's major information technology (IT) projects has increased in preceding years, so has DLS' concern regarding whether additional oversight of the Judiciary's IT projects is warranted due to several of the Judiciary's previous audit findings and numerous IT failures within several Executive Branch agencies. The Judiciary's fiscal 2009 budget request includes $7.3 million in general funds and $2.4 million in special funds to finance the next phase of implementation for eight major information technology development projects. **DLS recommends statutory language requiring that all of the Judiciary's future IT requests be submitted to the Department of Budget and Management's Office of Information Technology for review and approval prior to expenditure of funds.**

Audit Findings: In June 2007, the Office of Legislative Audits (OLA) published its audit of the Maryland Judiciary covering fiscal 2004 to 2007. The audit disclosed several deficiencies related to the Judiciary's procurement and disbursement practices. **The Judiciary should comment on what measures it has taken to address OLA's audit findings.**

Collection Practices: Fines, fees, service charges, and court costs are important sources of revenue that help fund State expenditures. Although the Judiciary's *Accounts Receivable Policy and Procedures* (Accounts Receivable Policy) lists several tools that are available to assist courts in collecting fees, less than 30% of the total fees outstanding were referred to the State's Central Collection Unit for payment during fiscal 2004 through 2007. **DLS recommends that the Judiciary standardize its Accounts Receivable Policy to comport to the time frame utilized by Executive Branch agencies.**

Annual Report of the Office of Problem-Solving Courts: The 2007 *Joint Chairmen's Report* directed the Judiciary to submit an annual report on all problem-solving courts in Maryland. On November 1, 2007, the Office of Problem-Solving Courts (OSPC) submitted the required report for the fiscal year ending June 30, 2007. **Based upon a review of the report, DLS recommends that subsequent annual reports include data related to program participants' drug of choice, participant referrals, and program capacity. OPSC should also include outcome and participant data for Maryland's mental health and truancy court programs.**

2007 Joint Chairmen's Report Addressing DLS' Recommendations and Observations Regarding the Harford County Juvenile Drug Court Evaluation and the Anne Arundel County and Baltimore City Drug Court Evaluations: The 2007 *Joint Chairmen's Report* (JCR) directed the Judiciary to submit a follow-up report addressing DLS' observations and recommendations regarding the aforementioned evaluations. On November 1, 2007, the Judiciary submitted its JCR response. **Based on a review of the Judiciary's responses to DLS' observations and recommendations, DLS recommends that the committees level fund drug court grants to local jurisdictions and that $1 million in general funds be restricted until the Judiciary submits revised cost benefit analyses for the Baltimore City and Anne Arundel County drug court programs.**

Recommended Actions

	Funds	Positions
1. Add language to reduce funds for turnover expectancy. This action reduces the Judiciary's fiscal 2009 allowance by $1,219,756.		
2. Add language to reduce funds for postage expenditures. This action will reduce the fiscal 2009 allowance for postage by $133,885.		
3. Add language to reduce funds for telephone expenditures. This action reduces the Judiciary's fiscal 2009 allowance for telephone		

expenses by $514,978.

4. Add language to reduce funds for cell phone expenditures. This action reduces the Judiciary's fiscal 2009 allowance by $28,009.

5. Add language to reduce funds for travel expenses. This action reduces the fiscal 2009 allowance for travel by $137,158.

6. Add language to reduce funds for advertising and publication expenses. This action reduces the fiscal 2009 allowance for advertising and travel by $33,349.

7. Add language to reduce funds for printing expenses. This action reduces the fiscal 2009 allowance for printing expenses by $225,938.

8. Add language to reduce funds for equipment repairs and maintenance. This action reduces the fiscal 2009 allowance for equipment repairs and maintenance by $628,525.

9. Add language to reduce funds for building repairs and maintenance. This action reduces the fiscal 2009 allowance for building repairs and maintenance by $415,357.

10. Add language to reduce funds for legal services. This action reduces the fiscal 2009 allowance for legal services by $131,848.

11. Add language to reduce funds for education and training expenses. This action reduces the fiscal 2009 allowance by $408,677.

12. Add language to reduce funds for office assistance. This action reduces the fiscal 2009 allowance for office assistance expenditures by $383,544.

13. Add language to reduce funds for office supplies. This action reduces the fiscal 2009 allowance for office supplies by $561,447.

14. Add language to reduce funds for audio visual expenses. This action reduces the fiscal 2009 allowance for audio visual expenses by $49,068.

15. Add language to reduce funds for equipment under $500. This action reduces the fiscal 2009 allowance for equipment under $500 by $63,488.

16.	Add language to reduce funds for office replacement expenditures. This action reduces the fiscal 2009 allowance for office replacement expenditures by $620,451.		
17.	Add budget bill language requiring the Judiciary to submit the results of its court performance measures as part of its annual Managing for Results data.		
18.	Add budget bill language to require the submission of a status report from the Judiciary regarding the development of a statistical methodology for determining annual magisterial needs.		
19.	Add budget bill language to require the submission of a report from the Judiciary regarding the impact of alternative dispute resolution on the courts' overall caseload.		
20.	Add budget bill language to require the submission of Independent Validation and Verification reports.		
21.	Delete grant funds for the Maryland Legal Assistance Network.	250,000	
22.	Delete funding for a new vehicle.	16,000	
23.	Delete funds for attendance incentives.	345,984	
24.	Delete 20.5 new positions and deny 21 contractual conversions for the District Court.	987,051	41.5
25.	Reduce funds for the annual judicial conference.	339,500	
26.	Add budget bill language that makes a portion of the appropriation for drug court funding contingent upon the submission of revised cost benefit analyses.		
27.	Delete two new positions and five contractual conversions in the Administrative Office of the Courts.	150,240	7.0
28.	Reduce drug court funding.	1,329,542	
29.	Reduce allowance for Maryland Reports.	56,320	
30.	Delete enhancement funding for county law library grants.	38,000	
31.	Delete Web Specialist position in the State Law Library Program.	50,009	1.0

32.	Delete two new positions in the Judicial Information Services Program.	117,373	2.0
33.	Delete 28 new positions and deny 15 contractual conversions for the circuit court clerk of the court.	1,193,736	43.0
34.	Reduce circuit court lease space enhancement.	500,000	
35.	Reduce funds for additional office equipment.	14,526	
36.	Reduce allowance for janitorial services.	9,720	
37.	Reduce allowance for housekeeping expenses.	9,111	
38.	Reduce allowance for freight and delivery.	17,345	
39.	Reduce allowance for trash and garbage removal.	4,901	
40.	Reduce funding for the Truancy Reduction Pilot Program.	115,746	
41.	Delete discretionary grant funds in the Family Services Program.	50,000	
42.	Replace the general fund appropriation for Major IT development with special funds.		
43.	Reduce funds for eRecording.	1,420,800	
	Total Reductions	**$ 7,015,904**	**94.5**

Updates

2007 Joint Chairmen's Report on the Feasibility of Adopting National Center for State Courts Performance Measures: The 2007 *Joint Chairmen's Report* (JCR) directed the Judiciary to submit a report evaluating the feasibility of adopting the court performance measures developed by the National Center for State Courts (NCSC) as part of the Judiciary's annual Managing for Results data. On November 1, 2007, the Judiciary submitted its report to the budget committees outlining its findings.

C00A00
Judiciary

Operating Budget Analysis

Program Description

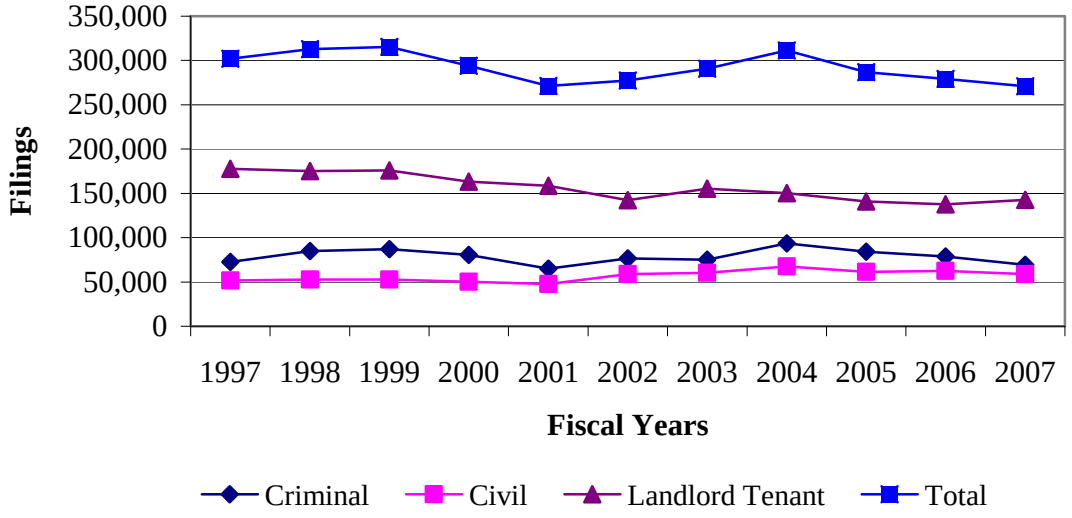
The Judiciary is composed of four courts and six agencies which support the administrative, personnel, and regulatory functions of the Judicial Branch of government. Courts consist of the Court of Appeals, Court of Special Appeals, circuit courts, and District Court. The Chief Judge of the Court of Appeals 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, Maryland Conflict Resolution Office, and the Maryland State Board of Law Examiners (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

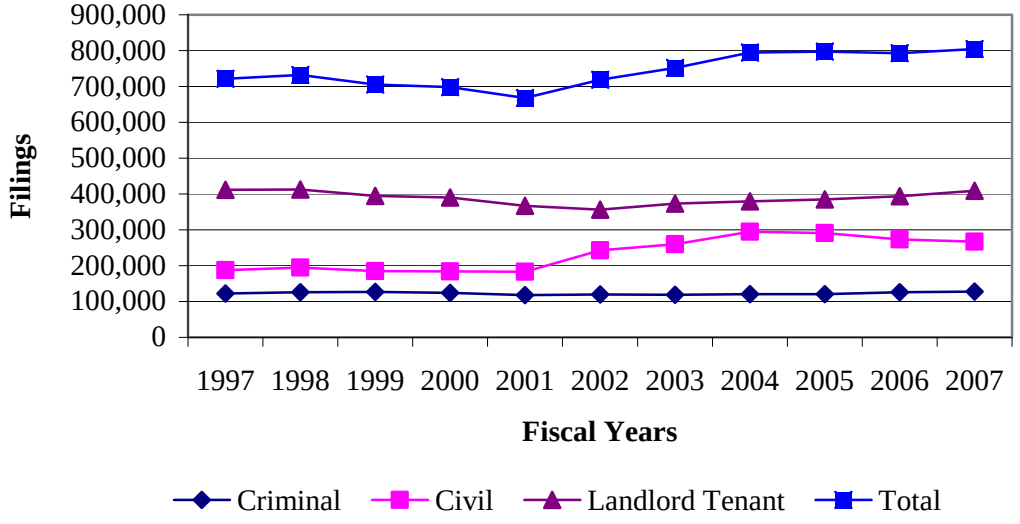
Exhibits 1 and **2** illustrate long-term District Court caseload trends for Baltimore City and the counties. In fiscal 2007, there was a 3% decrease in the total number of Baltimore City District Court filings. This decrease reflected a decline in the number of criminal and civil filings. By contrast, there was a 2% increase in the total number of District Court filings throughout the various counties. This increase was the result of an increase in the number of landlord tenant and criminal filings.

Exhibit 1
Baltimore City District Court Filings
Fiscal 1997-2007



Source: Maryland Judiciary and Administrative Office of the Courts Annual Reports and Statistical Abstracts

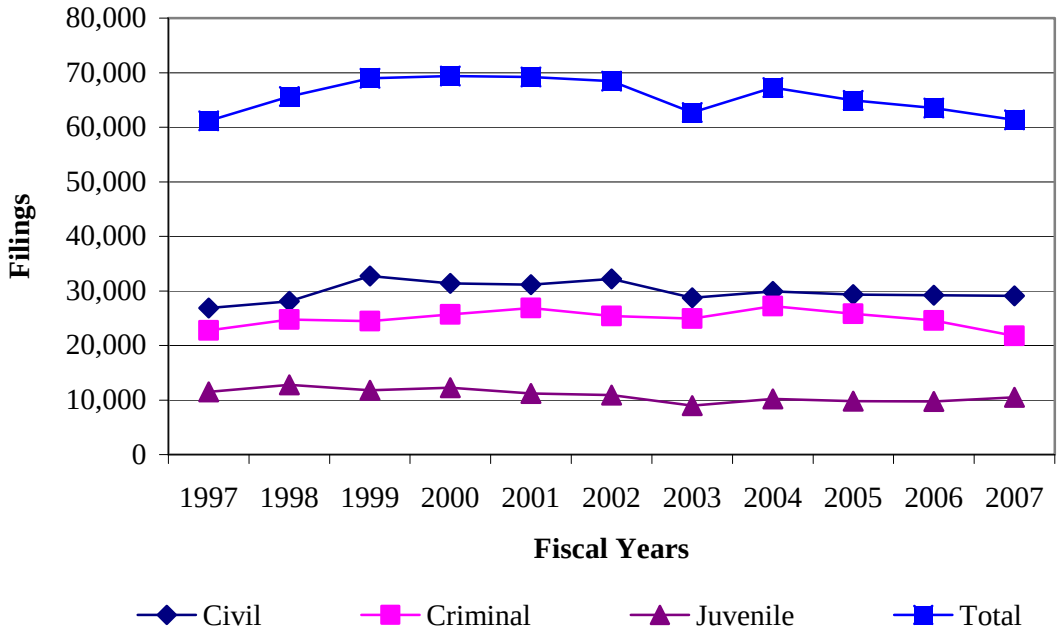
Exhibit 2
County District Court Filings
Fiscal 1997-2007



Source: Maryland Judiciary and Administrative Office of the Courts Annual Reports and Statistical Abstract

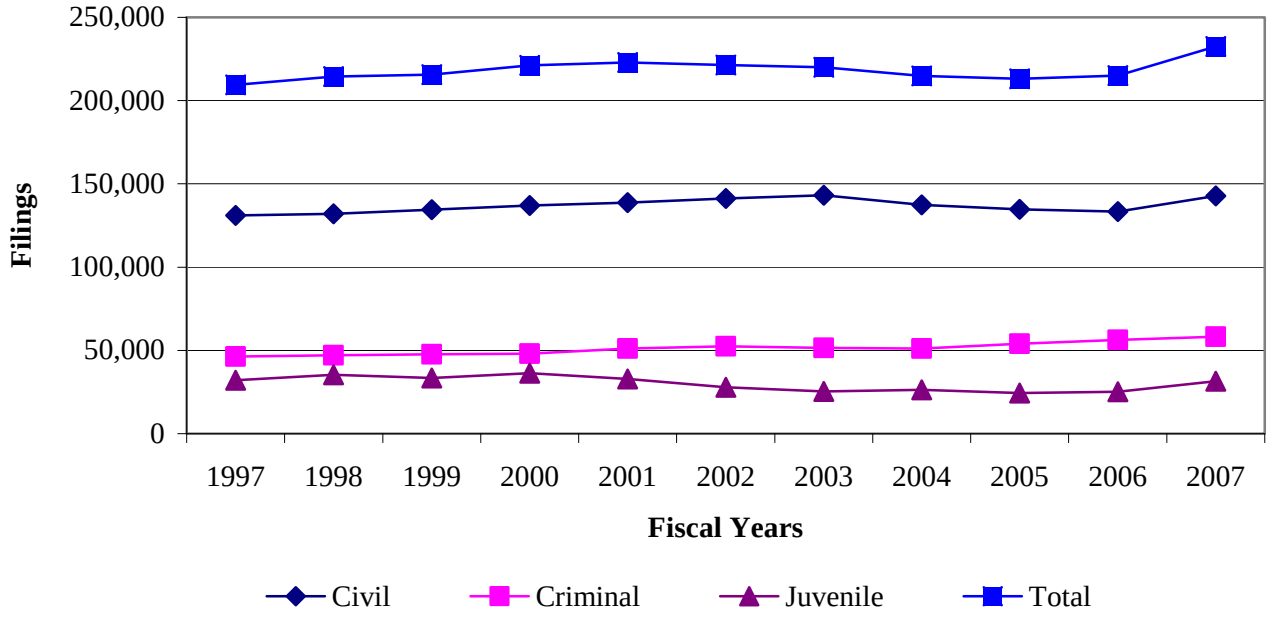
Exhibits 3 and **4** illustrate long-term circuit court caseload trends for Baltimore City and the counties. Similar to the number of District Court filings, the total number of Baltimore City circuit court filings decreased by 3% in fiscal 2007. This decrease was primarily the result of a 12% decline in criminal filings. By contrast, there was an 8% increase in the total number of criminal, civil, and juvenile circuit court filings throughout the various counties. This increase was the result of an across-the-board increase in the number of criminal, civil, and juvenile filings.

Exhibit 3
Baltimore City Circuit Court Filings
Fiscal 1997-2007



Source: Maryland Judiciary and Administrative Office of the Courts Annual Reports and Statistical Abstract

Exhibit 4
County Circuit Court Filings
Fiscal 1997-2007



Source: Maryland Judiciary and Administrative Office of the Courts Annual Reports and Statistical Abstract

Exhibit 5 shows the Judiciary's ability to dispose of cases in Baltimore City and the counties. The total number of circuit court civil and juvenile cases cleared increased by 4% and 19%, respectively. Despite an 8% decline in the number of criminal cases cleared in Baltimore City, the total number of criminal cases cleared increased by 5%.

Similar to clearance trends in the circuit court, the total number of criminal and civil cases cleared in the District Court increased by 1% and 18% in fiscal 2007, respectively. Other clearance trends include a 9% decrease in statewide jury trial prayers and a 2% increase in traffic dispositions.

Exhibit 5
Judiciary Managing for Results
Fiscal 2005-2009

	Actual 2005	Actual 2006	Actual 2007	% Change 2006-07	Estimate 2008	Estimate 2009	Amount Change 2008-09	% Change 2008-09
Courts of Appeal								
Regular docket dispositions	153	139	176	26.6%	179	190	11	6.1%
Petitions for certiori	612	628	651	3.7%	669	689	20	3.0%
Attorney grievance proceedings	87	88	83	-5.7%	82	80	-2	-2.4%
Courts of Special Appeal								
Regular docket	1,796	2,080	1,887	-9.3%	1,944	1,989	45	2.3%
Circuit Court								
Civil Case Clearance								
Baltimore City	32,451	26,681	27,143	1.7%	27,605	28,067	462	1.7%
Counties	136,932	129,398	135,319	4.6%	132,270	131,464	-806	-0.6%
Total	**169,383**	**156,079**	**162,462**	**4.1%**	**159,875**	**159,531**	**-344**	**-0.2%**
Criminal Cases Cleared								
Baltimore City	29,042	24,810	22,761	-8.3%	24,262	23,967	-295	-1.2%
Counties	50,675	51,941	57,585	10.9%	58,716	61,353	2,637	4.5%
Total	**79,717**	**76,751**	**80,346**	**4.7%**	**82,978**	**85,320**	**2,342**	**2.8%**
Jury Trial Prayers								
Baltimore City	10,818	10,541	9,686	-8.1%	10,006	9,880	-126	-1.3%
Counties	22,421	23,454	21,310	-9.1%	22,272	22,305	33	0.1%
Statewide	**33,239**	**33,995**	**30,996**	**-8.8%**	**32,278**	**32,185**	**-93**	**-0.3%**
Juvenile Cases Cleared								
Baltimore City	8,051	9,140	9,932	8.7%	10,922	11,862	940	8.6%
Counties	21,813	22,512	27,699	23.0%	29,894	32,837	2,943	9.8%
Total	**29,864**	**31,652**	**37,631**	**18.9%**	**40,816**	**44,699**	**3,883**	**9.5%**
District Court								
Civil Case Clearance								
Baltimore City	64,115	56,300	62,576	11.1%	61,581	60,812	-769	-1.2%
Counties	288,970	249,826	297,964	19.3%	298,460	302,957	4,497	1.5%
Total	**353,085**	**306,126**	**360,540**	**17.8%**	**360,041**	**363,769**	**3,728**	**1.0%**
Criminal Cases Cleared								
Baltimore City	88,777	84,761	80,714	-4.8%	85,394	85,433	39	0.0%
Counties	125,181	135,709	142,134	4.7%	144,217	148,869	4,652	3.2%
Total	**213,958**	**220,470**	**222,848**	**1.1%**	**229,611**	**234,302**	**4,691**	**2.0%**
Traffic Cases Cleared								
Baltimore City	151,954	165,625	166,571	0.6%	171,525	176,480	4,955	2.9%
Counties	1,161,843	1,195,521	1,219,587	2.0%	1,246,057	1,272,526	26,469	2.1%
Total	**1,313,797**	**1,361,146**	**1,386,158**	**1.8%**	**1,417,582**	**1,449,006**	**31,424**	**2.2%**

Source: Maryland Judiciary

Fiscal 2008 Actions

Impact of Cost Containment

The Judiciary has made a commitment to revert $3 million in general funds during fiscal 2008. In an effort to fulfill that commitment, the Judiciary has implemented several cost containment measures which include the following:

- a 60-day rolling hiring delay for existing positions that become vacant after July 1, 2007;
- a six-month delay in filling new positions received during fiscal 2008 (excluding judicial masters and their respective courtroom clerks); and
- across-the-board withholdings of certain expenditures in certain programs.

Judiciary's Proposed Budget

As shown in **Exhibit 6**, the Judiciary's fiscal 2009 budget increases by $49.1 million, or 12.4% above the fiscal 2008 working appropriation. The majority of this increase is attributed to the following:

- ***Personnel Expenditures:*** The fiscal 2009 budget includes an additional $43.3 million for personnel expenditures. The majority of this increase is attributed to (1) ongoing employee health and post employment benefits ($22.6 million); (2) employee increments, pay increases, and other merit adjustments ($6.5 million); (3) 157.5 new employees ($6.3 million); and (4) a reduction in turnover expectancy for existing employees ($4.7 million);
- ***Contractual Expenditures:*** The fiscal 2009 budget includes an additional $2.6 million in contractual expenditures. Significant increases include (1) court interpreters ($959,644); (2) retired judge compensation ($728,404); and (3) building repairs and maintenance ($519,165).
- ***Grant Expenditures:*** The fiscal 2009 budget includes an additional $1.7 million in grant expenditures. This increase is primarily driven by a $1.2 million increase in grant funds for Maryland's drug courts.

Exhibit 6
Judiciary's Proposed Budget
($ in Thousands)

How Much It Grows:	General Fund	Special Fund	Federal Fund	Reimb. Fund	Total
2008 Working Appropriation	$347,064	$45,885	$3,786	$77	$396,812
2009 Governor's Allowance	394,288	47,054	4,337	208	445,887
Amount Change	$47,224	$1,169	$551	$132	$49,075
Percent Change	13.6%	2.5%	14.5%	172.2%	12.4%

Where It Goes:

Personnel Expenses	
Additional assistance, overtime, and shift differential	$1,257
Circuit court clerks – 47 new positions and 15 contractual conversions	2,264
District Court – 51.5 new positions and 25 contractual conversions	3,121
Administrative Office of the Courts (AOC) – 5 new positions and 6 contractual conversions	475
Judicial Information Systems – 4 new positions	233
State law library – 2 new positions	105
Family Services – 1 new position and 1 contractual conversion	106
Increments, merit increases, and other pay adjustments	6,543
Employees' and Judges' Retirement System	1,076
Health insurance – ongoing costs	9,659
Health insurance – Other Post Employment Benefits	12,894
Turnover adjustment	4,735
Payroll adjustments and fringe benefits	897
Other	-99
Other Changes	
Contractual payroll – 7 new FTEs	180
Contractual payroll – 47 abolished FTEs	-1,094
Major IT	
AOC Back Office System	1,600
Electronic payment systems	233
Grants	
Problem-solving courts	1,927
Office of the Attorney General	46
County law library grants	38
Family Services Program grants	1,312

Where It Goes:	
Juror payments	225
Child support enforcement	158
Mediation and conflict resolution grants	75
Other Expenses	
Retired judge compensation	728
Interpreter fees	960
Building and repair maintenance	519
Courthouse leasing for clerk of court offices	500
Telephone and communications expenses	641
Travel	574
Other expenditures	-2,813
Total	**$49,075**

FTE: Full-time Equivalent
ELROI: Electronic Land Records On-line Imagery

Note: Numbers may not sum to total due to rounding

New Regular Positions

As shown in **Exhibit 7**, the Maryland Judiciary is requesting 157.5 positions, including 110.5 new regular positions and 47 contractual conversions. Over 80% of the new positions requested are located within the District Court and Clerks of the Circuit Court programs.

Exhibit 7
New Position Request by Program
Fiscal 2009

Program Name	Regular PINs	Contractual Conversions	Total PINs
District Court	51.5	25	76.5
Administrative Office of the Courts	5	6	11
State Law Library	2	0	2
Judicial Information Systems	4	0	4
Circuit Court Clerks	47	15	62
Family Services	1	1	2
Total	**110.5**	**47**	**157.5**

Source: Maryland Judiciary

District Court

As shown in **Exhibit 8**, the District Court budget contains 76.5 new positions of which 25 are contractual conversions. Over half of the new positions requested (excluding contractual conversions) by the Judiciary are located in Baltimore City, Anne Arundel County, Montgomery County, and Prince George's County. Approximately 40.8% of the new positions requested are courtroom, civil, and criminal/traffic clerk positions. The remaining 59.2% of the new positions requested are primarily District Court Commissioner (25.2%) positions and various other types of accounting, clerk, and administrative positions (34.0%).

Exhibit 8
District Court Personnel Request Summary
Fiscal 2009

County	New Position No.	Conversion No.	Total
Allegany	0.0	2.0	2.0
Anne Arundel	8.5	2.0	10.5
Baltimore	5.0	5.0	10.0
Calvert	1.0	0.0	1.0
Carroll	1.0	0.0	1.0
Cecil	1.0	0.0	1.0
Charles	2.0	1.0	3.0
Dorchester	1.0	0.0	1.0
Frederick	2.0	1.0	3.0
Garrett	1.0	1.0	2.0
Harford	1.0	0.0	1.0
Howard	2.0	1.0	3.0
Montgomery	8.0	2.0	10.0
Prince George's	4.0	2.0	6.0
Queen Anne's	0.0	1.0	1.0
St. Mary's	1.0	0.0	1.0
Talbot	1.0	0.0	1.0
Washington	2.0	0.0	2.0
Wicomico	1.0	0.0	1.0
Worcester	2.0	0.0	2.0
Baltimore City	7.0	7.0	14.0
Total	**51.5**	**25.0**	**76.5**

Source: Maryland Judiciary

Clerks of the Circuit Court

As shown in **Exhibit 9**, the clerks of the circuit court budget contains 62 new positions of which 15 are contractual conversions. Approximately one-half of the new positions requested (excluding contractual conversions) by the Judiciary are located in Baltimore City and Prince George's County. Approximately 59.6% of the new positions requested are courtroom and civil clerk positions. Approximately 19.1% of the new positions requested are criminal and juvenile clerk positions. The remaining 21.3% includes various other types of circuit court personnel such as documents and mail clerk positions.

Exhibit 9
Circuit Court Personnel Request Summary
Fiscal 2009

County	New Position No.	Conversion No.	Total
Anne Arundel	2	2	4
Calvert	3	0	3
Caroline	0	1	1
Carroll	3	0	3
Charles	2	3	5
Harford	1	1	2
Howard	2	0	2
Montgomery	1	0	1
Prince George's	17	0	17
Queen Anne's	2	0	2
St. Mary's	2	1	3
Talbot	1	0	1
Wicomico	3	1	4
Worcester	1	1	2
Baltimore City	7	5	12
Total	**47**	**15**	**62**

Source: Maryland Judiciary

Remaining Positions

The remaining 19 positions include 12 new positions and 7 contractual conversions. These 19 positions are distributed throughout the Administrative Office of the Courts (5), Judicial Information Systems (4), State Law Library (2), and Family Services (1) programs. Seven contractual conversions are located within the Administrative Office of the Courts and Family Services Programs. The 7 contractual conversions include 2 finance assistants, 2 warehouse assistances, 1 administrative assistant, 1 human resources assistant, and 1 foster care specialist.

Contractual Conversions

Exhibit 10 provides a detailed breakdown of the various types of contractual conversions requested by program. Approximately 85% of the contractual conversions requested are located within the District Court and the Clerks of the Circuit Court programs. Approximately 72% of the District Court conversion requests consist of law clerk (48%) and civil clerk positions (24%). Approximately 53% of the Clerks of the Circuit Court conversion requests consists of criminal/juvenile clerk (33%) and paternity clerk (20%) positions.

Exhibit 10
Judiciary Contractual Conversion Request
Fiscal 2009

Position Location	Position Description
District Court	
Baltimore City	Civil Clerk
Baltimore City	Civil Clerk
Baltimore City	Civil Clerk
Baltimore City	Civil Clerk
Queen Anne's County	Civil Clerk
Charles County	Commissioner
Baltimore County	Records Room Clerk
Baltimore County	Records Room Clerk
Baltimore County	Records Room Clerk
Frederick County	Civil Clerk
Allegany County	Commissioner
Garrett County	Commissioner
Anne Arundel County	Stock Clerk I
Baltimore City	Law Clerk
Baltimore City	Law Clerk

Position Location	Position Description
Baltimore City	Law Clerk
Prince George's County	Law Clerk
Prince George's County	Law Clerk
Montgomery County	Law Clerk
Montgomery County	Law Clerk
Anne Arundel County	Law Clerk
Baltimore County	Law Clerk
Baltimore County	Law Clerk
Howard County	Law Clerk
Allegany County	Law Clerk
Circuit Clerk Positions	
Charles County	Civil Case Processor
Anne Arundel County	Civil Clerk
Caroline County	Courtroom Clerk
Baltimore City	Criminal Clerk
Baltimore City	Criminal Clerk
Worcester County	Criminal Clerk/Cashier
Charles County	Criminal/Juvenile Clerk
Charles County	Criminal/Juvenile Clerk
Baltimore City	Documents Clerk
Baltimore City	Documents Clerk
Baltimore City	Paternity Clerk
Harford County	Paternity Clerk
St. Mary's County	Paternity/Civil Clerk
Anne Arundel County	Recordation Clerk
Wicomico County	Recordation Clerk
Administrative Office of the Courts	
Human Resources	Human Resources Assistant
Budget & Finance	Finance Assistant
Budget & Finance	Finance Assistant
Procurement	Administrative Specialist
Procurement	Warehouse Assistant
Procurement	Warehouse Assistant
Family Services	
Family Administration	Foster Care Specialist

Source: Maryland Judiciary

Contractual Full-time Equivalents

As shown in **Exhibit 11**, there is a net decline of 40 contractual full-time equivalents (FTEs) in fiscal 2009. Seven new bailiff FTEs are requested to increase security in Caroline County, Queen Anne's County, Washington County, and Baltimore City. The Judiciary's FTE request includes a reduction of 47 contractual positions. These reductions are associated with contractual conversions in the District Court, Administrative Office of the Courts, Clerks of the Circuit Court, and Family Services programs.

Exhibit 11
Judiciary FTE Personnel Request Summary
Fiscal 2009

Program	Program Name	New Contractual FTEs	Requested Conversions FTEs	Net Contractual FTEs
1	Court of Appeals	0.0	0.0	0.0
2	Court of Special Appeals	0.0	0.0	0.0
3	Circuit Court Judges	0.0	0.0	0.0
4	District Court	7.0	-25.0	-18.0
5	Maryland Judicial Conference	0.0	0.0	0.0
6	Administrative Office of the Courts	0.0	-6.0	-6.0
7	Court Related Agencies	0.0	0.0	0.0
8	Maryland Law Library	0.0	0.0	0.0
9	Judicial Information Systems	0.0	0.0	0.0
10	Circuit Court Clerks	0.0	-15.0	-15.0
11	Family Services	0.0	-1.0	-1.0
12	Major Information Technology	0.0	0.0	0.0
	Total	**7.0**	**-47.0**	**-40.0**

FTE: Full-time Equivalent

Source: Maryland Judiciary

Drug Courts

Currently, there are 38 operational drug courts at various District and circuit court locations throughout the State. The fiscal 2009 budget includes $7,457,547 for Maryland's drug courts, an increase of $1,689,289 above the fiscal 2008 working appropriation. Significant increases in the fiscal 2009 budget include funding for management information system evaluations and county grant funds. The Judiciary distributes grants to local drug court partners via the Office of Problem-Solving Courts. The fiscal 2009 request includes $6 million in grant funding to be distributed to local partners, a 28.5% increase above the fiscal 2008 working appropriation. The Judiciary has requested additional funding to increase the number of drug courts and to expand program capacity in existing drug court programs in fiscal 2009. The Judiciary anticipates establishing four[1] additional drug courts in fiscal 2009.

Personnel

The fiscal 2009 budget includes an additional $43,265,997, or 18% increase above the fiscal 2008 working appropriation for personnel expenditures throughout the Judiciary's various programs as shown in Exhibit 6. Significant increases include the following expenditures:

- **New Positions and Contractual Conversions:** The budget includes an additional $6.3 million in personnel expenditures for 157.5 new positions and contractual conversions. This increase is primarily due to new positions located within the District Court ($3.1 million), Clerks of the Circuit Court ($2.3 million), Administrative Office of the Courts ($474,000), Judicial Information Systems ($233,000), Family Services ($106,000), and State Law Library ($105,000) programs.

- **Increments, Merit Increases, and Other Pay Adjustments:** The budget includes an additional $6.5 million in personnel expenditures for increments, merit increases, and other pay adjustments. This increase is primarily due to (1) a $1.6 million increase in judges' salaries; and (2) $4.9 million in step increases and reclassifications in the District Court ($2.4 million), Circuit Court Judges ($799,000), Circuit Court Clerks ($1.5 million), and Administrative Office of the Courts programs ($250,000).

- **Turnover:** The budget reflects a 2.3% reduction in turnover expectancy for existing employees. The net effect of the reduction in turnover is a $4.7 million increase in employee turnover for existing positions.

- **Health Insurance:** The budget reflects a net increase of $22.6 million for ongoing employee health insurance ($9.7 million), driven by statewide modifications to health insurance rates, and Other Post Employment Benefit ($12.9 million) expenditures.

[1] The Judiciary plans to establish drug courts in Allegany, Baltimore, Montgomery, and St. Mary's counties.

- **Retirement:** The budget reflects a $1.1 million increase in retirement expenditures for judges ($562,700) and existing regular employees ($513,343). The fiscal 2009 retirement rate for judges and employees is 44.12% and 8.73% of regular earnings, respectively.

Contractual Services

The fiscal 2009 budget includes an additional $2,593,813, or 5.1% increase above the fiscal 2008 working appropriation for contractual expenditures throughout the Judiciary's various programs as shown in **Exhibit 12**. Significant increases/decreases include the following:

- ***Administrative Office of the Courts:*** The fiscal 2009 budget includes an additional $1.1 million in contractual expenditures for the Administrative Office of the Courts Program. Significant increases include court interpreters ($694,000); education and training ($251,000); problem-solving court evaluations ($200,000); research and development ($150,000); and building repair and maintenance ($46,000). All of the aforementioned increases are offset by decreases in contractual expenditures for equipment repair and maintenance and continuity of operations planning.

- ***District Court:*** The fiscal 2009 budget includes an additional $866,835 in contractual expenditures for the District Court Program. Significant increases include interpreters ($260,000); building repair and maintenance ($196,000); courtroom security ($174,000); retired judge compensation ($104,000); janitorial services ($91,000); and equipment maintenance fees ($50,000). All of the aforementioned increases are offset by decreases in contractual expenditures for management studies and applications software.

- ***Clerks of the Circuit Court:*** The budget includes an additional $655,485 in contractual expenditures for the Clerks of the Circuit Court. Significant increases include computer maintenance ($337,992); building repair and maintenance ($244,076); and computer system software ($226,483). All of the aforementioned increases are offset by decreases in microfilming and data processing expenditures.

- ***Circuit Court Judges:*** The budget includes an additional $602,108 in contractual expenditures for retired judges compensation.

- ***Judicial Information Systems:*** The budget includes a significant decrease in contractual services expenditures ($963,401). This decrease is primarily attributed to a reduction in land record expenditures.

Exhibit 12
Net Dollar Change in Contractual Services by Program
Fiscal 2009

Program Name	Fiscal 2008 Working Appropriation	Fiscal 2009 Budget	Net Dollar Change
Court of Appeals	$588,135	$781,175	$193,040
Court of Special Appeals	455,613	441,000	-14,613
Circuit Court Judges	1,470,140	2,072,248	602,108
District Court	5,213,763	6,080,598	866,835
Maryland Judicial Conference	3,800	3,500	-300
Administrative Office of the Courts	4,307,521	5,403,764	1,096,243
Court-Related Agencies	734,303	826,530	92,227
Maryland Law Library	388,642	420,600	31,958
Judicial Information Systems	21,049,867	20,086,466	-963,401
Circuit Court Clerks	6,583,606	7,239,091	655,485
Family Services	551,933	564,100	12,167
Major Information Technology	9,117,220	9,139,284	22,064
Total	**$50,464,543**	**$53,058,356**	**$2,593,813**

Source: Maryland Judiciary

Grants

The fiscal 2009 budget includes an additional $1,744,350, or 3.6% increase above the fiscal 2008 working appropriation for various grants throughout the Judiciary as shown in **Exhibit 13**. The budget includes funding in the following areas:

- $1,385,286 for the expansion of Maryland's problem-solving courts;

- $863,000 to support Maryland's Circuit Court Family Divisions and Family Services Programs. Funding for these positions is provided in accordance with the Maryland Rules of the Court. Pursuant to Maryland Rule 16-204, if a county has more than seven resident circuit court judges, there shall be a family division in the circuit court;

- $541,483 for the Truancy Reduction Pilot Program (TRPP). Chapter 551 of 2004 authorized a three-year TRPP in the juvenile courts in Dorchester, Somerset, Wicomico, and Worcester counties. Chapter 648 of 2007 extended the TRPP and authorized the establishment of a TRPP in the juvenile courts of Harford and Prince George's counties;

Exhibit 13
Proposed Distribution of Grants
Fiscal 2009

Program	Proposed Allocation
Drug courts	1,385,286
Maryland Circuit Court Family Divisions	863,000
Truancy Reduction Pilot Program	541,483
Court Appointed Special Advocate Grants	298,265
Juror payments	225,000
Child support enforcement	158,000
Family services special project grants	146,725
Mediation and Conflict Resolution	75,475
Office of the Attorney General	46,000
County law library grants	38,000
Domestic violence	4,000
Pro Bono Resource Center	-146,000
Termination of Parental Rights and Foster Care	-174,240
County Master Salaries	-243,444
Circuit Court security enhancements	-1,473,200
Total Grant Funding	**$1,744,350**

Source: Maryland Judiciary

- $298,265 for Court Appointed Special Advocate (CASA) grants. Funds are granted to various CASA organizations that serve as advocates for children that are victims of abuse and neglect;

- $225,000 to reimburse counties for juror payments;

- $158,000 in grant funds to recoup the administrative fee paid to the Department of Human Resources for child support enforcement;

- $146,725 for special project grants that enhance the experience of children and families that appear before the court. Funds are granted to various organizations to assist with safety planning and representation to victims of domestic violence;

- $75,475 for mediation and conflict resolution services;

- $46,000 for legal services performed by the Office of the Attorney General;

- $38,000 to fund county public law library grants in 19 counties;
- $4,000 for domestic violence programs;
- $146,000 reduction in volunteer lawyer grants for the Pro Bono Resource Center of Maryland;
- $174,240 reduction in termination of parental rights and foster care grants;
- $243,444 reduction in county master salaries; and a
- $1,473,200 reduction for one-time grants to the circuit courts to enhance security.

Major Information Technology Development

The fiscal 2009 budget for Major IT development projects declined by approximately $1.8 million, or 15.3%. The budget includes $9,686,084 to support the following projects:

- ***Administrative Office of the Courts Back Office System:*** The budget for this project is $2,500,000. The objective of this project is to replace the existing financial, procurement, and human resources systems with an integrated system. Currently, all of the aforementioned systems operate independently with very little interoperability. Recently, the Judiciary completed a requirements analysis of the proposed system. The fiscal 2009 budget includes $500,000 for analysis and design; $1,850,000 for system development, integration, and implementation; and $150,000 to conduct an IV&V of the new system. Total project cost is estimated to be $10,020,000.

- ***eRecording:*** The budget for this project is $2,368,000. Clerks of the circuit court are legislatively responsible for the recordation of land record documents for the public, as well as providing access to these documents for interested parties. The filing process has been automated from a paper storage system to a digital image system via the State's land record document management system, Electronic land Records On-line Imagery (ELROI). The Judiciary plans to advance the ELROI technology by allowing customers to record land documents remotely via the Internet. The Judiciary has identified three potential locations for the pilot program – Montgomery, Baltimore, and Prince George's counties. The fiscal 2009 budget includes $1,776,000 for system design and development; $236,800 for system integration and testing; and $355,200 for system implementation. Total project cost is estimated to be $8,457,367.

- ***Case Management Modernization:*** The budget for this project is $2,197,000 in fiscal 2009. Nearly all of the current court case management systems are legacy systems that have been in use for 15 to 25 years. These systems are unable to respond to the emerging needs of the courts (*e.g.*, electronic filing, drug and family court program management, and revenue collection and financial system integration) and cannot support effective interoperability with

other federal and State agencies, principally, the Department of Public Safety and Correctional Services, the Department of State Police, and local State Attorneys. This project focuses on the replacement of the Judiciary's legacy case management systems to an environment that employs Oracle relational database technology and a base of flexible business modules consistent with the standards required at both the federal and State levels. The Judiciary reports that the new technology will allow for development of web-based Case Processing systems, facilitating improved access to selected data for the public and law enforcement agencies, facilitating improved interoperability for case transfers and web access for electronic filing and payment, as well as statistics and reports to Judiciary management for decision making purposes. The fiscal 2009 budget for case management modernization includes $1,240,000 for system analysis, design, development, and implementation; $357,000 for operations and maintenance; and $600,000 to conduct an independent validation and verification review (IV&V) of the case management system. Total project cost is estimated to be $14,365,226.

- ***Revenue Collections Systems Replacement:*** The budget for this project is $832,311. The existing District and circuit court cashier systems use antiquated operating systems platforms that are no longer supported by the software vendor. This project will implement an enterprise revenue collection system and integrate with the existing AOC Back Office System as well as the Case Management Modernization Project. To date, the requirements analysis has been completed and design is underway to re-write the circuit court accounting system within the enterprise architecture. In fiscal 2009, the system will be expanded to support the District Court. The fiscal 2009 budget includes $175,141 for system design and development; $581,550 for integration, testing, and implementation; and $75,620 to conduct an IV&V of the system. Total project cost is estimated to be $1,955,960.

- ***e-Licensing:*** The budget for this project in fiscal 2009 is $600,000. Maryland e-License is the Judiciary's web-based business license system. The system is currently used by court clerks to process license applications and annual renewals. Since fiscal 2006, Maryland e-license has provided public lookup of business license information. More recently, the system has been expanded to include on-line application submission and electronic communications with licensees. On-line payment and an interface to the State's Financial Management Information System and the State's Banking System is scheduled to begin in fiscal 2008. The fiscal 2009 budget includes $600,000 for system development, integration, testing, and implementation. Total project cost is estimated to be $7,212,090.

- ***ePayment:*** The budget for this project is $500,000. The current payment technology utilized by the Judiciary has been in place for over 20 years. According to the Judiciary, payment equipment and software can no longer be properly supported. Additionally, the current system does not allow businesses and citizens to make electronic payments to the Judiciary. The new ePayment system will facilitate the Judiciary's electronic payment system across all programs and provide businesses and citizens with an easily accessible process for making payments utilizing electronic and Internet-based payment methodologies. The fiscal 2009 budget includes funding to conduct a requirements analysis as well as system design, development, testing, and implementation. Total project cost is estimated to be $1,316,585.

- ***Jury Management System:*** The budget for this project is $498,773. Currently, all of the circuit court jury systems operate independently. The Judiciary is planning to establish a standard, statewide jury system by procuring a commercial-off-the-shelf-based stand-alone Jury Management System for the automated management of jurors through the entire jury life cycle, including random jury selection, notification, qualification, attendance, excusals, postponements, exemptions, placement on a jury, payment, and record of service. Project requirements, system selection, and pilot implementation were completed in fiscal 2007. Statewide implementation of the system in selected jurisdictions is expected to begin in fiscal 2008. The fiscal 2009 budget includes funding for design, develop, testing, and implementation of the system in the remaining jurisdictions. Total project cost is estimated to be $1,370,313.

- ***Web-enabled Access/Data Migration:*** The fiscal 2009 budget for this project is $190,000. A foundational element of the process to modernize the system's support of court data is enabling access to the data from web-based vehicles. This includes the presentation of information to the public as required by law or rule, efficient transfer of data to authorized parties via standards supported at both the federal and State levels, and the replacement of existing methods of case information inquiry for members of the Judiciary and related State agencies. The first step in this effort was to extract case data from the legacy systems and migrate it to the relational Oracle environment. This was completed as part of Phase I for Public Access inquiry in January 2006. Phase II began immediately after the implementation of Phase I and has, to date, implemented the expansion of case information for criminal cases in accordance with access rules and legislation passed during the 2006 session regarding witness/victim privacy. Phase III, which is scheduled to begin in January 2008, will involve bulk data downloading capabilities which will enable the Judiciary to respond to external case-related data requests with very little custom programming. The requirements for bulk data downloading services are scheduled to be developed in fiscal 2008 accompanied by full integration and implementation in fiscal 2009. Total project cost is estimated to be $1,540,767.

Legislation passed during the 2007 special session expanded the scope of the Circuit Court Real Property Records Improvement Fund to include major IT development for fiscal 2009 and 2010.

Issues

1. No New Judgeships Certified Although the Weighted Caseload Methodology Indicates 15 Additional Judges Are Needed

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 review of quantitative and qualitative factors relating to the capacity at which the State's judicial system is able to process cases in a timely and equitable manner. In a letter dated November 1, 2007, the Chief Judge of the Court of Appeals advised the General Assembly that no additional judges or masters would be requested in fiscal 2009 due to the State's fiscal condition.

Exhibit 14 indicates the current number of District Court and circuit court judges and the number of additional judges needed by jurisdiction. Seven additional circuit court and eight additional District Court judges are needed statewide. As shown in **Exhibit 15**, the total number of judgeships needed in fiscal 2009 declined by 11. **The Judiciary should comment on the various factors that led to the decline in judgeship need.**

Exhibit 14
Additional Circuit Court and District Court Judges Needed as of November 2007

Jurisdiction	Actual Number Circuit Court Judges	Additional Circuit Court Judges Needed	Actual Number District Court Judges	Additional District Court Judges Needed
Allegany	2	0	2	0
Anne Arundel	11	2	9	0
Baltimore City	32	2	27	1
Baltimore	17	2	13	4
Calvert	2	0	2	0
Caroline	1	0	1	0
Carroll	3	0	2	0
Cecil	3	0	2	0
Charles	4	0	2	0
Dorchester	1	0	1	0
Frederick	4	0	3	0
Garrett	1	0	1	0
Harford	5	0	4	0

Jurisdiction	Actual Number Circuit Court Judges	Additional Circuit Court Judges Needed	Actual Number District Court Judges	Additional District Court Judges Needed
Howard	5	0	5	0
Kent	1	0	1	0
Montgomery	21	1	11	0
Prince George's	23	0	15	2
Queen Anne's	1	0	1	0
St. Mary's	3	0	1	0
Somerset	1	0	1	0
Talbot	1	0	1	0
Washington	5	0	2	1
Wicomico	3	0	2	0
Worcester	3	0	2	0
Statewide	**153**	**7**	**111**	**8**

Source: *Judiciary Judgeship Needs for Fiscal 2009 Administrative Office of the Courts*, November 1, 2007

Exhibit 15
Fiscal 2008-2009 Comparison of Additional Judges Needed

Jurisdiction	2008 Additional Judges Needed	2009 Additional Judges Needed	2008-09 Amount Change
Allegany	0	0	0
Anne Arundel	**3**	**2**	**-1**
Baltimore City	**6**	**3**	**-3**
Baltimore	**7**	**6**	**-1**
Calvert	0	0	0
Caroline	0	0	0
Carroll	0	0	0
Cecil	0	0	0
Charles	**1**	**0**	**-1**
Dorchester	0	0	0
Frederick	0	0	0
Garrett	0	0	0
Harford	0	0	0
Howard	0	0	0
Kent	0	0	0
Montgomery	**3**	**1**	**-2**
Prince George's	**4**	**2**	**-2**
Queen Anne's	0	0	0
St. Mary's	0	0	0
Somerset	0	0	0
Talbot	0	0	0
Washington	1	1	0
Wicomico	**1**	**0**	**-1**
Worcester	0	0	0
Statewide	**26**	**15**	**-11**

Source: *Judiciary Judgeship Needs for Fiscal 2008 Administrative Office of the Courts*, November 1, 2006; *Judiciary Judgeship Needs for Fiscal 2009 Administrative Office of the Courts*, November 1, 2007

Jurisdictions evidencing the greatest judicial need include Baltimore City, Anne Arundel County, Baltimore County, and Prince George's County. A summary of recent trends in case filing for each of these jurisdictions is provided below.

Anne Arundel County

Anne Arundel County, which has an estimated population of 509,000, is one of three jurisdictions comprising the Fifth Judicial Circuit. In fiscal 2007, 22,292 cases were filed, a 7.6% increase above fiscal 2002 filings. Areas experiencing the greatest growth over the past five years include domestic and juvenile matters. Since fiscal 2002, domestic filings and juvenile filings have risen approximately 34% and 17%, respectively. The Judiciary's quantitative data suggests the need for two additional circuit court judges.

Baltimore City

Baltimore City has continued to record the greatest number of case filings statewide, particularly in the criminal area where Baltimore City accounts for 27% of the State's criminal caseload. Over the past five years, the most significant increase in case filings have been in the family law area. Family law filings increased from 1,839 to 5,696, or 310% in fiscal 2007 as compared to fiscal 2002. The increase in filings is primarily attributed to an increase in Baltimore City's domestic relations caseload, which has grown approximately 210% since fiscal 2002. The Judiciary's quantitative data suggests the need for two additional circuit court judges and one additional District Court judge.

Baltimore County

Baltimore County is the third most populous jurisdiction in the State and has a population of more than 787,000 residents. In fiscal 2007 there were 28,707 case filings, of which approximately 45% comprised family law matters. Over the past five years, Baltimore County has experienced a 52% and 20% increase in juvenile hearings and criminal filings, respectively. The Judiciary's quantitative data suggests the need for two additional circuit court and four additional District Court judges.

Prince George's County

Prince George's County is the second most populous jurisdiction with a population of approximately 841,000 residents. Over the past two years, total filings have increased by 16.8% to 41,310 filings. Domestic and juvenile filings accounted for approximately 55% of the county's fiscal 2007 caseload. Since fiscal 2006, Prince George's County has experienced a 12.3% increase in criminal filings due to a rise in indictment and information case filings. The Judiciary's quantitative data suggests the need for two additional District Court judges.

The Judiciary should comment on the current status of judgeship needs, including the projected need in fiscal 2010.

2. Family Law Judicial Masters

In May 2000, the Chief Judge of the Court of Appeals, through the AOC, retained the consulting services of the National Center for State Courts to conduct a workload assessment of the State's circuit and District courts to provide quantitative documentation of judicial resource needs. Since the completion of the study in July 2001, the Judiciary has utilized a weighted caseload methodology to determine its annual judgeship needs; however, no such methodology was used to determine the resource need for judicial masters. According to the Judiciary, magisterial need was determined based upon county administrative judges' requests for masters.

During the 2007 session, the General Assembly added budget bill language expressing the intent that the Judiciary develop a statistical methodology for determining its annual magisterial need. The language also required the Judiciary to submit a report outlining the statistical methodology used for determining magisterial need.

On November 1, 2007, the Judiciary submitted a report outlining its ongoing effort to develop a statistical methodology for determining magisterial need. According to the report, determining case weights for judicial masters proved to be more difficult than for judges for two primary reasons: (1) the study marked the first attempt to generate case weights for masters' work; and (2) the lack of consistency across the State regarding the use of masters in circuit courts. For these reasons, the report noted that further analysis is needed to develop a reliable statistical methodology. **The Judiciary should comment on the status of developing a statistical methodology for determining annual magisterial need.**

The Department of Legislative Services (DLS) recommends budget bill language requiring the Judiciary to submit a status report outlining the development of a statistical methodology for determining annual magisterial needs. The report should be submitted to the committees by November 1, 2008.

3. New Positions Requested by the Judiciary

The Maryland Judiciary has requested 157.5 new positions, including 110.5 new regular positions and 47 contractual conversions in fiscal 2009. **Exhibit 16** provides a summary of DLS' personnel recommendation by program. **Due to the State's fiscal condition, DLS recommends that the Judiciary's position growth be limited to approximately 2%. DLS recommends that 53.5 of the 110.5 new positions requested by the Judiciary be denied and that 41 of the 47 contractual conversions be denied.**

Exhibit 16
DLS Recommendations by Program for New Position Request

Program Name	Accept New Positions	Deny New Positions	Accept Contractual Conversions	Deny Contractual Conversions
District Court	31	20.5	4	21
Administrative Office of the Courts	3	2	1	5
State Law Library	1	1	0	0
Judicial Information Systems	2	2	0	0
Circuit Court Clerks	19	28	0	15
Family Services	1	0	1	0
Total	**57**	**53.5**	**6**	**41**
Total Positions Accepted				**63.0**
Total Positions Denied				**94.5**

Source: Department of Legislative Services

4. Major Information Technology Development Projects

The Department of Budget and Management's (DBM) Office of Information Technology (OIT) reviews all major IT development projects.[2] However, the Judiciary, as a separate branch of government, submits its operating budget (which contains its annual IT request) directly to the General Assembly for approval. As shown in **Exhibit 17**, general fund IT expenditures increased by approximately 103% in fiscal 2007 as compared to fiscal 2003. While recent trends indicate an overall decline in IT expenditures, the Judiciary's fiscal 2009 budget request includes $7.3 million in general funds and $2.4 million in special funds to finance the next phase of implementation for eight major information technology development projects. (See Judiciary's Proposed Budget section of the Analysis for a summary of the Judiciary's fiscal 2009 Major IT request.)

[2] Major technology development projects (1) have a total estimated development cost of at least $1 million; (2) are undertaken to support a critical business function associated with the public health, education, or financial well-being of Maryland's citizens; or (3) require special attention as determined by DBM. For State agencies to expend the general fund portion of IT funding for a particular project, DBM must review and approve each project including determining whether the project is consistent with the statewide master plan.

Exhibit 17
Major IT Development Expenditures
Fiscal 2003-2009

	2003 Actual	2004 Actual	2005 Actual	2006 Actual	2007 Actual	2003-07 Percentage Change	2008 Appr.	2009 Request
GF	3,020,707	$1,134,975	$2,051,638	$3,666,786	$6,136,014	103%	$8,009,155	$7,318,084
SF	3,191,885	15,646,049	8,789,072	6,693,596	1,964,105	-38%	3,428,867	2,368,000
Total	**$6,212,592**	**$16,781,024**	**$10,840,710**	**$10,360,382**	**$8,100,119**	**30%**	**$11,438,022**	**$9,686,084**

Source: *Fiscal Digest of the State of Maryland;* Maryland Judiciary

As the State's level of support for the Judiciary's Major IT projects has increased in preceding years, so has DLS' concern regarding whether additional oversight of the Judiciary's IT projects is warranted due to several of the Judiciary's previous audit findings and numerous IT failures within several Executive Branch agencies. DLS recommends that the State Finance and Procurement Article[3] be amended to require that all of the Judiciary's future IT requests be submitted to DBM's OIT for review and approval prior to expenditure of funds for the following reasons:

- **DBM Information Technology Expertise:** DBM's OIT was created to oversee all statewide major IT projects to ensure correct system design after several high profile IT failures *(e.g.,* DBM's Budget Preparation Analysis Systems and Retirement Systems) which resulted in the loss of millions of dollars to the State. DBM's OIT expertise regarding the system design and implementation of the Judiciary's Major IT projects would be beneficial;

- **Best Statewide Policy:** Although the Judiciary typically contracts to have IV&Vs of its new systems performed, the Judiciary will benefit from DBM OIT review of each project. DBM OIT will also be able to provide independent review of the Judiciary's IV&V reports, including the adequacy of the actions taken by the Judiciary to address the IV&V findings. Lastly, DBM OIT will serve as an invaluable resource regarding whether the Judiciary's IT projects fall within the State's overall IT plan and whether the Judiciary's IT systems will properly integrate with other State IT systems.

- **DBM IT Procurement Expertise:** Previous audit findings by the Office of Legislative Audits (OLA) suggest that DBM's expertise regarding the procurement of IT systems from vendors would be beneficial to the Judiciary. For example, in an April 2001 audit, OLA indicated that the Judiciary did not ensure that the automated land records system was purchased at the best value and that system costs were not sufficiently monitored to ensure that all goods and services paid for were received. According to OLA, the Judiciary's $51.0 million estimate to complete the land records system by fiscal 2006 was significantly

[3] *See* Md. Code Ann., State Government. §§3-410 through 3-410.2.

greater than the original estimate of $18.0 million. Similarly, a September 1998 audit indicated that the $15.0 million cost projection to implement the Uniform Court System exceeded the original estimate of $7.6 million.

- **Major IT Is a "Non-essential Function":** Due to concerns raised regarding whether DLS' recommendation impedes the proper roles of each branch of government, DLS asked the Office of the Attorney General for advice regarding whether the General Assembly may adopt legislation to include the Judicial Branch of Government within the Information Technology coordination and oversight currently performed by DBM for Executive Branch agencies without violating the separation of powers doctrine. According to the Office of the Attorney General Opinion letter dated December 11, 2007, unlike other functions that are considered "essentially judicial in nature and accordingly, are encompassed in the constitutional grant of judicial authority to the courts of this State," functions such as data processing procurement and information technology are not a core essential power given by the Constitution to the Judiciary. Accordingly, legislation to include the Judicial Branch within the IT coordination and oversight of DBM's OIT does not violate the separation of powers doctrine, provided that the courts are still able to exercise their judicial power effectively.

DLS recommends statutory language requiring that all of the Judiciary's future IT requests be submitted to DBM's OIT for review and approval prior to expenditure of funds.

5. Audit Findings

In June 2007, OLA published its audit of the Maryland Judiciary covering fiscal 2004 to 2007. The audit disclosed several deficiencies related to the Judiciary's procurement and disbursement practices. Significant findings from the audit report are highlighted below.

- **Procurements Practices:** OLA's audit revealed that on several occasions, the Judiciary failed to comply with its *Procurement Policy*. For example, numerous invoices were paid without approved purchase orders. From December 2004 through December 2006, the Judiciary paid invoices totaling approximately $4.4 million. As of January 2007, the Judiciary had not reviewed $3.8 million of the $4.4 million in paid invoices to determine if the purchases were authorized. Additionally, the Judiciary failed to obtain competitive bids for the purchase and installation of approximately $3.9 million in digital recording equipment for the clerks of the circuit court. According to OLA, the Judiciary's method of obtaining the digital equipment (*i.e.,* providing grant funds to the local jurisdictions) reduced the accountability over the funds and resulted in a loss of interest earnings to the State.

- **Real Property Records Improvement Fund:** According to the audit report, payments to the Maryland State Archives (MSA) were not adequately monitored. Since 1998, the Judiciary has entered into agreements with MSA to implement, operate, service, and maintain Mdlandrec.net and Plats On-line. Although the Judiciary paid MSA approximately $7.0 million in fiscal 2006 to operate these systems, the memorandum of understanding between the parties failed to specify how indirect costs (overhead) would be determined. Specifically, the Judiciary paid MSA $1.2 million for indirect costs during fiscal 2006.

According to the report, MSA billed indirect cost rates at a rate of 47.79% of total salary costs as well as an additional 7% of total costs for the Archives Endowment Account. The audit also noted that the Judiciary failed to obtain documentation from MSA to support its direct cost charges for two of the four quarterly billings in fiscal 2006.

- **State Grant Funds:** OLA's audit revealed that the Judiciary failed to ensure that grant funds awarded by the Judiciary's Family Law Program were spent in accordance with grant provisions. OLA's test of 16 grants disclosed that as of October 2006, 2 of the grant recipients, which received approximately $891,000, had not submitted expenditure reports detailing how the funds were spent for the fourth quarter of fiscal 2006. The audit also disclosed that the Judiciary failed to routinely withhold grantee payments for failing to file timely expenditure reports. OLA's review of the Judiciary's records indicated that grantees were permitted to submit quarterly expenditure reports anywhere between 22 to 209 days after the required due date.

- **Corporate Purchasing Cards:** According to the report, the Judiciary did not ensure that there were sufficient controls over corporate purchasing cards. For example, the Judiciary failed to block certain merchant categories (*e.g.*, restaurants, bars, golf courses) for 12 executive level employees. Additionally, several card holders split single purchases into several transactions which enabled them to not only circumvent the single purchase transaction limit of $2,500, but to evade the Judiciary's *Procurement Policy* that requires all procurements over $2,500 to be competitively bid.

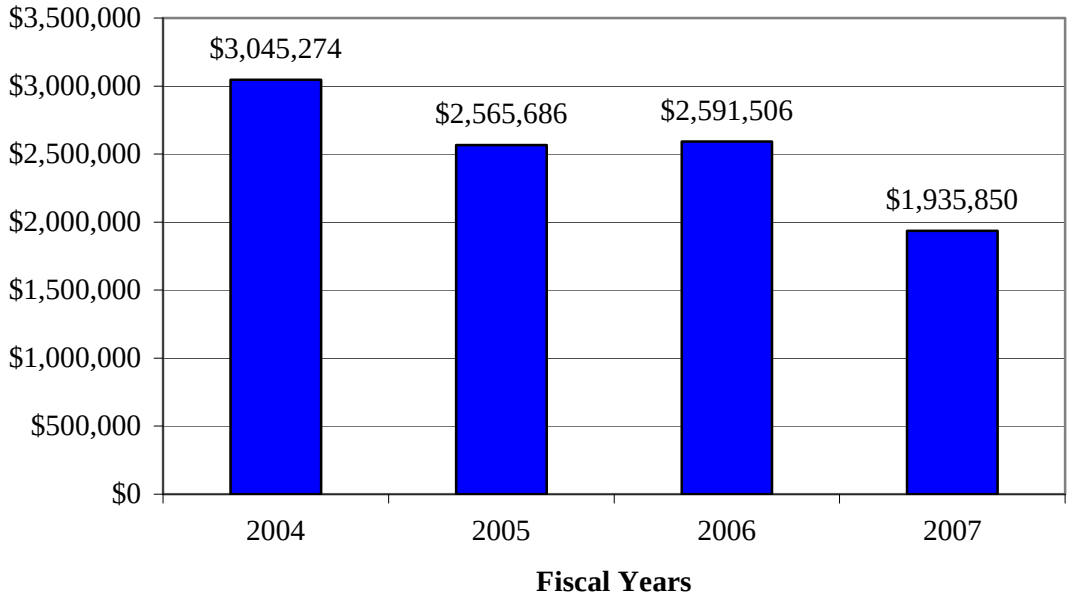
- **Equipment:** The audit revealed that the Judiciary did not resolve missing equipment items within a timely manner. Specially, as of October 2006, the AOC had not investigated and resolved 1,014 missing equipment items for one unit (whose equipment consisted primarily of computer-related items) that were noted as missing during an October 2005 inventory. As of June 2006, this unit accounted for two-thirds (approximately $32 million) of the AOC's equipment.

The Judiciary should comment on what measures it has taken to address OLA's audit findings.

6. Collection Practices

Fines, fees, service charges, and court costs are important sources of revenue that help fund State expenditures. As shown in **Exhibit 18**, judicial fees outstanding ranged between a high of $3.0 million in fiscal 2004 to a low of $1.9 million in fiscal 2007. Although the Judiciary's *Accounts Receivable Policy and Procedures* (Accounts Receivable Policy) lists several tools that are available to assist courts in collecting fees, as illustrated in **Exhibit 19**, less than 30% of the total fees outstanding were referred to the State's Central Collection Unit (CCU) or an outside collection agency for payment during fiscal 2004 through 2007.

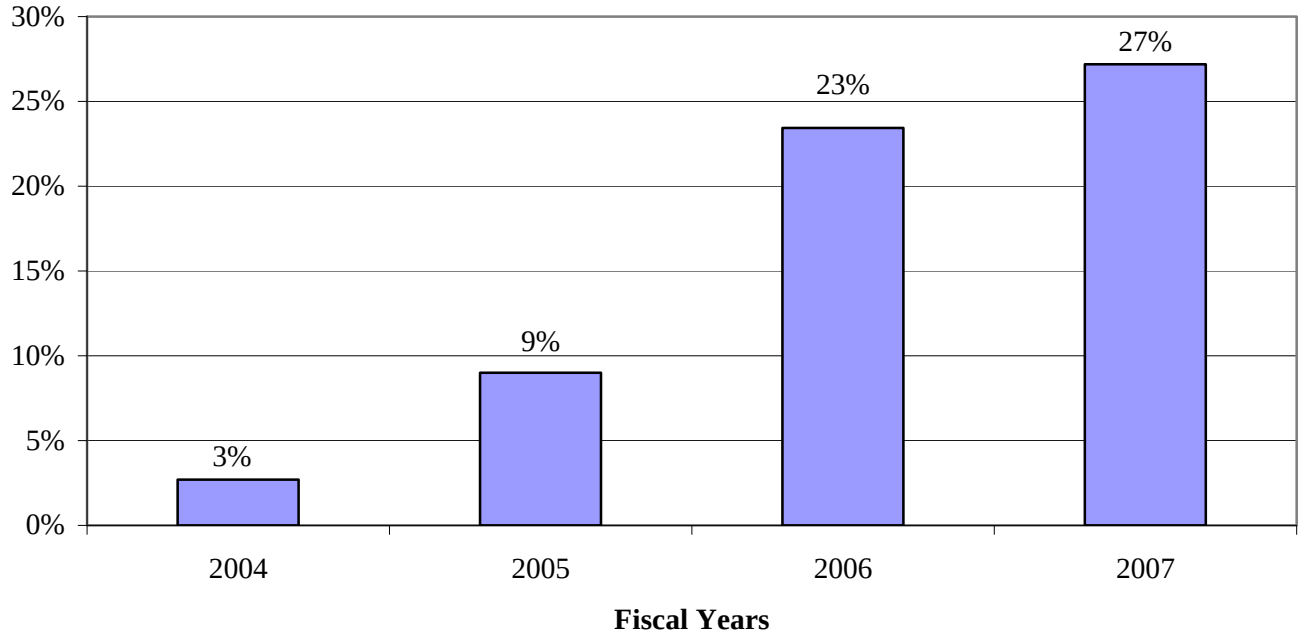
Exhibit 18
District Court and Circuit Court Fees Outstanding
Fiscal 2004-2007



Note: Fiscal 2004 circuit court data excludes Charles County.

Source: Maryland Judiciary

Exhibit 19
Percent of District Court and Circuit Court Fees Outstanding Referred for Collection
Fiscal 2004-2007



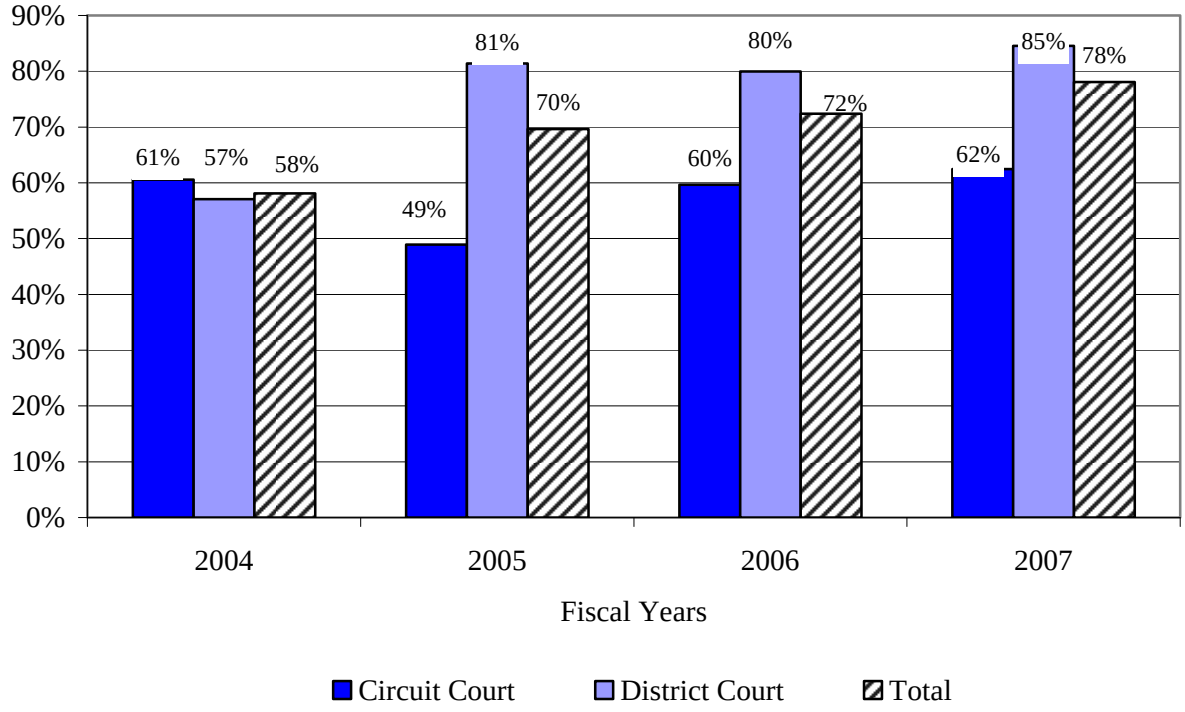
Note: Fiscal 2004 circuit court data excludes Charles County.

Source: Maryland Judiciary

According to the Judiciary's Accounts Receivable Policy, administrative officials at the circuit courts and the Chief Judge of the District Court (or their designees) are responsible for administering the Accounts Receivable Policy and making determinations as to whether a receivable[4] should be sent to the CCU. As illustrated in **Exhibit 20**, the District Court has experienced greater success (excluding fiscal 2004) than the circuit courts with collecting fees assessed. While there are undoubtedly many factors that account for this difference, one such factor may be leadership. That is, unlike the District Court, which operates under the hierarchical leadership of the Chief Judge of the District Court, local circuit courts are independently responsible for ensuring the receipt and collection of fees assessed. The lack of vertical accountability in the circuit court hierarchical structure may account for a portion of the percentage difference in fees collected by the District and circuit courts.

[4] Under the Accounts Receivable Policy, an account is considered delinquent if payment has not been received by the payment due date.

Exhibit 20
Percent of District Court and Circuit Court Fees Collected
Fiscal 2004-2007



Note: Fiscal 2004 circuit court data excludes Charles County.

Source: Maryland Judiciary

Although the Judiciary's Accounts Receivable Policy clearly delineates that an account is considered delinquent when due, the policy does not include a reasonable time frame for referring delinquent counts to CCU. Currently, Executive Branch agencies are generally required to forward delinquent accounts to CCU within 75 days of the related billings. **DLS recommends that the Judiciary standardize its Accounts Receivable Policy to comport to the time frame utilized by Executive Branch agencies. Such an action will not only result in a more uniform collection policy but will ultimately increase the amount of funding that goes into the State's general fund.**

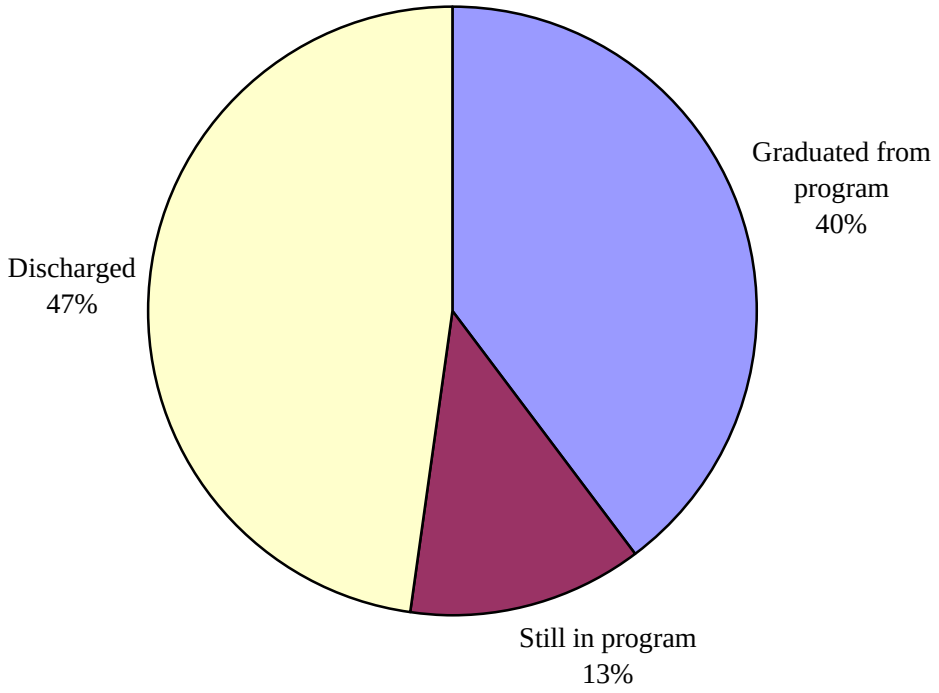
7. Annual Report of the Office of Problem-Solving Courts

The 2007 *Joint Chairmen's Report* (JCR) directed the Judiciary to submit an annual report on all problem-solving courts in Maryland. On November 1, 2007, the Office of Problem-Solving Courts (OPSC) submitted the required report for the fiscal year ending June 30, 2007. Highlights from the report are provided below.

Drug Courts

Maryland's first two drug courts were established in Baltimore City in the spring of 1994. Since that time, drug courts have expanded to include 38 operational drug courts located at various District and circuit court locations throughout the State. Drug courts are a judicially led, coordinated system that operates by utilizing a team approach. Drug courts operate under the coordinated efforts of criminal justice agencies, as well as mental health, social service, and treatment communities. During fiscal 2007, 1,849 drug court participants entered Maryland's adult and juvenile drug court programs. As illustrated in **Exhibit 21**, approximately 40% of these participants graduated from the program. By contrast, approximately 47% of participants were discharged[5] from the program.

Exhibit 21
Drug Court Entry and Exit Statistics
Fiscal 2007



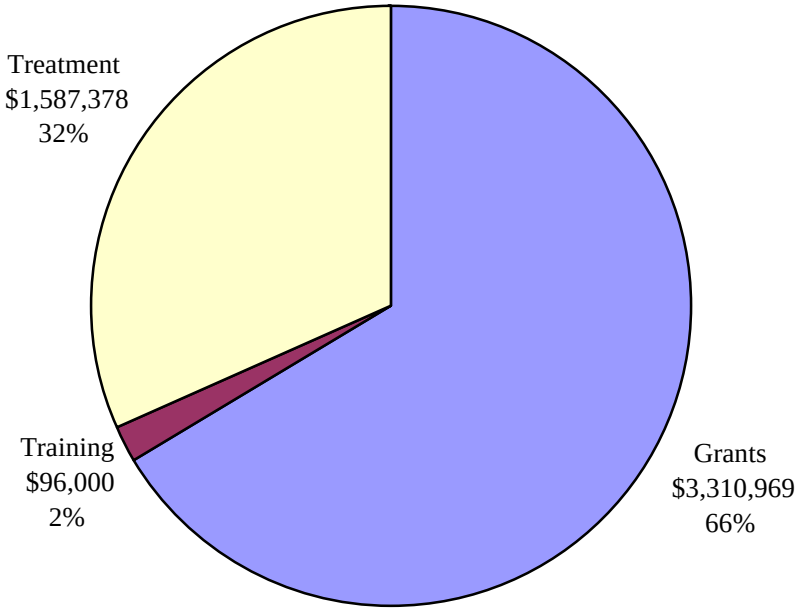
Source: *Annual Report of the Office of Problem-Solving Courts in Maryland*, Fiscal 2007

[5] A total of 471 participants were discharged during fiscal 2007. Participants were discharged for the following reasons: (1) 379 participants were discharged without violation (*i.e.*, their probation expired prior to graduation); (2) 80 participants were administratively discharged (*i.e.*, dismissal due to death or unmanageable mental health issues); and (3) 107 participants were discharged due to unsuccessful completion of the program (*i.e.*, removal from drug court program).

Drug Courts Expenditures

In fiscal 2007, the Judiciary received approximately $5 million in drug court funding. As illustrated in **Exhibit 22**, approximately $3.3 million, or 66% of the funding was distributed to local drug court programs. The remaining $1.7 million was primarily used to finance drug treatment services and drug court training.

Exhibit 22
Drug Court Expenditures
Fiscal 2007



Source: *Annual Report of the Office of Problem-Solving Courts in Maryland*, Fiscal 2007

Mental Health Courts

In addition to drug courts, Maryland has two[6] mental health court programs. Modeled after drug courts, a mental health court is a specialized court docket designed to address the needs of individuals who have been charged with an offense that have psychiatric disabilities. The Baltimore City Mental Health Court began operating in 2002 when Baltimore City consolidated all cases in which a competency evaluation was ordered into a single docket. Previously, mental health cases were scattered among nine different criminal courts and multiple judges, prosecutors, and defense attorneys. As a result of consolidating the docket, approximately 250 mental health cases are processed annually by a dedicated team of individuals trained in mental health law. The goal of the mental health court is to develop a collaborative relationship between the criminal justice system and

[6] Baltimore City and Prince George's County began their programs in 2002 and 2003, respectively.

the public health system and to foster better outcomes by (1) initiating early mental health identification; (2) expediting case processing; (3) improving access to public mental health treatment services; (4) reducing recidivism; (5) improving public safety; and (6) diverting mental health participants from incarceration (if appropriate).

Truancy Courts

Truancy, or unexcused absence from school, is a problem nationwide. In Maryland, a "habitual truant" is a student who is unlawfully absent more than 20% of the school days in a marking period, semester, or school year. According to the Maryland State Department of Education, the statewide truancy rate for the 2006-2007 school year was 19,648, or 2.2% of public school students. While over half of the local school systems reported truancy rates of less than 1%, the highest truancy rates were in Baltimore City (9.2%), Prince George's County (4.2%), Kent County (3.2%), Wicomico County (1.8%), and Somerset County (1.4%).

Chapter 551 of 2004 authorized a three-year TRPP in the juvenile courts in Dorchester, Somerset, Wicomico, and Worcester counties. Families enter the TRPP when a school official files a civil charge alleging that a child is truant or when a State's Attorney files misdemeanor criminal charges against the legal custodian of a child for failing to ensure that the child attends school regularly. For students under age 12, a criminal charge must first be filed against the student's legal custodian and dismissed[7] or placed on the inactive docket[8] prior to participation in the TRPP.

In making a disposition on the truancy petition, the court may order the student to (1) attend school; (2) perform community service; (3) attend counseling, including family counseling; (4) attend substance abuse evaluation and treatment; (5) attend a mental health evaluation and treatment; or (6) comply with a curfew set by the court. Following the disposition hearing, a review hearing is scheduled to review family assessment findings. Based upon the information provided, the court determines what services are appropriate. Participants are eligible for graduation when they have remained in the program for 90 days with no unexcused absences.

Chapter 648 of 2007 extended the TRPP and authorized the establishment of a TRPP in the juvenile courts of Harford and Prince George's counties. The TRPP is scheduled to sunset on June 30, 2009.

[7] In an action on the truancy docket for failure to ensure attendance in school, it is an affirmative defense that a legal custodian made reasonable substantial efforts to ensure attendance but that the efforts have been unsuccessful. If the court determines that the defense is valid, the court must dismiss the charges against the defendant. Education Article, § 7-301(e-1).

[8] Chapter 648 of 2007 amended § 7-301(e)(1) of the Education Article to permit criminal charges against legal custodians to be placed on the inactive docket after October 1, 2007, to allow participation in the TRPP.

Evaluations

According to the report, OPSC is working with the AOC's Department of Court Research and Development in conducting research and performing evaluations of drug court, mental health court, and truancy court programs that are supported by the Judiciary. AOC's Court Research and Development staff is currently assessing national research on the aforementioned problem-solving court programs and will continue to develop protocols for and conduct evaluations of Maryland's existing programs.

Conclusion

Overall, the first annual report of OPSC was promising. As the level of State funding and the number of operational problem-solving court programs continue to grow, there is a continued need to provide policy makers with information that will be useful in evaluating Maryland's problem-solving court programs. **Based upon a review of the report, DLS recommends that subsequent annual reports include data related to program participants' drug of choice, participant referrals, and program capacity. OPSC should also include outcome and participant data for Maryland's mental health and truancy court programs.**

8. 2007 *Joint Chairmen's Report* Addressing DLS' Recommendations and Observations Regarding the Harford County Juvenile Drug Court Evaluation and the Anne Arundel County and Baltimore City Drug Court Evaluations

Background

In November 2006, the Judiciary submitted cost evaluations of the Harford County Juvenile program and the Anne Arundel County and Baltimore City adult drug court programs. DLS reviewed these evaluations and provided several observations and recommendations regarding Drug Court Program Retention and Graduation, Substance Abuse Treatment, Post Program Recidivism, Outcome Measures, Drug Offense Recidivism, the appropriate method for calculating program costs, and potential drug court alternatives.

The 2007 JCR directed the Judiciary to submit a follow-up report addressing DLS' observations and recommendations regarding the aforementioned evaluations. On November 1, 2007, the Judiciary submitted its JCR response to DLS' observations and recommendations. Highlights from that response are provided below.

Judiciary Responses

1. **DLS Recommendation:** Both the Harford County Juvenile Evaluation and the Baltimore City Drug Treatment Court (BCDTC) evaluations reflected low graduation rates among program participants. More study is warranted to determine whether drug courts are aimed at providing drug treatment to the most appropriate drug court candidates.

   Judiciary Response: As was mentioned in the drug court evaluations, characteristics of program participants have presented challenges to program graduation rates. Information collected from eight[9] states with drug court programs indicated that approximately 33.4% of adult drug court participants and 33.6% of juvenile drug court participants successfully completed drug court programs. The October 2006 evaluation of the Harford County Juvenile Drug Court indicated that the program's fiscal 2001 to 2004 average annual graduation rate was 47%. Although the graduation rate has declined in recent years to 32%, the average is comparable to national graduation rates for juveniles. As was reported in fiscal 2006, recent graduation rates are in line with national experience as the program has accepted increasing numbers of juveniles with more severe juvenile justice and substance abuse histories than was the case in the early years of the program's operation. As for the BCDTC, the program experienced an average graduation rate of 31.3% during the fiscal 2000 to 2007 time period. While the Baltimore City District Court Adult Drug Court has experienced a lower graduation rate among program participants than that of the circuit court, differences in the graduation rates result in part, from pre-program entry criminality characteristics. For example, since circuit court participants face more severe consequences from program failures, it is reasonable to expect higher graduation rates among these participants. A comparison of BCDTC graduation rates to that of a composite[10] of inner city drug courts, indicates that BCDTC's rate exceeds the composite graduation rate of 27.6%. It is the position of the Maryland Judiciary that drug court graduation should be viewed in a favorable light as compared to national experience. The programs should also be viewed from a broader perspective than that of individual programs.

2. **DLS Recommendation:** BCDTC and Anne Arundel County District Court Drug Treatment Center (AA-DC) reports did not provide any data regarding substance abuse treatment and urinalysis results during participants' tenure in the program. Given the substance abuse treatment mission of the program, more data in this area is needed.

   Maryland Judiciary Response: During the evaluation of the BCDTC program, researchers were limited by time and financial constraints with respect to acquiring treatment and substance testing data. In their consideration of the Harford County juvenile program, the researchers were able to offer useful, but limited, information regarding treatment and urinalysis experiences of program participants. However, more robust data collection and

[9] Arizona, Maine, Michigan, New Mexico, New York, Ohio, Oklahoma, and Tennessee.

[10] Office of Juvenile Delinquency Drug Court Clearinghouse and Technical Assistance Project (2001). *Drug Court Activity Update: Summary Information on All Programs and Detailed Information on Adult Drug Courts.* Washington, DC: American University.

analysis was limited by the scarcity of records concerning juveniles and interagency information. As the researchers continue their evaluations of adult and juvenile drug courts across the State, systematic factors that limited their ability to acquire and analyze treatment, urinalysis, and other data concerning the State's drug court participants will be diminished.

3. **DLS Recommendation:** The adult and juvenile analyses provided very little data regarding long-term recidivism rates of the drug court participants and comparison group. More trend data in this area is warranted.

   Maryland Judiciary Response: The Judiciary agrees with the assessment that more longitudinal recidivism data is needed to support analysis of whether drug court policy has been successful in accomplishing one of its most important objectives – improvement of criminal justice outcomes for drug-involved adult and juvenile offenders. However, the Judiciary's agreement should be viewed in light of two important considerations: (1) each evaluation contained more criminal justice system experience data[11] than usually found in drug court evaluations; and (2) continuing acquisition of longitudinal data is a costly endeavor that involves substantial research expertise and extensive inter-agency cooperation. As such, the General Assembly will need to provide the appropriate budgetary resources to provide this information to DLS.

4. **DLS Recommendation:** The BCDTC and AA-DC programs provide recidivism data on the number of rearrests on crimes against person charges such as assault. While long-term improvements in personal responsibility and behavior are noteworthy, the significance of this outcome appears to be minimal considering that a prerequisite to drug court admission is that an offender is classified as being "non-violent."

   Maryland Judiciary Response: According to the Judiciary, it was unclear as to whether DLS considered the collection of crimes against person recidivism data to be a good idea or whether it should be discontinued. Given the concern among political and judicial leaders regarding the extent of violent crime in Maryland, it is the position of the Judiciary that rigorous collection and analysis of this data is important. Researchers will be encouraged to continue collecting and analyzing crimes against person recidivism data to assist in determining whether drug court programs contribute to controlling and reducing violent crime.

5. **DLS Recommendation:** The AA-DC report failed to provide detailed data and explanations regarding drug offense recidivism among the sample and comparison groups. A more thorough analysis of drug court recidivism in general, in addition to an analysis on whether there is any correlation between recidivism and the types of treatment provided, should be conducted going forward.

[11] The Harford County Juvenile Drug Court evaluation provided two years of juvenile and adult post-program entry criminal justice experience, and the BCDTC evaluation provided outcome data for program participants for three years from the date of entry into the program.

Maryland Judiciary Response: The Judiciary agrees with DLS' assessment. As stated previously, researchers were limited by time and financial constraints in early evaluations. Future evaluations will contain a more thorough analysis as well as uniform reporting of drug offense recidivism data.

6. **DLS Recommendation:** Future drug court evaluations should identify and calculate the net return on investment based solely on hard costs in order to provide a more balanced picture of net return on investment of drug court programs. Additionally, the business as usual costs should be modified to include only the variable costs associated with providing services for drug court participants. Finally, income tax savings data should be calculated based on Maryland treatment data.

   Maryland Judiciary Response: The Judiciary is committed to helping DLS understand the most useful methods for evaluating the performance of drug courts. The report utilized by the researchers is specifically designed to support cost analysis in organizationally complex state and local government settings. This approach produces information that supports representation of net cost and return on investment by thoroughly and accurately accounting for factors that drive financial calculations than do neo-classical economic concepts that typically drive cost-benefit analyses performed by economists. The cost calculation approach taken by the Judiciary's researches is favored because it takes into account the organizational complexity found in drug courts, which includes a reprogramming of preexisting business as usual resources. Marginal cost economics assumes that new programs simply represent additional costs to existing programs. The cost analysis approached used by the researchers recognizes that new programs more frequently result in the transformation of existing resources as opposed to the addition of resources.

7. **DLS Recommendation:** Research has shown that combining criminal justice sanctions with drug treatment can be an effective method of decreasing drug use and related crime. However, the drug court model is not the only method of providing drug treatment through the criminal justice system. Further study is warranted to determine if the drug court model is the most effective drug treatment alternative in Maryland.

   Maryland Judiciary Response: The Judiciary concurs with DLS' assessment that comparative study is needed regarding alternative criminal justice system-based substance abuse treatment. A study of such size and scope will require additional financial resources.

Based on a review of the Judiciary's responses to DLS' observations and recommendations, **DLS recommends that the committees level fund drug court grants to local jurisdictions and that $1 million in general funds be restricted until the Judiciary submits revised cost benefit analyses for the Baltimore City and Anne Arundel County drug court programs.**

Recommended Actions

1. Add the following language:

   Provided that a reduction of $1,219,756 is made for employee turnover (comptroller subobject 189). This reduction shall be allocated among the divisions according to the following fund types:

Fund	Amount
General	$1,147,847
Federal	$15,122
Special	$56,787

   Explanation: This action reduces the Judiciary's fiscal 2009 allowance to reflect a turnover rate increase to approximately 3%. The total reduction should be split as indicated above among general, federal, and special funds.

2. Add the following language:

   Further provided that a reduction of $133,885 is made for postage expenses (comptroller subobject 301). This reduction shall be allocated among the divisions according to the following fund types:

Fund	Amount
General	$114,303
Federal	$895
Special	$18,687

   Explanation: This action reduces the Judiciary's fiscal 2009 allowance for postage expenditures. The total reduction should be split as indicated above among general, federal, and special funds.

3. Add the following language:

Further provided that a reduction of $514,978 is made for telephone expenses (comptroller subobject 302). This reduction shall be allocated among the divisions according to the following fund types:

Fund	Amount
General	$440,927
Federal	$5,325
Special	$68,726

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for telephone expenditures. The total reduction should be split as indicated above among general, federal, and special funds.

4. Add the following language:

Further provided that a reduction of $28,009 is made for cell phone expenditures (comptroller subobject 306). This reduction shall be allocated among the divisions according to the following fund types:

Fund	Amount
General	$26,232
Special	$1,777

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for cell phone expenditures. The total reduction should be split as indicated above among general and special funds.

5. Add the following language:

Further provided that a reduction of $137,158 is made for travel expenses (comptroller object 04). This reduction shall be allocated among the divisions according to the following fund types:

Fund	Amount
General	$119,751
Federal	$13,909
Special	$3,498

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for travel expenditures. The total reduction should be split as indicated above among general, federal, and special funds.

6. Add the following language:

Further provided that a reduction of $33,349 is made for advertising and publication expenses (comptroller subobject 801). This reduction shall be allocated among the divisions according to the following fund types:

Fund	Amount
General	$32,588
Special	$761

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for advertising and publication expenditures. The total reduction should be split as indicated above among general and special funds.

7. Add the following language:

Further provided that a reduction of $225,938 is made for printing expenses (comptroller subobject 804). This reduction shall be allocated among the divisions according to the following fund types:

Fund	Amount
General	$181,943

Federal	$261
Special	$43,734

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for printing expenditures. The total reduction should be split as indicated above among general, federal, and special funds.

8. Add the following language:

Further provided that a reduction of $628,525 is made for equipment repairs and maintenance expenses (comptroller subobject 809). This reduction shall be allocated among the divisions according to the following fund types:

Fund	Amount
General	$470,593
Special	$157,932

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for equipment repairs and maintenance expenditures. The total reduction should be split as indicated above among general and special funds.

9. Add the following language:

Further provided that a reduction of $415,357 is made for building repairs and maintenance expenditures (comptroller subobject 812). This reduction shall be allocated among the divisions according to the following fund types:

Fund	Amount
General	$394,378
Special	$20,979

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for building repairs and maintenance expenditures. The total reduction should be split as indicated above among general and special funds.

10. Add the following language:

Further provided that a reduction of $131,848 is made for legal services (comptroller subobject 817). This reduction shall be allocated among the divisions according to the following fund types:

Fund	Amount
General	$126,759
Special	$5,089

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for legal services expenditures. The total reduction should be split as indicated above among general and special funds**.**

11. Add the following language:

Further provided that a reduction of $408,677 is made for education and training expenses (comptroller subobject 819). This reduction shall be allocated among the divisions according to the following fund types:

Fund	Amount
General	$401,567
Special	$7,110

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for education and training expenditures. The total reduction should be split as indicated above among general and special funds.

12. Add the following language:

Further provided that a reduction of $383,544 is made for office assistance (comptroller subobject 828). This reduction shall be allocated among the divisions according to the following fund types:

Fund	Amount
General	$204,121
Federal	$50,117
Special	$129,306

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for office assistance expenditures. The total reduction should be split as indicated above among general, federal, and special funds.

13. Add the following language:

Provided that a reduction of $561,447 is made for office supplies (comptroller subobject 902). This reduction shall be allocated among the divisions according to the following fund types:

Fund	Amount
General	$404,998
Federal	$16,469
Special	$139,980

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for office supplies expenditures. The total reduction should be split as indicated above among general, federal, and special funds.

14. Add the following language:

Further provided that a reduction of $49,068 is made for audio visual expenses (comptroller subobject 903). This reduction shall be allocated among the divisions according to the following fund types:

Fund	Amount
General	$35,709
Special	$13,359

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for audio visual expenditures. The total reduction should be split as indicated above among general and special funds.

15. Add the following language:

Further provided that a reduction of $63,488 is made for equipment under $500 (comptroller subobject 912). This reduction shall be allocated among the divisions according to the following fund types:

Fund	Amount
General	$57,165
Special	$6,323

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for equipment under $500. The total reduction should be split as indicated above among general and special funds.

16. Add the following language:

Further provided that a reduction of $620,451 is made for replacement office equipment expenditures (comptroller subobject 1015). This reduction shall be allocated among the divisions according to the following fund types:

Fund	Amount
General	$493,445
Federal	$3,102
Special	$123,904

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for replacement office equipment expenditures. The total reduction should be split as indicated above among general, federal, and special funds.

17. Add the following language:

Provided that the Judiciary shall utilize the court performance measures adopted by the Maryland Judiciary Council as part of its annual Managing for Results data. The report should include both county and statewide statistical data regarding the Judiciary's clearance rates, time to disposition, age of pending caseload, trial date certainty, access and fairness, and the reliability and integrity of case files. The report should be submitted to the committees by November 1, 2008.

Explanation: This language requires the Administrative Office of the Courts to submit the results of the court performance measures adopted by the Maryland Judicial Council as part of its annual Managing for Results data.

Information Request	Author	Due Date
Report on court performance measures	Judiciary	November 1, 2008, and annually thereafter

18. Add the following language:

Provided that the Judiciary shall develop a statistical methodology for determining annual magisterial need. A status report should be submitted to the budget committees by November 1, 2008, and the budget committees shall have 45 days to review and comment following the receipt of the report.

Explanation: This language requires the submission of a status report by the Judiciary's Administrative Office of the Courts regarding the development of a statistical methodology for determining annual magisterial needs.

Information Request	Author	Due Date
Report on the development of a statistical methodology for magisterial needs	Judiciary	November 1, 2008

19. Add the following language:

Provided that the Judiciary shall study the impact of the Mediation and Conflict Resolution Office's Alternative Dispute Resolution Program on the courts' overall caseload. A report outlining the Judiciary's findings shall be submitted to the budget committees by November 1, 2008. The budget committees shall have 45 days to review and comment following the receipt of the report.

Explanation: This language requires the Judiciary to study the impact of the Mediation and Conflict Resolution Office's (MACRO) Alternative Dispute Resolution Program on the courts' overall caseload.

Information Request	Author	Due Date
Study on the impact of alternative dispute resolution	Judiciary	November 1, 2008

20. Add the following language:

Provided that the Judiciary shall not expend money for any Major Information Technology (IT) development project (Program 12) until the Judiciary provides the committees with copies of all Independent Validation and Verification (IV&V) reports previously prepared by outside consultants. Further provided that the Judiciary shall provide the committees with copies of all future IV&V reports upon their release. The committees shall have 45 days to review and comment upon receipt of each report.

Explanation: This action restricts funding for Major IT development until the Judiciary submits copies of IV&V reports previously prepared by outside consultants. This action also requires the Judiciary to submit all future IV&V reports to the committees upon their release.

Information Request	Authors	Due Date
IV&V reports	Judiciary IT consultants	Ongoing

		Amount Reduction		Position Reduction
21.	Delete grant funds for the Maryland Legal Assistance Network. As of November 2007, the State Law Library has assumed responsibility for the People's Law Library web site.	$ 250,000	GF	
22.	Delete funding to purchase a new vehicle. This action will fund one of the two new vehicles requested.	16,000	GF	
23.	Delete funds for attendance incentives.	345,984	GF	
24.	Delete 20.5 new positions and deny 21 contractual conversions for the District Court. This action will mitigate statewide position growth while funding 31 new positions and 4 contractual conversions within the District Court.	987,051	GF	41.5

- Anne Arundel County – 1.5 administrative assistants, 1 regional program director, and 1 stock clerk;
- Baltimore County – 1 civil clerk and 1 counter clerk;
- Carroll County – 1 civil clerk;
- Dorchester County – 1 accounting associate;
- Frederick County – 2 accounting associates;
- Garrett County – 1 domestic violence/civil clerk;
- Howard County – 2 civil clerks;
- Montgomery County – 3 criminal/traffic clerks;
- Prince George's County – 1 landlord tenant clerk;
- Washington County – 1 accounting associate and 1 courtroom clerk;
- Wicomico County – 1 supervisor;
- Worcester County – 1 expungement clerk; and
- 21 contractual conversions – 5 civil clerks, 12 law clerks, 3 records room clerks, and 1 stock clerk.

25.	Reduce funds for annual judicial conference as a cost containment measure. This reduction will provide $20,000 to hold the annual conference in Annapolis, Maryland.	339,500	GF

26. Add the following language to the general fund appropriation:

, provided that $1,000,000 of the general fund appropriation for Maryland's drug courts may not be expended until the Judiciary submits revised cost benefit analyses for the Baltimore City and Anne Arundel County drug court programs. The analyses should calculate the net return on investment based on appropriated cost savings throughout the Maryland State budget. Prior to revising the cost benefit analyses, the Judiciary should consult with the Department of Legislative Services regarding the appropriate methodology for calculating the net return on investment as it relates to State budgeting. The budget committees shall have 45 days to review and comment on the report prior to the release of funds.

Explanation:

This action restricts funds pending the submission of a revised cost benefit analysis for the Baltimore City and Anne Arundel County Drug Court programs.

Information Request	**Author**	**Due Date**
Revised cost benefit analysis	Judiciary	45 days prior to expenditures

	Amount Reduction		**Position Reduction**
27. Delete two new positions and five contractual conversions in the Administrative Office of the Courts. This action will fund three new positions and one contractual conversion. • 1 grants specialist; • 1 administrative specialist; and • contractual conversions – 1 human resources assistant, 2 finance assistants, 1 administrative specialist, and 1 warehouse assistant.	150,240	GF	7.0

28.	Reduce drug court funding by $1,329,542. This action will level fund grants to local counties while providing an additional $359,747 in drug court funding for cost benefit evaluations and administrative expenses. If the reduction is adopted, the remaining appropriation will total $6,128,005. Drug courts should not expand until additional study demonstrates whether they are effective and cost efficient.	1,329,542	GF	
29.	Reduce allowance for Maryland Reports expenses based on fiscal 2007 actual expenditures plus inflation. This reduction will appropriate $216,680. This reduction shall be allocated among the divisions.	56,320	GF	
30.	Delete enhancement funding for county law library grants. This action will appropriate $380,000 in grant funds for 19 counties.	38,000	GF	
31.	Delete Web Specialist position in the State Law Library Program. This action will fund one of the two new positions requested – Website Content Coordinator.	50,009	GF	1.0
32.	Delete two new Java Engineer positions in the Judicial Information Services Program. This action will fund two of the four Java Engineer positions requested.	117,373	GF	2.0
33.	Delete 28 new positions and deny 15 contractual conversions for the circuit court clerk of the court. This action will mitigate statewide position growth while funding 19 of the new positions requested within the circuit court clerk of the court. • Anne Arundel County – 1 courtroom clerk; • Baltimore County – 1 family law clerk; • Calvert County – 1 courtroom clerk and 1 civil clerk; • Carroll County – 2 courtroom clerks and 1 civil clerk;	1,126,187 26,108 41,441	GF SF FF	43.0

- Charles County – 1 civil/case processor;
- Harford County – 1 criminal clerk;
- Howard County – 2 courtroom clerks;
- Prince George's County – 3 civil clerks; 3 courtroom clerks; 2 mailroom clerks; 1 juvenile clerk; and 1 microfilm lead worker;
- Queen Anne's County – 1 courtroom/criminal clerk;
- St. Mary's County – 1 criminal clerk;
- Talbot County – 1 courtroom clerk;
- Wicomico County – 1 accounting associate and 1 juvenile clerk;
- Baltimore City – 1 documents and 1 courtroom clerk; and
- 15 contractual conversions – 2 land records clerks; 2 civil clerk/case processors; 1 courtroom clerk; 2 criminal/juvenile clerks; 2 criminal clerks; 1 cashier/criminal clerk; 3 civil/paternity clerks; and 2 documents clerks.

34.	Reduce funding for circuit court lease space. This action will level fund State support for circuit court lease payments by holding grants at the fiscal 2008 level.	500,000	GF
35.	Reduce allowance for additional office equipment expenditures based on fiscal 2007 actual expenditures plus inflation. This reduction will appropriate $1,564,544. This reduction shall be allocated among the divisions.	12,852 1,674	GF SF

36.	Reduce allowance for janitorial services based on fiscal 2007 actual expenditures plus inflation. This reduction will appropriate $439,487. This reduction shall be allocated among the divisions.	7,633 2,087	GF SF	
37.	Reduce allowance for housekeeping expenses based on fiscal 2007 actual expenditures plus inflation. This reduction will appropriate $44,046. This reduction shall be allocated among the divisions.	5,602 3,509	GF SF	
38.	Reduce allowance for freight and delivery expenses based on fiscal 2007 actual expenditures plus inflation. This reduction will appropriate $88,320. This reduction shall be allocated among the divisions.	8,000 9,345	GF SF	
39.	Reduce allowance for trash and garbage removal expenses based on fiscal 2007 actual expenditures plus inflation. This reduction will appropriate $18,101. This reduction shall be allocated among the divisions.	3,501 1,400	GF SF	
40.	Reduce funding for the Truancy Reduction Pilot Program by $115,746. If adopted, this action will appropriate $425,737 for the Prince George's County Truancy Reduction Pilot Program.	115,746	GF	
41.	Delete discretionary grant funds in the Family Services Program.	50,000	GF	
42.	Delete the general fund appropriation for Major IT development and replace it with special funds. Legislation passed during the 2007 special session expanded the scope of the Circuit Court Real Property Records Improvement Fund to include major IT development for fiscal 2009 and 2010.	7,318,084 (7,318,084)	GF SF	
43.	Reduce funds for Major Information Technology Project development – eRecording. Fund $947,200 for development of the system and defer other expenditures until fiscal 2010.	1,420,800	SF	
	Total Reductions	**$ 7,015,904**		**94.5**

Total General Fund Reductions	**$ 12,827,624**
Total Special Fund Reductions	**$ -5,853,161**
Total Federal Fund Reductions	**$ 41,441**

Updates

1. 2007 *Joint Chairmen's Report* on the Feasibility of Adopting National Center for State Courts Performance Measures

Background

In 2005, the National Center for State Courts (NCSC) introduced a court performance framework to provide state courts with the tools needed to measure success. This framework, known as CourTools, delineates 10 core court performance measures: Access and Fairness; Clearance Rates; Time to Disposition; Age of Pending Caseload; Trial Date Certainty; Reliability and Integrity of Case Files; Collection of Monetary Penalties; Effective Use of Jurors; Court Employee Satisfaction; and the Cost-Per-Case.

The 2007 JCR directed the Judiciary to submit a report evaluating the feasibility of adopting the court performance measures developed by NCSC as part of the Judiciary's annual Managing for Results data. On November 1, 2007, the Judiciary submitted its report to the budget committees outlining its findings, summarized below.

Judiciary Findings

According to the report, since the inception of the Maryland Judicial Council (Council) in 2000, one of the main focuses of the Council has been implementation of trial court performance measures. In fact, the Council has approved and utilized for all practical purposes, 6 of the 10 proposed measures (clearance rates, time to disposition, age of pending caseload, trial date certainty, access and fairness, and the reliability and integrity of case files). The Council determined that the remaining four measures (collection of monetary penalties, effective use of jurors, court employee satisfaction, and the cost-per-case) were not the most critical indicators of trial court performance, nor could the Judiciary's current case management system provide the necessary functionality or statistical support essential for the implementation of the additional measures.

Since fiscal 2001, the Judiciary has developed and implemented case time standards for individual case types within the trial courts. Each court is required to address individual performance and if needed, provide an improvement plan on how to meet the present standards. More recently, the Council recommended the implementation of the access and fairness standard. In fiscal 2006, the circuit and District courts in Howard and Montgomery counties surveyed everyone leaving the courthouse over the course of several days. The surveys solicited a variety of information such as the accessibility of the courts' facilities and services. Upon reviewing the survey findings, the Council recommended that similar surveys be conducted in Baltimore City and Prince George's County. The surveys are scheduled to be completed by April 2008.

Appendix 1

Current and Prior Year Budgets

Current and Prior Year Budgets
Judiciary
($ in Thousands)

	General Fund	Special Fund	Federal Fund	Reimb. Fund	Total
Fiscal 2007					
Legislative Appropriation	$325,850	$43,638	$3,412	$0	$372,900
Deficiency Appropriation	0	0	0	0	0
Budget Amendments	2,718	1,500	2,069	709	6,996
Reversions and Cancellations	-3,089	-7,786	-1,157	-104	-12,136
Actual Expenditures	**$325,479**	**$37,352**	**$4,324**	**$605**	**$367,760**
Fiscal 2008					
Legislative Appropriation	$344,386	$42,696	$3,229	$0	$390,311
Cost Containment	0	0	0	0	0
Budget Amendments	2,678	3,189	557	77	6,501
Working Appropriation	**$347,064**	**$45,885**	**$3,786**	**$77**	**$396,812**

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

Fiscal 2007

In fiscal 2007, the total budget for the Judiciary decreased by approximately $5.1 million. This decrease was the net result of a $7.0 million increase in budget amendments in the Judiciary's general, special, federal, and reimbursable fund accounts and a $12.1 million decrease in the aforementioned accounts due to reversions and cancellations.

The general fund appropriation increased by $2.7 million due to the cost-of-living adjustment (COLA) that was budgeted in the Department of Budget and Management. The Judiciary also had a general fund reversion of approximately $3.1 million due to a health insurance surplus.

The special fund appropriation increased by $1.5 million. This increase was primarily attributed to an increase in the Judiciary's special fund appropriation for increased operating and grant expenditures related to the Maryland Legal Services Fund (Fund). Additionally, there was a special fund cancellation of $7.8 million. This decrease was due to the following: (1) $4.2 million in unrealized replacement equipment expenditures and cost savings resulting from renegotiated computer contracts; (2) $2.5 million in unrealized communication, supplies, and contractual services expenditures; (3) $959,556 in unrealized electronic land records expenditures due to the postponement of this initiative; (4) a $156,487 reduction in health insurance; (5) $49,961 in unrealized expenditures for contractual services related to the Helicopter Fund Surcharge; and (6) $8,356 in unrealized expenditures associated with law library copy fees.

The federal fund appropriation increased by $2.1million. This increase was due to the following: (1) a $1.4 million grant from the U.S. Department of Justice (U.S. DOJ) to enhance victim safety and offender accountability in cases of domestic violence via the implementation of a domestic violence database; (2) a $406,807 grant from the Department of Health and Human Services to develop a comprehensive child welfare database to ensure that foster children's needs for safety, permanency, and well-being are met; (3) a $174,161 multi-year grant from the U.S. DOJ to modify the Statewide Maryland Automated Records Tracking system; and (4) a $47,814 grant from the U.S. DOJ for the Anne Arundel County DUI/Drug Court expansion project. Additionally, there was a federal fund cancellation of $1.2 million. This cancellation was the result of $680,286 in unrealized operational expenditures for child support enforcement and $476,649 in unrealized drug court and foster care improvement expenditures that will be carried over into fiscal 2008 due to differences in the timing of grant funding cycles.

The reimbursable fund appropriation increased by $709,263. This increase was due to the following: (1) $370,000 in grant funds from the State Highway Administration (SHA) to implement the electronic processing of traffic citations; (2) $132,000 in grant funds from the Governor's Office of Crime Control and Prevention (GOCCP) to enhance the statewide management information system to include a drug court module; (3) $94,263 in grant funds from GOCCP and SHA for Howard County's Driving Under the Influence (DUI)/Drug Court operations; (4) $73,000 in grant funds from SHA for Anne Arundel County's Drug Court operations; and (5) $40,000 from GOCCP for the Violence Against Women Victim Safety Initiative. There was also a reimbursable fund cancellation of $104,115. The cancellation was due to differences in the timing of grant funding cycles.

Fiscal 2008

In fiscal 2008, the budget for the Judiciary increased by approximately $6.5 million due to the following: (1) a $2.7 million general fund COLA; (2) a $3.0 million increase in special funds for the Maryland Legal Services Corporation; (3) a $186,906 special fund COLA; (4) a $557,098 increase in federal funds due to grants received for leadership training ($85,617), data collection and training ($192,989), domestic violence initiatives ($179,756), and the Statewide Maryland Automated Records Tracking system ($98,736); and (5) a reimbursable fund increase of $76,535 due to funding received from the Governor's Office of Crime Control and Prevention for the Court Victim Safety Initiative ($36,259) and the State Highway Administration for the Anne Arundel and Howard counties drug court programs ($40,276).

Appendix 2

Audit Findings

Audit Period for Last Audit:	August 1, 2003 – September 30, 2006
Issue Date:	June 2007
Number of Findings:	12
Number of Repeat Findings:	None
% of Repeat Findings:	n/a
Rating: (if applicable)	n/a

Finding 1: Invoices were paid without approved purchase orders, and the Judiciary did not always comply with its procurement policy.

Finding 2: The Judiciary did not obtain competitive bids for the purchase and installation of digital recording equipment.

Finding 3: Certain building renovations were not competitively bid, but were performed by a company affiliated with the lessor.

Finding 4: Payments to the State Archives were not adequately monitored.

Finding 5: Property tax revenue was not distributed in accordance with State law, including $111 million that was prematurely distributed.

Finding 6: Controls over the processing of traffic citations and changes to related critical transactions were not adequate.

Finding 7: The Judiciary did not ensure that grant funds were spent in accordance with grant provisions.

Finding 8: The Judiciary did not ensure that the Maryland Legal Services Corporation remitted all required interest earnings on attorney trust accounts.

Finding 9: Controls over program changes, data and program back-up, and security events reporting and monitoring related to the AOC minicomputer need improvement.

Finding 10: Procedures for monitoring the security over certain critical servers need improvement.

Finding 11: Corporate purchasing cards were not adequately controlled.

Finding 12: The Judiciary did not resolve missing equipment items timely.

Object/Fund Difference Report
Judiciary

Object/Fund	FY07 Actual	FY08 Working Appropriation	FY09 Allowance	FY08 - FY09 Amount Change	Percent Change
Positions					
01 Regular	3,397.25	3,498.25	3,655.75	157.50	4.5%
02 Contractual	370.50	376.50	336.50	-40.00	-10.6%
Total Positions	**3,767.75**	**3,874.75**	**3,992.25**	**117.50**	**3.0%**
Objects					
01 Salaries and Wages	$ 232,786,966	$ 239,876,608	$ 283,142,605	$ 43,265,997	18.0%
02 Technical and Spec Fees	10,541,231	12,096,060	11,170,865	-925,195	-7.6%
03 Communication	10,157,866	11,108,909	11,750,331	641,422	5.8%
04 Travel	1,827,657	1,541,708	2,115,897	574,189	37.2%
06 Fuel and Utilities	689,260	780,934	783,742	2,808	0.4%
07 Motor Vehicles	155,145	110,159	144,305	34,146	31.0%
08 Contractual Services	42,109,088	50,464,543	53,058,356	2,593,813	5.1%
09 Supplies and Materials	5,528,948	6,368,112	7,341,465	973,353	15.3%
10 Equip - Replacement	5,496,878	5,714,155	5,976,168	262,013	4.6%
11 Equip - Additional	3,531,922	3,889,195	3,269,914	-619,281	-15.9%
12 Grants, Subsidies, and Contributions	41,275,202	48,732,924	50,477,274	1,744,350	3.6%
13 Fixed Charges	12,955,380	15,126,339	16,366,443	1,240,104	8.2%
14 Land and Structures	705,317	1,002,000	289,400	-712,600	-71.1%
Total Objects	**$ 367,760,860**	**$ 396,811,646**	**$ 445,886,765**	**$ 49,075,119**	**12.4%**
Funds					
01 General Fund	$ 325,479,286	$ 347,064,052	$ 394,287,833	$ 47,223,781	13.6%
03 Special Fund	37,352,487	45,884,861	47,053,740	1,168,879	2.5%
05 Federal Fund	4,323,940	3,786,198	4,336,851	550,653	14.5%
09 Reimbursable Fund	605,147	76,535	208,341	131,806	172.2%
Total Funds	**$ 367,760,860**	**$ 396,811,646**	**$ 445,886,765**	**$ 49,075,119**	**12.4%**

Note: The fiscal 2008 appropriation does not include deficiencies.

Fiscal Summary
Judiciary

Program/Unit	FY07 Actual	FY08 Wrk Approp	FY09 Allowance	Change	FY08 - FY09 % Change
01 Court of Appeals	$ 7,375,680	$ 8,640,337	$ 9,930,422	$ 1,290,085	14.9%
02 Court of Special Appeals	7,531,924	7,803,901	8,834,546	1,030,645	13.2%
03 Circuit Court Judges	50,956,418	54,578,962	59,176,317	4,597,355	8.4%
04 District Court	124,479,656	129,949,074	148,795,181	18,846,107	14.5%
05 Maryland Judicial Conference	359,047	311,529	359,500	47,971	15.4%
06 Administrative Office of the Courts	31,811,757	35,559,484	39,492,200	3,932,716	11.1%
07 Court Related Agencies	5,398,606	5,872,111	6,297,803	425,692	7.2%
08 State Law Library	2,345,165	2,795,946	3,178,545	382,599	13.7%
09 Judicial Data Processing	34,131,608	37,200,173	38,638,139	1,437,966	3.9%
10 Clerks of the Circuit Court	79,544,276	85,878,212	102,668,086	16,789,874	19.6%
11 Family Law Division	15,726,604	16,783,895	18,829,942	2,046,047	12.2%
12 Major IT Projects	8,100,119	11,438,022	9,686,084	-1,751,938	-15.3%
Total Expenditures	**$ 367,760,860**	**$ 396,811,646**	**$ 445,886,765**	**$ 49,075,119**	**12.4%**
General Fund	$ 325,479,286	$ 347,064,052	$ 394,287,833	$ 47,223,781	13.6%
Special Fund	37,352,487	45,884,861	47,053,740	1,168,879	2.5%
Federal Fund	4,323,940	3,786,198	4,336,851	550,653	14.5%
Total Appropriations	**$ 367,155,713**	**$ 396,735,111**	**$ 445,678,424**	**$ 48,943,313**	**12.3%**
Reimbursable Fund	$ 605,147	$ 76,535	$ 208,341	$ 131,806	172.2%
Total Funds	**$ 367,760,860**	**$ 396,811,646**	**$ 445,886,765**	**$ 49,075,119**	**12.4%**

Note: The fiscal 2008 appropriation does not include deficiencies.