

The **Judiciary**
State of Hawai`i

**The Multi-Year Program
and Financial Plan
(2007-2013)
Biennium Budget
(2007-2009)
and
Variance Report
(2005-2007)**

**Submitted to the
Twenty-Fourth State Legislature**

December 2006



To the Twenty-Fourth State Legislature of Hawai'i
Regular Session of 2007

As Chief Justice of the Hawai'i Supreme Court and Administrative Head of the Judiciary, it is my pleasure to transmit to the Hawai'i State Legislature the Judiciary's FB 2007-09 Multi-Year Program and Financial Plan. This document was prepared in accordance with the provisions of Act 159, Session Laws of Hawai'i, 1974, and Chapter 37 of the Hawai'i Revised Statutes, as amended.

Hawaii's courts provide an independent and accessible forum for the fair resolution of disputes and administer justice according to the law. In adhering to these principles, the courts seek to make justice available to all people without undue cost, inconvenience, or delay.

Senior circuit court judges, circuit court administrators, program directors, and Judiciary staff continually search for better ways to manage caseload to improve the service provided to citizens seeking the court's assistance. The Family Courts are committed to addressing child abuse, neglect, and domestic violence issues, as well as to providing various counseling, guidance, detention, mediation, education, and supervisory programs for children and adults. The Girls Court; Teen Court; and Adult, Family, and Juvenile Drug Court programs reflect the Judiciary's commitment to providing effective alternatives to traditional adjudication. The Children's Justice Center plays an important role in Hawai'i in helping child sex abuse victims and their parents, and facilitating related treatment programs. The Probation Modification Project, also known as Project H.O.P.E., is a relatively new program that is reducing substance abuse and criminal recidivism among the highest priority probation populations by applying evidence-based principles and methodology, and swift, certain, but not severe, punishment. The Judiciary looks forward to discussing these programs, as well as our future plans, with you during the upcoming legislative session.

While heartened by the State's strong economy, the Judiciary is also very aware of the State's limited financial resources as well as the inevitable slowdown that is a part of every economic cycle. Therefore, the Judiciary has continued to follow a very conservative approach in developing its budget, and has focused its requests for additional resources on those that best serve people needing court services, and those that address infrastructure concerns and process efficiencies. Additional resources are being requested for essential client services, specialized courts and treatment services, facility needs including increased utility costs, enhanced security, necessary technological improvements, and a limited number of positions to improve the delivery of court services.

Included in the Judiciary's budget request are resources to provide essential client services to juvenile sex offenders, domestic violence perpetrators and victims, child sex abuse victims and their parents, and clients served by the Office of Public Guardian; and to enhance services to victims of felony level cases. In addition, funds are being requested to replace the loss of Federal Grant monies for the Girls Court in the First Circuit, and to cover the increased costs for the services of certified court interpreters.

Your support last year in providing three staff attorney positions for the three new Intermediate Court of Appeals judges is very much appreciated. However, as only one of the three

positions was funded, additional resources are needed to cover the other two staff attorney positions. Also, two Family Court judge and six related staff positions are being requested for the First Circuit to address workload requirements.

Facilities continue to be a major source of concern for the Judiciary, especially in light of the recent earthquake and as space needs increase and court buildings become older. Accordingly, funds are being requested to address air conditioning and elevator repair and replacement issues in the Honolulu Circuit and District Court buildings, both of which are 25 years old; and to cover significant increased leased space and utility costs in Central Administration and Second Circuit locations. Second Circuit is requesting an Assistant Facility Manager to support planned management and maintenance of its two 20 year old buildings, and thereby avoid continual crisis management. Third Circuit is requesting funding to support the new Hilo Court Complex, specifically for electricity costs; buildings and grounds maintenance positions, supplies, and equipment; and new computers.

Operational improvements account for the remainder of our general fund budget request. Included in this category are resources to support various technological enhancements to improve efficiency, including Voice Over Internet Protocol telephones in the First Circuit; replacement of obsolete catalyst core switches used as the main switching hubs to connect the Supreme Court, Circuit Court, and District Court buildings in Honolulu; and new reprographics equipment. Resources are also being requested to provide technical training to Judiciary Information Management System (JIMS) project staff so as to avoid continued reliance on outside resources, and for positions to support the Judiciary Information Management System (JIMS) server and software. Additional staffing is being requested to accommodate increased workload in the Administrative Drivers License Revocation Office, and to assist users of the Supreme Court and Second Circuit law libraries. Security issues have been addressed through requests for juvenile detention positions at the Detention Home, and for obtaining additional guard services at the Kona courthouse. Lastly, the budget request includes resources to continue improvements to the Judiciary's human resources management and electronic leave systems, and to the 4Gov property and payroll modules.

Despite demand for court services which exceeds available resources, the Judiciary has worked hard to maintain the level of services that Hawaii's citizens expect and deserve. Such efforts have required the identification of innovative methods and cost-cutting strategies to achieve effective adjudication without compromising the principles of justice. However, although the Judiciary remains committed to reducing costs and increasing efficiency, the level of current resources available places unacceptable limitations on the services which can be provided to those seeking the assistance of the courts. To ensure that adequate court services can be provided, the Judiciary's general fund budget request includes additional funding of approximately \$7.6 million in FY 2008 and \$5.3 million in FY 2009, resulting in a general fund budget of \$138.3 million and \$136.4 million for these two years respectively. The total budget represents operating requests that are under the Judiciary's biennium general fund appropriation ceiling by approximately \$5.6 million in FY 2008 and by more than \$10 million in FY 2009, based on the November 20, 2006 final estimate of state growth for the upcoming 2-year budget period.

The focus of the Judiciary's Capital Improvement Project (CIP) budget continues to be funding for the Kapolei Judiciary Complex. While the 2005 Legislature generously provided \$95

million in CIP funds for the Kapolei Judiciary Complex, a dramatic increase in estimated construction costs in late 2005 caused the Judiciary to significantly scale down the size of the facility to remain within budget. Since then, estimated construction costs have continued to escalate, thus requiring the Judiciary to leave the only jury courtroom and two of the non-jury courtrooms unfinished, as well as delay the purchase and installation of a smoke exhaust system and parking meters, until additional CIP funds are appropriated. CIP funds are also being requested for improvements to the court facility at the Keakealani Building in Kona, and for other Judiciary facilities, statewide. Funds for necessary project design and planning activities round out the Judiciary's CIP budget package for this biennium.

The Judiciary recognizes that even in a strong economy, balancing the desire to provide adequate public services to Hawaii's citizens against competing initiatives for general fund resources creates difficult allocation decisions. Accordingly, to address these concerns and in keeping with its commitment toward increased efficiency, the Judiciary has restricted its resource requests to those which provide the greatest opportunity to immediately serve those requiring court services. I know that the Legislature shares my continuing commitment to preserving a fair and equitable judicial system for Hawai'i. Only by having a strong, independent Judiciary that is respected and trusted by Hawaii's citizens will we be able to fulfill the responsibility that has been conferred upon us. On behalf of the Judiciary, I extend my heartfelt appreciation for your support and consideration.

Sincerely,

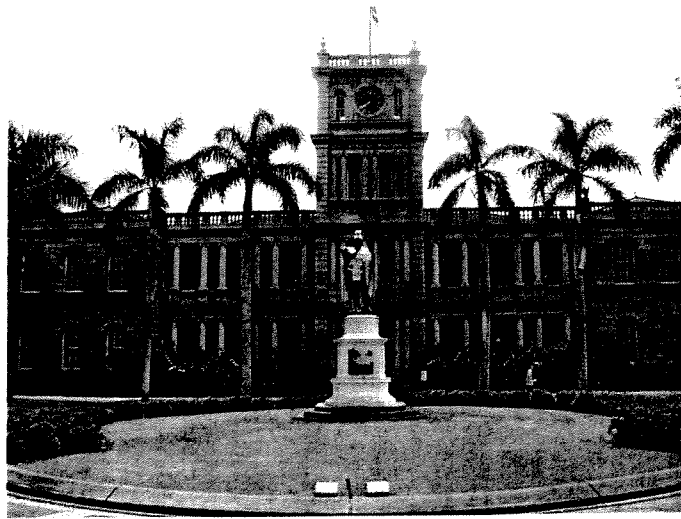


Ronald T.Y. Moon
Chief Justice
December 11, 2006

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PART I



Introduction

INTRODUCTION

The mission of the Judiciary as an independent branch of government is to administer justice in an impartial, efficient, and accessible manner in accordance with the law.

Judiciary Programs

The major program categories of the Judiciary are court operations and support services. Programs in the court operations category serve to safeguard the rights and interests of persons by assuring an equitable and expeditious judicial process. Programs in the support services category enhance the effectiveness and efficiency of the judicial system by providing the various courts with administrative services such as fiscal control and direction of operations and personnel.

The following is a display of the program structure of the Judiciary:

| Program Structure Number | Program Level I II III | Program I.D. |
|---|-----------------------------------|-------------------------|
| 01 | The Judicial System | |
| 01 01 | Court Operations | |
| 01 01 01 | Courts of Appeal | JUD 101 |
| 01 01 02 | First Circuit | JUD 310 |
| 01 01 03 | Second Circuit | JUD 320 |
| 01 01 04 | Third Circuit | JUD 330 |
| 01 01 05 | Fifth Circuit | JUD 350 |
| 01 02 | Support Services | |
| 01 02 01 | Administration | JUD 601 |

Contents of Document

The MULTI-YEAR PROGRAM AND FINANCIAL PLAN presents the objectives of the Judiciary programs, describes the programs recommended to implement the objectives, and shows the fiscal implications of the recommended programs for the next six fiscal years. The BUDGET displays for each program the recommended expenditures for the ensuing fiscal biennium by cost category, cost element, and means of financing. The VARIANCE REPORT reports on program performance for the last completed fiscal year and the fiscal year in progress. An explanation of the sections contained in this document is as follows:

Operating Program Summaries

The summaries in this section present data at the total judicial system level and at the court operations and support services levels.

Operating Program Plan Details

The Financial Plan and Budget is presented by major program area. Each program area includes a financial summary, followed by narratives on the program objectives, activities, policies, relationships, and types of revenues collected; major external trends; and various other information and data about the program.

Capital Improvements Appropriations and Details

This section provides capital improvements cost information by project, cost element, and means of financing over the 6-year planning period.

Variance Report

This section provides information on the estimated and actual expenditures, positions, measures of effectiveness, and program size indicators for major program areas within the Judiciary.

The Budget

The recommended levels of operating expenditures and staffing for fiscal years 2007-08 and 2008-09 by major programs are as follows:

Operating Expenditures (In \$ Thousands)

| Major Program | MOF | 2007-08 | 2008-09 | Total |
|------------------|--------|------------|------------|------------|
| Courts of Appeal | A | 7,013 | 7,052 | 14,065 |
| | W | 243 | 243 | 486 |
| First Circuit | A | 71,034 | 69,616 | 140,650 |
| | B | 3,515 | 3,515 | 7,030 |
| Second Circuit | A | 14,662 | 14,685 | 29,347 |
| Third Circuit | A | 17,997 | 17,772 | 35,769 |
| Fifth Circuit | A | 6,878 | 6,898 | 13,776 |
| | A | 20,755 | 20,419 | 41,174 |
| Administration | B | 5,554 | 5,554 | 11,108 |
| | W | <u>100</u> | <u>100</u> | <u>200</u> |
| | Totals | A | 138,339 | 136,442 |
| | B | 9,069 | 9,069 | 18,138 |
| | W | <u>343</u> | <u>343</u> | <u>686</u> |

Revenues

The projected revenues (all sources) for fiscal years 2007-08 and 2008-09 by major programs are as follows:

| Major Program | Revenues (In \$ Thousands) | | Total |
|------------------|-------------------------------|----------------------|----------------------|
| | 2007-08 | 2008-09 | |
| Courts of Appeal | 45 | 45 | 90 |
| First Circuit | 26,820 | 27,126 | 53,946 |
| Second Circuit | 4,851 | 4,851 | 9,702 |
| Third Circuit | 4,585 | 4,672 | 9,257 |
| Fifth Circuit | 1,475 | 1,519 | 2,994 |
| Administration | <u>101</u> | <u>101</u> | <u>202</u> |
| Totals | <u>37,877</u> | <u>38,314</u> | <u>76,191</u> |

Cost Categories, Cost Elements, and Means of Financing

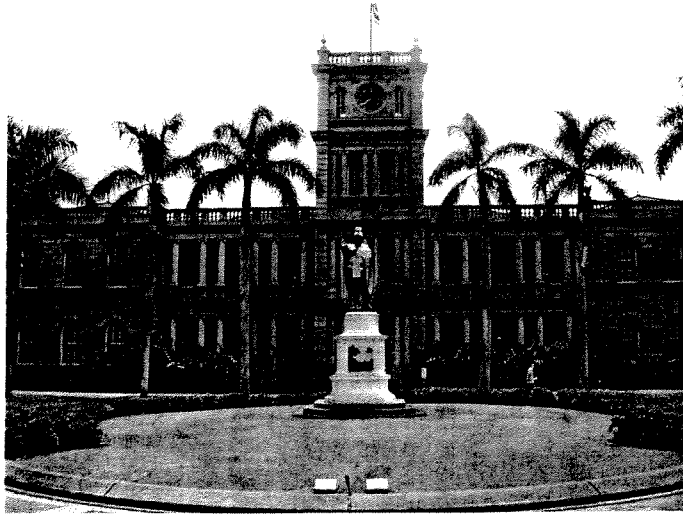
"Cost categories" identifies the major types of costs and includes operating and capital investment.

"Cost elements" identifies the major subdivisions of a cost category. The category "operating" includes personal services, other current expenses, and equipment. The category "capital investment" includes plans, land acquisition, design, construction, and equipment.

"Means of financing" (MOF) identifies the various sources from which funds are made available and includes general funds (A), federal funds (N), special funds (B), revolving funds (W), and general obligation bond funds (C).

This document has been prepared by the Office of the Administrative Director with assistance from the Judiciary staff. It is being submitted to the Twenty-Fourth State Legislature in accordance with the provisions of Chapter 37, Hawaii Revised Statutes.

PART II



Operating Program Summaries

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
THE JUDICIAL SYSTEM

PROGRAM STRUCTURE LEVEL NO. I

PROGRAM STRUCTURE NO. 01

POSITION IN PROGRAM STRUCTURE

| Level | No. | Title |
|-----------|-----|---------------------|
| Level I | 01 | The Judicial System |
| Level II | | |
| Level III | | |

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

Data provided at Level III

PROGRAM EXPENDITURES

| | EXPENDITURES IN DOLLARS | | | | | | | |
|-----------------------------------|-------------------------|---------------------|--------------------|--------------------|----------------------------------|----------------|----------------|----------------|
| | Actual 2005-06 | Estimate 2006-07 | Budget Period | | Estimated Expenditures (\$000's) | | | |
| | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| Operating Costs | | | | | | | | |
| Personal Services | 87,354,893 | 94,287,680 | 95,609,365 | 96,264,817 | 96,268 | 96,268 | 96,268 | 96,268 |
| Other Current Expenses | 41,874,276 | 44,056,400 | 46,818,173 | 46,942,030 | 47,885 | 48,844 | 49,820 | 50,816 |
| Lease/Purchase Agreements | 244,451 | 322,973 | 321,603 | 309,701 | 309 | 309 | 311 | 313 |
| Equipment | 2,643,111 | 2,811,507 | 5,003,041 | 2,338,962 | 2,381 | 2,428 | 2,477 | 2,526 |
| Motor Vehicles | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Operation Costs | 132,116,731 | 141,478,560 | 147,752,182 | 145,855,510 | 146,843 | 147,849 | 148,876 | 149,923 |
| Capital & Investment Costs | 95,500,000 | 14,000,000 | 18,020,000 | 4,000,000 | 18,500 | 15,000 | 19,700 | 70,000 |
| Total Program Expenditures | 227,616,731 | 155,478,560 | 165,772,182 | 149,855,510 | 165,343 | 162,849 | 168,576 | 219,923 |

REQUIREMENTS BY MEANS OF FINANCING

| | Actual | Estimate | Budget Period | | Estimated Expenditures (\$000's) | | | |
|------------------------|--------------------|--------------------|--------------------|--------------------|----------------------------------|-----------------|-----------------|-----------------|
| | 2005-06 | 2006-07 | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| General Funds | 1,849.50 | 1,872.50 | 1,919.50 | 1,920.50 | 1,920.50 | 1,920.50 | 1,920.50 | 1,920.50 |
| | 124,708,230 | 132,065,736 | 138,339,358 | 136,442,686 | 137,382 | 138,339 | 139,316 | 140,312 |
| Special Funds | 36.00 | 36.00 | 41.00 | 41.00 | 41.00 | 41.00 | 41.00 | 41.00 |
| | 7,390,128 | 9,069,563 | 9,069,563 | 9,069,563 | 9,111 | 9,153 | 9,196 | 9,240 |
| Revolving Funds | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | 18,373 | 343,261 | 343,261 | 343,261 | 350 | 357 | 364 | 371 |
| G.O. Bond Funds | 95,500,000 | 14,000,000 | 18,020,000 | 4,000,000 | 18,500 | 15,000 | 19,700 | 70,000 |
| Total Financing | 1,885.50 | 1,908.50 | 1,960.50 | 1,961.50 | 1,961.50 | 1,961.50 | 1,961.50 | 1,961.50 |
| | 227,616,731 | 155,478,560 | 165,772,182 | 149,855,510 | 165,343 | 162,849 | 168,576 | 219,923 |

JUDICIARY
STATE OF HAWAII

PROGRAM TITLE:
COURT OPERATIONS

PROGRAM STRUCTURE LEVEL NO. II

PROGRAM STRUCTURE NO. 01 01

POSITION IN PROGRAM STRUCTURE

| Level | No. | Title |
|-----------|-----|---------------------|
| Level I | 01 | The Judicial System |
| Level II | 01 | Court Operations |
| Level III | | |

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

Data provided at Level III

PROGRAM EXPENDITURES

| | EXPENDITURES IN DOLLARS | | | | | | | |
|-----------------------------------|-------------------------|--------------------|--------------------|--------------------|----------------------------------|----------------|----------------|----------------|
| | Actual | Estimate | Budget Period | | Estimated Expenditures (\$000's) | | | |
| | 2005-06 | 2006-07 | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| Operating Costs | | | | | | | | |
| Personal Services | 75,411,093 | 82,189,902 | 83,008,656 | 83,656,422 | 83,663 | 83,663 | 83,663 | 83,663 |
| Other Current Expenses | 30,093,365 | 32,155,120 | 35,461,634 | 35,454,114 | 36,166 | 36,891 | 37,628 | 38,381 |
| Lease/Purchase Agreements | 23,051 | 109,561 | 112,503 | 112,503 | 115 | 117 | 119 | 121 |
| Equipment | 1,880,650 | 1,004,325 | 2,760,262 | 559,181 | 566 | 577 | 589 | 601 |
| Motor Vehicles | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Operation Costs | 107,408,159 | 115,458,908 | 121,343,055 | 119,782,220 | 120,510 | 121,248 | 121,999 | 122,766 |
| Capital & Investment Costs | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Program Expenditures | 107,408,159 | 115,458,908 | 121,343,055 | 119,782,220 | 120,510 | 121,248 | 121,999 | 122,766 |

REQUIREMENTS BY MEANS OF FINANCING

| | Actual | Estimate | Budget Period | | Estimated Expenditures (\$000's) | | | |
|------------------------|--------------------|--------------------|--------------------|--------------------|----------------------------------|-----------------|-----------------|-----------------|
| | 2005-06 | 2006-07 | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| | | | | | | | | |
| General Funds | 1,635.50 | 1,652.50 | 1,693.50 | 1,694.50 | 1,694.50 | 1,694.50 | 1,694.50 | 1,694.50 |
| | 104,557,273 | 111,700,321 | 117,584,468 | 116,023,633 | 116,716 | 117,418 | 118,132 | 118,862 |
| Special Funds | 35.00 | 35.00 | 40.00 | 40.00 | 40.00 | 40.00 | 40.00 | 40.00 |
| | 2,832,513 | 3,515,326 | 3,515,326 | 3,515,326 | 3,546 | 3,577 | 3,609 | 3,641 |
| Revolving Funds | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | 18,373 | 243,261 | 243,261 | 243,261 | 248 | 253 | 258 | 263 |
| G.O. Bond Funds | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Financing | 1,670.50 | 1,687.50 | 1,733.50 | 1,734.50 | 1,734.50 | 1,734.50 | 1,734.50 | 1,734.50 |
| | 107,408,159 | 115,458,908 | 121,343,055 | 119,782,220 | 120,510 | 121,248 | 121,999 | 122,766 |

JUDICIARY
STATE OF HAWAII

PROGRAM TITLE:
SUPPORT SERVICES

PROGRAM STRUCTURE LEVEL NO. II

PROGRAM STRUCTURE NO. 01 02

POSITION IN PROGRAM STRUCTURE

| Level | No. | Title |
|-----------|-----|---------------------|
| Level I | 01 | The Judicial System |
| Level II | 02 | Support Services |
| Level III | | |

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

Data provided at Level III

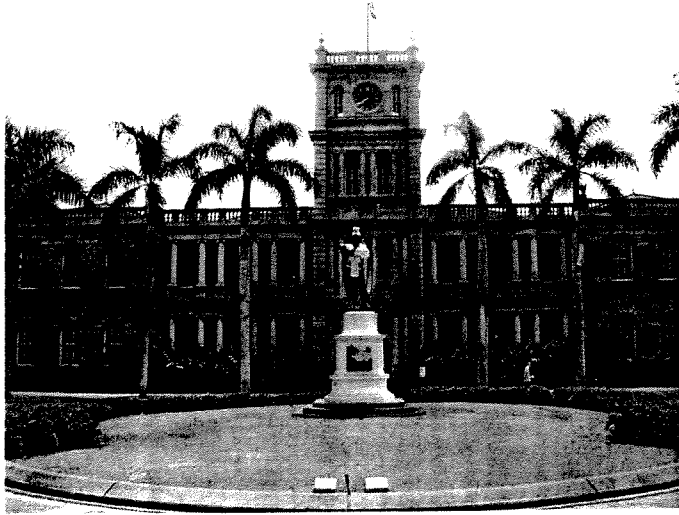
PROGRAM EXPENDITURES

| | EXPENDITURES IN DOLLARS | | | | | | | |
|-----------------------------------|-------------------------|-------------------|-------------------|-------------------|----------------------------------|---------------|---------------|---------------|
| | Actual | Estimate | Budget Period | | Estimated Expenditures (\$000's) | | | |
| | 2005-06 | 2006-07 | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| Operating Costs | | | | | | | | |
| Personal Services | 11,943,800 | 12,097,778 | 12,600,709 | 12,608,395 | 12,605 | 12,605 | 12,605 | 12,605 |
| Other Current Expenses | 11,780,911 | 11,901,280 | 11,356,539 | 11,487,916 | 11,719 | 11,953 | 12,192 | 12,435 |
| Lease/Purchase Agreements | 221,400 | 213,412 | 209,100 | 197,198 | 194 | 192 | 192 | 192 |
| Equipment | 762,461 | 1,807,182 | 2,242,779 | 1,779,781 | 1,815 | 1,851 | 1,888 | 1,925 |
| Motor Vehicles | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Operation Costs | 24,708,572 | 26,019,652 | 26,409,127 | 26,073,290 | 26,333 | 26,601 | 26,877 | 27,157 |
| Capital & Investment Costs | 95,500,000 | 14,000,000 | 18,020,000 | 4,000,000 | 18,500 | 15,000 | 19,700 | 70,000 |
| Total Program Expenditures | 120,208,572 | 40,019,652 | 44,429,127 | 30,073,290 | 44,833 | 41,601 | 46,577 | 97,157 |

REQUIREMENTS BY MEANS OF FINANCING

| | Actual | Estimate | Budget Period | | Estimated Expenditures (\$000's) | | | |
|------------------------|--------------------|-------------------|-------------------|-------------------|----------------------------------|---------------|---------------|---------------|
| | 2005-06 | 2006-07 | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| | | | | | | | | |
| General Funds | 214.00 | 220.00 | 226.00 | 226.00 | 226.00 | 226.00 | 226.00 | 226.00 |
| | 20,150,957 | 20,365,415 | 20,754,890 | 20,419,053 | 20,666 | 20,921 | 21,184 | 21,450 |
| Special Funds | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 |
| | 4,557,615 | 5,554,237 | 5,554,237 | 5,554,237 | 5,565 | 5,576 | 5,587 | 5,599 |
| Revolving Funds | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | 0 | 100,000 | 100,000 | 100,000 | 102 | 104 | 106 | 108 |
| G.O. Bond Funds | 95,500,000 | 14,000,000 | 18,020,000 | 4,000,000 | 18,500 | 15,000 | 19,700 | 70,000 |
| | 215.00 | 221.00 | 227.00 | 227.00 | 227.00 | 227.00 | 227.00 | 227.00 |
| Total Financing | 120,208,572 | 40,019,652 | 44,429,127 | 30,073,290 | 44,833 | 41,601 | 46,577 | 97,157 |

PART III



Operating Program Plan Details

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
COURTS OF APPEAL

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 01

POSITION IN PROGRAM STRUCTURE

| Level | No. | Title |
|-----------|-----|---------------------|
| Level I | 01 | The Judicial System |
| Level II | 01 | Court Operations |
| Level III | 01 | Courts of Appeal |

PROGRAM EXPENDITURES

EXPENDITURES IN DOLLARS

| | Actual | Estimate | Budget Period | | Estimated Expenditures (\$000's) | | | |
|---------------------------------------|------------------|------------------|------------------|------------------|----------------------------------|--------------|--------------|--------------|
| | 2005-06 | 2006-07 | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| Operating Costs | | | | | | | | |
| Personal Services | 4,717,740 | 4,977,715 | 5,292,226 | 5,346,032 | 5,346 | 5,346 | 5,346 | 5,346 |
| Other Current Expenses | 1,176,194 | 1,393,028 | 1,394,449 | 1,395,049 | 1,422 | 1,451 | 1,480 | 1,510 |
| Lease/Purchase Agreements | 2,132 | 1,421 | 0 | 0 | 0 | 0 | 0 | 0 |
| Equipment | 527,446 | 559,363 | 569,255 | 554,622 | 566 | 577 | 589 | 601 |
| Motor Vehicles | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Operation Costs | 6,423,512 | 6,931,527 | 7,255,930 | 7,295,703 | 7,334 | 7,374 | 7,415 | 7,457 |
| Capital & Investment Costs | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Program Expenditures | 6,423,512 | 6,931,527 | 7,255,930 | 7,295,703 | 7,334 | 7,374 | 7,415 | 7,457 |

REQUIREMENTS BY MEANS OF FINANCING

| | Actual | Estimate | Budget Period | | Estimated Expenditures (\$000's) | | | |
|------------------------|------------------|------------------|------------------|------------------|----------------------------------|--------------|--------------|--------------|
| | 2005-06 | 2006-07 | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| | 76.00 | 79.00 | 81.00 | 81.00 | 81.00 | 81.00 | 81.00 | 81.00 |
| General Funds | 6,405,139 | 6,688,266 | 7,012,669 | 7,052,442 | 7,086 | 7,121 | 7,157 | 7,194 |
| | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Special Funds | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Revolving Funds | 18,373 | 243,261 | 243,261 | 243,261 | 248 | 253 | 258 | 263 |
| G.O. Bond Funds | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 76.00 | 79.00 | 81.00 | 81.00 | 81.00 | 81.00 | 81.00 | 81.00 |
| Total Financing | 6,423,512 | 6,931,527 | 7,255,930 | 7,295,703 | 7,334 | 7,374 | 7,415 | 7,457 |

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
COURTS OF APPEALS

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 01

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

| Measures of Effectiveness | Actual 2005-06 | Estimate 2006-07 | PLANNED LEVELS OF PROGRAM EFFECTIVENESS | | | | | |
|---|-------------------|---------------------|---|---------|---------|----------|---------|---------|
| | | | Budget Period | | | Estimate | | |
| | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| Median Time to Decision, Criminal Appeal (Mo) | 16 | 16 | 16 | 16 | 16 | 16 | 16 | 16 |
| Median Time to Decision, Civil Appeal (Mo) | 16 | 16 | 16 | 16 | 16 | 16 | 16 | 16 |
| Median Time to Decision, Original Proc. (Mo) | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |

PROGRAM SIZE INDICATORS (T=target group indicators; A=activity indicators)

| Code No. | Program Size Indicators | Actual 2005-06 | Estimate 2006-07 | Budget Period | | | Estimate | | |
|----------|---|-------------------|---------------------|---------------|---------|---------|----------|---------|---------|
| | | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| A01 | Criminal Appeals Filed | 240 | 240 | 245 | 250 | 260 | 270 | 280 | 290 |
| A02 | Civil Appeals Filed | 348 | 340 | 345 | 350 | 360 | 370 | 380 | 390 |
| A03 | Original Proceedings Filed | 52 | 60 | 60 | 60 | 60 | 60 | 60 | 60 |
| A04 | Appeals Disposed | 714 | 725 | 725 | 725 | 725 | 725 | 725 | 725 |
| A05 | Motions Filed | 2784 | 2800 | 2800 | 2800 | 2800 | 2800 | 2800 | 2800 |
| A06 | Library-Size of Collection (000's) | 379 | 384 | 389 | 0 | 0 | 0 | 0 | 0 |
| A07 | Library-Circulation and Reference Use (000's) | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 |
| A06 | Library-Patrons Served (000's) | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 |

PROJECTED PROGRAM REVENUES, BY TYPE OF FUND TO WHICH DEPOSITED (in thousands of dollars)

| Fund to Which Deposited | Actual 2005-06 | Estimate 2006-07 | Budget Period | | | Estimate | | |
|-------------------------|-------------------|---------------------|---------------|---------|---------|----------|---------|---------|
| | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| General Fund | 24 | 24 | 24 | 24 | 24 | 24 | 24 | 24 |
| Special Fund | 20 | 21 | 21 | 21 | 21 | 21 | 21 | 21 |
| Other Funds | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Program Revenues | 44 | 45 | 45 | 45 | 45 | 45 | 45 | 45 |

PROJECTED PROGRAM REVENUES, BY TYPE OF REVENUE (in thousands of dollars)

| Type of Revenue | Actual 2005-06 | Estimate 2006-07 | Budget Period | | | Estimate | | |
|---|-------------------|---------------------|---------------|---------|---------|----------|---------|---------|
| | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| Revenues from Use of Money and Property | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Revenues from Other Agencies | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Charges for Current Services | 44 | 45 | 45 | 45 | 45 | 45 | 45 | 45 |
| Fines, Restitutions, Forfeits & Penalties | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Nonrevenue Receipts | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Program Revenues | 44 | 45 | 45 | 45 | 45 | 45 | 45 | 45 |

JUD 101 COURTS OF APPEAL

Supreme Court

The mission of the Supreme Court is to provide timely disposition of cases, including resolution of particular disputes and explication of applicable law; to license and discipline attorneys; and to make rules of procedure for all Hawai'i courts.

Intermediate Court of Appeals

The mission of the Intermediate Court of Appeals is to provide timely disposition of appeals from trial courts and state agencies, including the resolution of the particular dispute and explication of the law for the benefit of the litigants, the bar, and the public.

Law Library

The mission of the State Law Library System is to provide for the centralized and standardized selection and purchase of legal research materials and services that meet the needs of those who utilize its resources.

A. PROGRAM OBJECTIVES

Supreme Court

- To hear and determine appeals and original proceedings that are properly brought before the court, including cases heard upon
 - applications for writs of certiorari
 - applications for transfer from the Intermediate Court of Appeals
 - reserved questions of law from the circuit courts, the land court, and the tax appeal court
 - certified questions of law from federal courts
 - applications for writs to judges and other public officers
 - complaints regarding elections
- To make rules of practice and procedure for all state courts
- To license, regulate, and discipline attorneys
- To discipline judges

Intermediate Court of Appeals

- To promptly hear and determine all appeals from the district, family, and circuit courts and from any agency when appeals are allowed by law

- To entertain, at its discretion, any case submitted without suit when there is a question of law that could be the subject of a civil action or proceeding in the circuit court or tax appeal court, and the parties agree upon the facts upon which the controversy depends.

Law Library

- To collect, organize, and disseminate information and materials relating to legal research and judicial administration in order to enhance the effectiveness of the judicial process.

B. PROGRAM ACTIVITIES

Supreme Court

The Supreme Court is the State of Hawaii's court of last resort, and hears appeals on transfer from the Intermediate Court of Appeals or on *writ of certiorari* to the Intermediate Court of Appeals. It licenses and disciplines attorneys, disciplines judges, and exercises ultimate rule-making power for all courts in the State. The Supreme Court is empowered to issue all writs necessary and proper to carry out its functions.

Intermediate Court of Appeals

The Intermediate Court of Appeals reviews, in the first instance, appeals from trial courts and from some agencies. It is also authorized to entertain cases submitted without suit when there is a question of law that could be the subject of a civil suit in the circuit court or the tax appeal court, and the parties agree upon the facts upon which the controversy depends.

Law Library

The State Law Library System provides legal reference sources and services to the courts, the legal community, and the public. It collects, organizes, and disseminates information and materials relating to legal research and judicial administration through the central collection in Honolulu and satellite collections in the Second, Third, and Fifth Circuit Courts. Chamber libraries also are furnished and maintained for each district, circuit, and appellate court judge statewide.

C. KEY POLICIES

In the Supreme Court, original proceedings such as petitions for writs of mandamus, prohibition, and habeas corpus are given priority on the calendar.

In the Intermediate Court of Appeals and the Supreme Court, direct appeals and applications for writs of certiorari concerning criminal appeals in which defendants are in prison are accorded priority over criminal appeals in which defendants are not incarcerated. Likewise, direct appeals and applications for writs of certiorari concerning parental rights termination cases for which children are awaiting a permanent placement plan are given priority over other civil appeals and applications for writs of certiorari.

D. IMPORTANT PROGRAM RELATIONSHIPS

Appeals from the Land Court, Circuit Courts, Family Courts, and District Courts are filed in the Intermediate Court of Appeals, but may be heard by the Supreme Court on transfer or writ of certiorari, as allowed by law.

E. MAJOR EXTERNAL TRENDS

Factors contributing to the number of filings include:

- population growth
- the number of attorneys admitted to practice
- access to the courts
- rights of criminal defendants
- a tendency of pro se litigants to exercise their right of appeal, and
- complex legislation requiring interpretation.

F. COSTS, EFFECTIVENESS, AND PROGRAM SIZE DATA

The Courts of Appeal have operated within the funding level appropriated.

Appeal filings directly affect the workload of the Courts of Appeal.

The State Law Library System has acquired more legal resources in electronic format, such as the CD-ROM network and web-based subscriptions, including Patron Access Westlaw, Shepard's on lexis.com, Hein OnLine, and RIA Checkpoint. Conversion to electronic subscriptions has expanded the library system's capability to provide access to substantially more resources than it can afford to purchase and house in hard copy.

The Courts of Appeal's goal for Fiscal Biennium 2007-09 is to timely adjudicate the caseload to the degree possible within the available resources.

G. PROGRAM REVENUES

Revenues from filing fees, certification fees, and statutory bar admission fees are deposited into the state general fund.

Section 607-5.7 of the Hawai'i Revised Statutes (HRS) established the Indigent Legal Assistance Special Fund, into which monies from surcharges levied on civil cases are deposited. A \$25 fee is assessed for an initial filing in civil action in the appellate courts, and is deposited into this Fund.

In accordance with Section 601-3.5, HRS, revenues from library fines and other charges for late, lost, or damaged books and for photocopying services are deposited into the Supreme Court Law Library Revolving Fund.

H. SPECIAL ANALYSIS PERFORMED

None.

JUDICIARY
STATE OF HAWAII

PROGRAM TITLE:
FIRST CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 02

POSITION IN PROGRAM STRUCTURE

| Level | No. | Title |
|-----------|-----|---------------------|
| Level I | 01 | The Judicial System |
| Level II | 01 | Court Operations |
| Level III | 02 | First Circuit |

PROGRAM EXPENDITURES

| | EXPENDITURES IN DOLLARS | | | | | | | |
|-----------------------------------|-------------------------|---------------------|----------------------------------|-------------------|---|---------------|---------------|---------------|
| | Actual 2005-06 | Estimate 2006-07 | Budget Period 2007-08 2008-09 | | Estimated Expenditures (\$000's) 2009-10 2010-11 2011-12 2012-13 | | | |
| Operating Costs | | | | | | | | |
| Personal Services | 48,413,429 | 52,688,232 | 52,662,514 | 52,956,763 | 52,957 | 52,957 | 52,957 | 52,957 |
| Other Current Expenses | 17,244,237 | 18,602,143 | 20,460,308 | 20,151,658 | 20,555 | 20,966 | 21,386 | 21,813 |
| Lease/Purchase Agreements | 20,919 | 18,140 | 22,503 | 22,503 | 23 | 23 | 23 | 23 |
| Equipment | 801,885 | 414,735 | 1,404,340 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicles | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Operation Costs | 66,480,470 | 71,723,250 | 74,549,665 | 73,130,924 | 73,535 | 73,946 | 74,366 | 74,793 |
| Capital & Investment Costs | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Program Expenditures | 66,480,470 | 71,723,250 | 74,549,665 | 73,130,924 | 73,535 | 73,946 | 74,366 | 74,793 |

REQUIREMENTS BY MEANS OF FINANCING

| | Actual | Estimate | Budget Period | | Estimated Expenditures (\$000's) | | | |
|------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|----------------------------------|----------------------------|----------------------------|----------------------------|
| | 2005-06 | 2006-07 | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| General Funds | 1,054.50 63,647,957 | 1,058.50 68,207,924 | 1,077.50 71,034,339 | 1,077.50 69,615,598 | 1,077.50 69,989 | 1,077.50 70,369 | 1,077.50 70,757 | 1,077.50 71,152 |
| Special Funds | 35.00 2,832,513 | 35.00 3,515,326 | 40.00 3,515,326 | 40.00 3,515,326 | 40.00 3,546 | 40.00 3,577 | 40.00 3,609 | 40.00 3,641 |
| Revolving Funds | 0.00 0 | 0.00 0 | 0.00 0 | 0.00 0 | 0.00 0 | 0.00 0 | 0.00 0 | 0.00 0 |
| G.O. Bond Funds | 0 0 | 0 0 | 0 0 | 0 0 | 0 0 | 0 0 | 0 0 | 0 0 |
| Total Financing | 1,089.50 66,480,470 | 1,093.50 71,723,250 | 1,117.50 74,549,665 | 1,117.50 73,130,924 | 1,117.50 73,535 | 1,117.50 73,946 | 1,117.50 74,366 | 1,117.50 74,793 |

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
FIRST CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 02

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

| Measures of Effectiveness | Actual 2005-06 | Estimate 2006-07 | PLANNED LEVELS OF PROGRAM EFFECTIVENESS | | | | | |
|---|-------------------|---------------------|---|---------|---------|----------|---------|---------|
| | | | Budget Period | | | Estimate | | |
| | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| Med. Time to Dispo., Circt. Ct. Crim. Act. (Days) | 212 | 210 | 210 | 210 | 210 | 210 | 210 | 210 |
| Med. Time to Dispo., Circt. Ct. Civil Act. (Days) | 399 | 395 | 395 | 395 | 395 | 395 | 395 | 395 |

PROGRAM SIZE INDICATORS (T=target group indicators; A=activity indicators)

| Code No. | Program Size Indicators | Actual 2005-06 | Estimate 2006-07 | Budget Period | | | Estimate | | |
|----------|---------------------------------------|-------------------|---------------------|---------------|---------|---------|----------|---------|---------|
| | | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| T01 | Civil Actions, Circuit Court | 5798 | 5519 | 5500 | 5500 | 5500 | 5500 | 5500 | |
| T02 | Marital Actions | 6665 | 7078 | 7000 | 7000 | 7000 | 7000 | 7000 | |
| T03 | Adoption Proceedings | 870 | 843 | 850 | 850 | 850 | 850 | 850 | |
| T04 | Parental Proceedings | 2320 | 2608 | 2600 | 2600 | 2600 | 2600 | 2600 | |
| T05 | Children's Referrals | 8409 | 8405 | 8400 | 8400 | 8400 | 8400 | 8400 | |
| A01 | Civil Actions Filed, Circuit Court | 2226 | 2230 | 2250 | 2250 | 2250 | 2250 | 2250 | |
| A02 | Criminal Actions Filed, Circuit Court | 2965 | 2905 | 2935 | 2935 | 2935 | 2935 | 2935 | |
| A03 | Marital Actions Filed | 4167 | 4150 | 4190 | 4190 | 4190 | 4190 | 4190 | |
| A04 | Adoption Proceedings Filed | 547 | 480 | 485 | 485 | 485 | 485 | 485 | |
| A05 | Parental Proceedings Filed | 1348 | 1375 | 1390 | 1390 | 1390 | 1390 | 1390 | |
| A06 | Children's Referrals Filed | 6379 | 6321 | 6400 | 6400 | 6400 | 6400 | 6400 | |
| A07 | Traffic Offenses Filed ('000) | 367 | 367 | 370 | 370 | 370 | 370 | 370 | |

PROJECTED PROGRAM REVENUES, BY TYPE OF FUND TO WHICH DEPOSITED (in thousands of dollars)

| Fund to Which Deposited | Actual 2005-06 | Estimate 2006-07 | Budget Period | | | Estimate | | |
|-------------------------|-------------------|---------------------|---------------|---------|---------|----------|---------|---------|
| | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| General Fund | 19611 | 19743 | 20085 | 20483 | 20836 | 21247 | 21668 | 22096 |
| Special Fund | 7195 | 6630 | 6735 | 6643 | 6752 | 6764 | 6878 | 6995 |
| Other Funds | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Program Revenues | 26806 | 26373 | 26820 | 27126 | 27588 | 28011 | 28546 | 29091 |

PROJECTED PROGRAM REVENUES, BY TYPE OF REVENUE (in thousands of dollars)

| Type of Revenue | Actual 2005-06 | Estimate 2006-07 | Budget Period | | | Estimate | | |
|---|-------------------|---------------------|---------------|---------|---------|----------|---------|---------|
| | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| Revenues from Use of Money and Property | 262 | 252 | 253 | 256 | 258 | 260 | 262 | 264 |
| Revenues from Other Agencies | 1417 | 814 | 814 | 615 | 615 | 515 | 516 | 516 |
| Charges for Current Services | 12699 | 12629 | 12828 | 13071 | 13267 | 13520 | 13777 | 14040 |
| Fines, Restitutions, Forfeits & Penalties | 12428 | 12678 | 12925 | 13184 | 13448 | 13716 | 13991 | 14271 |
| Nonrevenue Receipts | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Program Revenues | 26806 | 26373 | 26820 | 27126 | 27588 | 28011 | 28546 | 29091 |

JUD 310 FIRST CIRCUIT

The mission of the First Circuit is to expeditiously and fairly adjudicate or resolve all matters within its jurisdiction in accordance with law.

A. PROGRAM OBJECTIVES

- To assure a proper consideration of all competing interests and countervailing considerations intertwined in questions of law arising under the Constitution of the State and the United States in order to safeguard individual rights and liberties and to protect the legitimate interest of the State and thereby ensure to the people of this State the highest standard of justice attainable under our system of government.
- To develop and maintain a sound management system which incorporates the most modern administrative practices and techniques to assure the uniform delivery of services of the highest possible quality, while providing for and promoting the effective, economical, and efficient utilization of public resources.
- To administer a system for the selection of qualified individuals to serve as jurors so as to ensure fair and impartial trials and thereby effectuate the constitutional guarantee of trial by jury.
- To provide for the fair and prompt resolution of all civil and criminal proceedings and all civil and criminal traffic cases so as to ensure public safety and promote the general welfare of the people of the State, but with due consideration for safeguarding the constitutional rights of the accused.
- To conduct presentence and other predispositional investigations in a fair and prompt manner for the purpose of assisting the courts in rendering appropriate sentences and other dispositions with due consideration for all relevant facts and circumstances.
- To maintain accurate and complete court records as required by law and to permit immediate access to such records, where appropriate, by employing a records management system which minimizes storage and meets retention requirements.
- To supervise convicted and deferred law violators who are placed on probation or given deferments of guilty pleas by the courts to assist them toward socially acceptable behavior, thereby promoting public safety.

- To safeguard the rights and interests of persons by assuring an effective, equitable, and expeditious resolution of civil and criminal cases properly brought to the courts, and by providing a proper legal remedy for legally recognized wrongs.
- To assist and protect children and families whose rights and well-being are jeopardized by securing such rights through action by the court, thereby promoting the community's legitimate interest in the unity and welfare of the family and the child.
- To administer, to the fullest extent permitted by law, the orders and decrees pronounced by the Family Division so as to maintain the integrity of the judicial process.
- To supervise law violators who are placed on probation by the Family Division to assist them toward socially acceptable behavior, thereby promoting public safety.
- To protect minors whose environment or behavior is injurious to themselves or others and to restore them to society as law-abiding citizens.
- To complement the strictly adjudicatory function of the Family Division by providing services such as counseling, guidance, mediation, education, and other necessary and proper services for children and adults.
- To coordinate and administer a comprehensive traffic safety education program as a preventive and rehabilitative endeavor directed to both adult and juvenile traffic offenders in order to reduce the number of deaths and injuries resulting from traffic mishaps.
- To develop a statewide drug court treatment and supervision model for non-violent adults and juveniles, adapted to meet the needs and resources of the individual jurisdictions the drug courts serve.
- To deliver services and attempt to resolve disputes in a balanced manner that provides attention to all participants in the justice system, including parties to a dispute, attorneys, witnesses, jurors, and other community members, embodying the principles of restorative justice.

Land Court/Tax Appeal Court

- To provide for an effective, equitable, and expeditious system for the adjudication and registration of title to land and easements and rights to land within the State.

- To assure an effective, efficient, and expeditious adjudication of all appeals between the tax assessor and the taxpayer with respect to all matters of taxation committed to its jurisdiction.
- To provide a guaranteed and absolute register of land titles which simplifies for landowners the method for conveying registered land.

B. PROGRAM ACTIVITIES

The Circuit Courts are trial courts of general jurisdiction. Circuit Courts have jurisdiction in most felony cases, and concurrent jurisdiction with the Family Courts for certain felonies related to domestic abuse, such as violations of temporary restraining orders involving family and household members. Circuit Courts have exclusive jurisdiction in probate, trust, and conservatorship (formerly "guardian of the property") proceedings, and concurrent jurisdiction with the Family Courts over adult guardianship (formerly "guardian of the person") proceedings. Circuit Courts have exclusive jurisdiction in civil cases involving amounts greater than \$20,000, and concurrent jurisdiction with District Courts in civil cases involving amounts between \$10,000 and \$20,000. Jury trials are conducted exclusively by Circuit Court judges. A party to a civil case triable by jury may demand a jury trial where the amount in controversy exceeds \$5,000. Circuit Courts have exclusive jurisdiction in mechanics lien cases and foreclosure cases, and jurisdiction as provided by law in appeals from other agencies (such as unemployment compensation appeals). Appeals from decisions of the Circuit Courts are made directly to the Intermediate Court of Appeals, subject to transfer to or review by the Supreme Court.

As courts of record, the Circuit Courts are responsible for the filing, docketing, and maintenance of court records. During the course of a case, numerous documents may be filed. Thus, document filing is an ongoing activity. In addition to the Legal Documents Branch, the Court Reporters' Office, Jury Pool Office, and Cashier's Office provide services critical to effective court operations.

The Chief Clerks of the Circuit Courts, with the assistance of Small Estates and Guardianship Program staff, serve as personal representatives in small estates cases and as conservators in small conservatorship cases.

Circuit Court judges refer criminal offenders to the Adult Client Services (probation) staff for presentence diagnostic evaluations. Offenders sentenced to probation are supervised by probation officers on the Court's staff.

The Land Court and Tax Appeal Court are specialized statewide courts of record based in Honolulu. The Land Court hears and determines questions arising from applications for registration of title to fee simple land within the State, registers title to property, and determines disputes concerning land court property. The Tax Appeal Court determines tax appeals and

exercises jurisdiction in disputes between the tax assessor and taxpayer. Land Court and Tax Appeal Court matters are assigned to the appropriate judge or judges of the First Circuit Court. The Office of the Land and Tax Appeal Court maintains custody and control over papers and documents filed with the Land Court and Tax Appeal Court.

Circuit Court programs include alternatives to traditional dispute resolution methods. The Circuit Court Drug Court Programs aim to divert nonviolent defendants from the traditional criminal justice path and incarceration, placing them in treatment programs under judicial supervision, rewarding good behavior, and imposing immediate sanctions for relapse into drug use. The Circuit Court's Court Annexed Arbitration Program is designed to reduce the cost and delay of protracted civil litigation, requiring tort actions with a probable jury award value under \$150,000 to be submitted to the program and be subject to determination of arbitrability and to arbitration under program rules.

The Family Courts, divisions of the Circuit Courts, are specialized courts of record designed to deal with family conflict and juvenile offenders. The Family Court complements its strictly adjudicatory functions by providing a number of counseling, guidance, detention, mediation, education, and supervisory programs for children and adults.

The Family Courts retain jurisdiction over children who, while under the age of 18, violate any law or ordinance, are neglected or abandoned, are beyond the control of their parents or other custodians, live in an environment injurious to their welfare, or behave in a manner injurious to their own or others' welfare. Activities are geared toward facilitating the determination of the court for appropriate and timely dispositions; preparing cases for detention, and for adjudicatory and dispositional hearings; conducting social study investigations; and supervising and treating juveniles under legal status with the court. Family Court activities also include Foster Home placement and providing volunteer guardians ad-litem.

The Family Court's jurisdiction also encompasses adults involved in offenses against other family members; dissolution of marriages; disputed child custody and visitation issues; resolution of paternity issues; adoptions; and adults who are incapacitated and/or are in need of protection. The Family Courts provide services which include temporary restraining orders for protection; treatment of parties involved in domestic violence; supervision and monitoring of defendants in domestic abuse cases; and education programs for separating parents and children.

The District Courts, in civil matters, exercise jurisdiction where the amount in controversy does not exceed \$20,000. If the amount in controversy exceeds \$5,000, the parties may demand a jury trial, in which case the matter is committed to the Circuit Courts. The District Courts also have exclusive jurisdiction in all landlord-tenant cases and all small claims actions (suits in which the amount in controversy does not exceed \$3,500).

The civil divisions of the District Courts also handle temporary restraining orders and injunctions against harassment for non-household members.

In traffic matters, the District Courts exercise jurisdiction over civil infractions and criminal traffic violations of the Hawaii Revised Statutes, county ordinances, and the rules and regulations of state and county regulatory agencies. Certain traffic matters, known as "decriminalized" traffic offenses, are handled on a civil standard within the traffic division. Those traffic matters which are not "decriminalized" are handled on a criminal standard.

In criminal matters, the jurisdiction of the District Courts is limited to misdemeanors, traffic offenses, and cases filed for violations of county ordinances and the rules of the State's regulatory agencies. In felony cases where an arrest has been made, the District Courts are required to hold a preliminary hearing, unless such hearing is waived by the accused. All trials are conducted by judges. However, in criminal misdemeanor cases, the defendant may demand a jury trial, in which case the matter is committed to the Circuit Court for trial.

In the District Court of the First Circuit, the Community Service Sentencing Program provides placement and monitoring services for offenders sentenced to perform community work by the District, Circuit, Family, and Federal Courts.

The Driver Education and Training Program provides counseling, instructional services, and public information in the area of traffic safety for the counties of Oahu, Maui, Hawai`i, and Kauai. It is a preventive and rehabilitative endeavor directed at both adult and juvenile traffic offenders.

C. KEY POLICIES

The overall policy is to evaluate each case on an individual basis to ensure that an individual's constitutional rights are not violated. This includes directing continued emphasis on processing of criminal cases to assure that defendants are afforded the right to speedy trials.

Policies guiding the Circuit Courts are designed to ensure the efficient and effective operation of the court system and to adjudicate cases in a timely, fair, and impartial manner.

Policies guiding the Family Courts are designed to maintain and improve the expeditious, efficient, and equitable processing of all matters brought before the court.

Policies guiding the District Courts are designed to coordinate and evenly apply practices, procedures, and statutory interpretations.

D. IMPORTANT PROGRAM RELATIONSHIPS

Circuit Court decisions, when appealed, are referred to the Intermediate Court of Appeals. Services rendered to the Family Courts include handling of support payments, and filings and processing of case documents in divorce actions, adoption, guardianship, and paternity cases.

The Family Courts utilize a number of community agencies which offer programs for positive behavioral change, emotional growth, and victim support. The Family Courts also coordinate related services provided by state agencies such as the Departments of Human Services, Education, and Health, and are in turn affected by changes in their procedures. The majority of children and domestic violence referrals originate with the police; consequently, there is a relationship between the number of police officers, the police policy regarding arrest or discharge of suspected offenders, and the number of Family Court referrals received.

The District Courts have operations which necessitate the Courts' interacting with various non-Judiciary departments. The Courts necessarily work with and are affected by the Department of Public Safety (both in the Sheriff's Division and Corrections), the various county police departments, the Offices of the Prosecuting Attorneys and Public Defenders, the Department of Motor Vehicles and Licensing, and others.

Internally, the District Courts have administrative and/or adjudicative relationships with the Division of Driver Education, Community Service Sentencing Program, Traffic Violations Bureau, Administrative Driver's License Revocation Office, and others.

On an inter-court basis, the District Court has concurrent jurisdiction with the Family Court for juvenile traffic matters, holds felony preliminary hearings, processes referrals for criminal/civil jury demand cases, and also works on various processes on a daily basis with the Circuit Courts. Further, the Chief Justice may assign District Court judges on a temporary basis to the Circuit and Family Courts when the need arises.

E. MAJOR EXTERNAL TRENDS

Accessibility to the courts and timely processing of cases within the courts are affected by the interaction of a complex set of variables. Among these are demographic factors, economic conditions, size of the local bar, alternative dispute resolution trends, crime rates, law enforcement, and legislation. Specific factors include violent crime and drug-related case filings along with new federal laws, initiatives, and grant funds focusing on these issues.

The increase in public awareness and attention to domestic violence has prompted the police, public defender, and prosecutor's office to follow procedures which would bring all persons charged to court promptly. This continues to affect the number of cases being handled by the Family Courts.

Family violence and child abuse and neglect issues are being addressed by both community agencies and the Legislature. Police departments, the Office of the Public Defender, and the Attorney General's Office cooperate in the prosecution of family violence offenders. This also affects the number of cases handled by the Courts.

Increases in the number of police officers or changes in their assignment or emphasis affect the workload of various divisions.

Legislative changes (creating new criminal, traffic, or civil causes of action; expanding the jurisdiction of the courts; or changing the penalty for existing offenses) can affect the courts' workload.

F. COST, EFFECTIVENESS, AND PROGRAM SIZE DATA

Due to the diligent efforts of the Circuit Courts, disposition rates have remained near 100 percent. The Circuit Courts also continue to pursue alternatives that promote efficiency utilizing existing resources, including system-wide initiatives relating to Achieving Court Excellence.

The services provided by the Family Courts are affected by the level of appropriations provided by the Legislature. The Family Court's goal for the upcoming biennium is to continue to provide necessary services in an effective and expedient manner while incorporating system-wide initiatives.

The District Court's ability to maintain and improve current services is also affected by the level of appropriations provided by the Legislature. The District Court's initiatives are directly related to its ever present desire to improve operations and public service.

G. PROGRAM REVENUES

Circuit Court revenues include fines; bail forfeitures; interest earned on deposits; filing fees; surcharges for indigent legal services and for administrative costs associated with civil filings (computer system special fund); and fees to administer small estates, provide probation services, search records, retrieve records from storage, and prepare copies and certified copies of court documents. Except for collections deposited into the Probation Service Special Fund, the Computer System Special Fund, and the Indigent Legal Assistance Special Fund, all revenues are deposited in the state general fund.

Family Court revenues include fines, fees for copies of documents, surcharges, and filing fees. All revenues are deposited into the state general fund, with the exception of amounts collected for deposit to the Parent Education Special Fund established by Act 274/97. (It is noted that funds

for deposit to the Spouse and Child Abuse Special Account established by Act 232/94 are collected and deposited by the State Department of Health.)

District Court revenues include fines, fees, forfeitures, and penalties. The revenues are deposited in the state general fund, with the exception of amounts collected for deposit into the Driver Education and Training Special Fund, the Judiciary Computer System Special Fund, and the Indigent Legal Assistance Special Fund.

There is a \$7.00 assessment on every moving traffic violation, of which \$5.00 is deposited into the Driver Education and Training Fund and \$2.00 is deposited in the Judiciary Computer System Special Fund (see paragraph below). A \$50 penalty on persons required to attend child passenger restraint system safety classes and a \$100 penalty on every Driving Under the Influence conviction are also deposited into the Driver Education and Training Fund.

Act 203, SLH 1996, as amended by Act 299, SLH 1999, established the Computer System Special Fund and authorizes the collection of \$2.00 from each traffic abstract issued effective July 1, 1996. Act 216, SLH 2003, authorizes the collection of \$20.00 for each civil filing in the district courts (with some exceptions) and \$50.00 for each civil filing in the circuit courts (with some exceptions) effective July 1, 2003. Act 231, SLH 2004, authorizes the collection of \$10.00 for administrative costs associated with the processing of traffic citations that involve stopping (where prohibited), standing, or parking; \$40.00 for administrative costs associated with the processing of traffic citations which do not include stopping, standing, or parking; and \$30.00 for administrative costs associated with the processing of traffic citations issued for violations of a statute or ordinance relating to vehicles or their drivers, or owners not covered by the earlier two provisions with one-half of each collection being deposited into the Computer System Special Fund effective January 1, 2005.

Act 305, SLH 1996, and Act 121, SLH 1998, established the Indigent Legal Assistance Special Fund, into which monies from surcharges levied on civil cases are deposited. A \$10.00 fee is assessed for an initial filing for summary possession in the district court and a \$25.00 fee is assessed for an initial filing in Circuit Court.

H. SPECIAL ANALYSIS PERFORMED

None.

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
SECOND CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 03

POSITION IN PROGRAM STRUCTURE

| Level | No. | Title |
|-----------|-----|---------------------|
| Level I | 01 | The Judicial System |
| Level II | 01 | Court Operations |
| Level III | 03 | Second Circuit |

PROGRAM EXPENDITURES

EXPENDITURES IN DOLLARS

| | Actual 2005-06 | Estimate 2006-07 | Budget Period | | Estimated Expenditures (\$000's) | | | |
|---------------------------------------|-------------------|---------------------|-------------------|-------------------|----------------------------------|---------------|---------------|---------------|
| | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| Operating Costs | | | | | | | | |
| Personal Services | 8,483,678 | 9,500,061 | 9,812,653 | 9,900,486 | 9,906 | 9,906 | 9,906 | 9,906 |
| Other Current Expenses | 4,723,414 | 4,438,800 | 4,688,080 | 4,689,810 | 4,784 | 4,879 | 4,975 | 5,074 |
| Lease/Purchase Agreements | 0 | 90,000 | 90,000 | 90,000 | 92 | 94 | 96 | 98 |
| Equipment | 249,252 | 13,850 | 71,287 | 4,559 | 0 | 0 | 0 | 0 |
| Motor Vehicles | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Operation Costs | 13,456,344 | 14,042,711 | 14,662,020 | 14,684,855 | 14,782 | 14,879 | 14,977 | 15,078 |
| Capital & Investment Costs | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Program Expenditures | 13,456,344 | 14,042,711 | 14,662,020 | 14,684,855 | 14,782 | 14,879 | 14,977 | 15,078 |

REQUIREMENTS BY MEANS OF FINANCING

| | Actual 2005-06 | Estimate 2006-07 | Budget Period | | Estimated Expenditures (\$000's) | | | |
|------------------------------|-------------------|---------------------|-------------------|-------------------|----------------------------------|---------------|---------------|---------------|
| | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| General Funds | 205.00 | 208.00 | 215.00 | 216.00 | 216.00 | 216.00 | 216.00 | 216.00 |
| Total General Funds | 13,456,344 | 14,042,711 | 14,662,020 | 14,684,855 | 14,782 | 14,879 | 14,977 | 15,078 |
| Special Funds | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total Special Funds | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Revolving Funds | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total Revolving Funds | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| G.O. Bond Funds | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total G.O. Bond Funds | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Financing | 13,456,344 | 14,042,711 | 14,662,020 | 14,684,855 | 14,782 | 14,879 | 14,977 | 15,078 |

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
SECOND CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 03

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

| Measures of Effectiveness | Actual 2005-06 | Estimate 2006-07 | PLANNED LEVELS OF PROGRAM EFFECTIVENESS | | | | | |
|--|-------------------|---------------------|---|---------|---------|----------|---------|---------|
| | | | Budget Period | | | Estimate | | |
| | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| Med. Time to Dispo., Cirt. Ct. Crim. Act. (Days) | 225 | 225 | 225 | 225 | 225 | 225 | 225 | 225 |
| Med. Time to Dispo., Cirt. Ct. Civil Act. (Days) | 375 | 350 | 350 | 350 | 350 | 350 | 350 | 350 |

PROGRAM SIZE INDICATORS (T=target group indicators; A=activity indicators)

| Code No. | Program Size Indicators | Actual 2005-06 | Estimate 2006-07 | Budget Period | | | Estimate | | |
|----------|---------------------------------------|-------------------|---------------------|---------------|---------|---------|----------|---------|---------|
| | | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| T01 | Civil Actions, Circuit Court | 1505 | 1427 | 1400 | 1400 | 1400 | 1400 | 1400 | 1400 |
| T02 | Marital Actions | 973 | 1030 | 1000 | 1000 | 1000 | 1000 | 1000 | 1000 |
| T03 | Adoption Proceedings | 88 | 84 | 85 | 85 | 85 | 85 | 85 | 85 |
| T04 | Parental Proceedings | 388 | 394 | 375 | 375 | 375 | 375 | 375 | 375 |
| T05 | Childrens' Referrals | 2619 | 2773 | 2700 | 2700 | 2700 | 2700 | 2700 | 2700 |
| A01 | Civil Actions Filed, Circuit Court | 496 | 477 | 482 | 482 | 482 | 482 | 482 | 482 |
| A02 | Criminal Actions Filed, Circuit Court | 615 | 671 | 678 | 678 | 678 | 678 | 678 | 678 |
| A03 | Marital Actions Filed | 671 | 670 | 677 | 677 | 677 | 677 | 677 | 677 |
| A04 | Adoption Proceedings Filed | 67 | 65 | 66 | 66 | 66 | 66 | 66 | 66 |
| A05 | Parental Proceedings Filed | 260 | 260 | 262 | 262 | 262 | 262 | 262 | 262 |
| A06 | Children's Referrals Filed | 1566 | 1708 | 1725 | 1725 | 1725 | 1725 | 1725 | 1725 |
| A07 | Traffic Offenses Filed ('000) | 51 | 51 | 51 | 51 | 51 | 51 | 51 | 51 |
| A08 | Traffic Abstracts Issued ('000) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

PROJECTED PROGRAM REVENUES, BY TYPE OF FUND TO WHICH DEPOSITED (in thousands of dollars)

| Fund to Which Deposited | Actual 2005-06 | Estimate 2006-07 | Budget Period | | | Estimate | | |
|-------------------------------|-------------------|---------------------|---------------|-------------|-------------|-------------|-------------|-------------|
| | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| General Fund | 3998 | 4012 | 4017 | 4017 | 4017 | 4017 | 4017 | 4017 |
| Special Fund | 810 | 810 | 834 | 834 | 834 | 834 | 834 | 834 |
| Other Funds | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Program Revenues | 4808 | 4822 | 4851 | 4851 | 4851 | 4851 | 4851 | 4851 |

PROJECTED PROGRAM REVENUES, BY TYPE OF REVENUE (in thousands of dollars)

| Type of Revenue | Actual 2005-06 | Estimate 2006-07 | Budget Period | | | Estimate | | |
|---|-------------------|---------------------|---------------|-------------|-------------|-------------|-------------|-------------|
| | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| Revenues from Use of Money and Property | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Revenues from Other Agencies | 12 | 5 | 5 | 5 | 5 | 5 | 5 | 5 |
| Charges for Current Services | 1756 | 1803 | 1831 | 1831 | 1831 | 1831 | 1831 | 1831 |
| Fines, Restitutions, Forfeits & Penalties | 3040 | 3014 | 3015 | 3015 | 3015 | 3015 | 3015 | 3015 |
| Nonrevenue Receipts | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Program Revenues | 4808 | 4822 | 4851 | 4851 | 4851 | 4851 | 4851 | 4851 |

JUD 320 SECOND CIRCUIT

The mission of the Second Circuit is to expeditiously and fairly adjudicate or resolve all matters within its jurisdiction in accordance with law.

A. PROGRAM OBJECTIVES

- To assure a proper consideration of all competing interests and countervailing considerations intertwined in questions of law arising under the Constitution of the State and the United States in order to safeguard individual rights and liberties and to protect the legitimate interest of the State and thereby ensure to the people of this State the highest standard of justice attainable under our system of government.
- To develop and maintain a sound management system which incorporates the most modern administrative practices and techniques to assure the uniform delivery of services of the highest possible quality, while providing for and promoting the effective, economical, and efficient utilization of public resources.
- To administer a system for the selection of qualified individuals to serve as jurors so as to ensure fair and impartial trials and thereby effectuate the constitutional guarantee of trial by jury.
- To provide for the fair and prompt resolution of all civil and criminal proceedings and all civil and criminal traffic cases so as to ensure public safety and promote the general welfare of the people of the State, but with due consideration for safeguarding the constitutional rights of the accused.
- To conduct presentence and other predispositional investigations in a fair and prompt manner for the purpose of assisting the courts in rendering appropriate sentences and other dispositions with due consideration for all relevant facts and circumstances.
- To maintain accurate and complete court records as required by law and to permit immediate access to such records, where appropriate, by employing a records management system which minimizes storage and meets retention requirements.
- To supervise convicted and deferred law violators who are placed on probation or given deferments of guilty pleas by the courts to assist them toward socially acceptable behavior, thereby promoting public safety.

- To safeguard the rights and interests of persons by assuring an effective, equitable, and expeditious resolution of civil and criminal cases properly brought to the courts, and by providing a proper legal remedy for legally recognized wrongs.
- To assist and protect children and families whose rights and well-being are jeopardized by securing such rights through action by the court, thereby promoting the community's legitimate interest in the unity and welfare of the family and the child.
- To administer, to the fullest extent permitted by law, the orders and decrees pronounced by the Family Division so as to maintain the integrity of the judicial process.
- To supervise law violators who are placed on probation by the Family Division to assist them toward socially acceptable behavior, thereby promoting public safety.
- To protect minors whose environment or behavior is injurious to themselves or others and to restore them to society as law-abiding citizens.
- To complement the strictly adjudicatory function of the Family Division by providing services such as counseling, guidance, mediation, education, and other necessary and proper services for children and adults.
- To coordinate and administer a comprehensive traffic safety education program as a preventive and rehabilitative endeavor directed to both adult and juvenile traffic offenders in order to reduce the number of deaths and injuries resulting from traffic mishaps.
- To deliver services and attempt to resolve disputes in a balanced manner that provides attention to all participants in the justice system, including parties to a dispute, attorneys, witnesses, jurors, and other community members, embodying the principles of restorative justice.

B. PROGRAM ACTIVITIES

The Circuit Courts are trial courts of general jurisdiction. They have exclusive jurisdiction in all felony cases, probate and guardianship proceedings, and in civil cases involving amounts greater than \$20,000. In civil cases involving amounts between \$10,000 and \$20,000, Circuit Courts have concurrent jurisdiction with District Courts. The parties to civil cases where the amount in controversy exceeds \$5,000, may demand a jury trial. Appeals are made directly to the Intermediate Court of Appeals, subject to transfer to or review by the Supreme Court.

As a court of record, the Circuit Court is responsible for the filing, docketing, and maintenance of court records. During the course of a case, numerous documents may be filed, thus document filing is an ongoing activity.

The court administrators, with the assistance of support staff, administer probate hearings of small estates and guardianship cases.

Criminal offenders are referred to the Adult Client Services staff for presentence diagnostic evaluations. Offenders placed under court jurisdiction are supervised by probation officers.

The Family Courts, divisions of the Circuit Courts, are specialized courts of record designed to deal with family conflict and juvenile offenders. The Family Court complements its strictly adjudicatory functions by providing a number of counseling, guidance, detention, mediation, education, and supervisory programs for children and adults.

The Family Courts retain jurisdiction over children who, while under the age of 18, violate any law or ordinance, are neglected or abandoned, are beyond the control of their parents or other custodians, live in an environment injurious to their welfare, or behave in a manner injurious to their own or others' welfare. Activities are geared toward facilitating the determination of the court for appropriate and timely dispositions; preparing cases for detention, and for adjudicatory and dispositional hearings; conducting social study investigations; and supervising and treating juveniles under legal status with the court. Family Court activities also include Foster Home placement and providing volunteer guardians ad-litem.

The Family Court's jurisdiction also encompasses adults involved in offenses against other family members; dissolution of marriages; disputed child custody and visitation issues; resolution of paternity issues; adoptions; and adults who are incapacitated and/or are in need of protection. The Family Courts provide services which include temporary restraining orders for protection; treatment of parties involved in domestic violence; supervision and monitoring of defendants in domestic abuse cases; and education programs for separating parents and children.

The District Courts, in civil matters, exercise jurisdiction where the amount in controversy does not exceed \$20,000. If the amount in controversy exceeds \$5,000, the parties may demand a jury trial, in which case the matter is committed to the Circuit Courts. The District Courts also have exclusive jurisdiction in all landlord-tenant cases and all small claims actions (suits in which the amount in controversy does not exceed \$3,500).

The civil divisions of the District Courts also handle temporary restraining orders and injunctions against harassment for non-household members.

In traffic matters, the District Courts exercise jurisdiction over civil infractions and criminal traffic violations of the Hawaii Revised Statutes, county ordinances, and the rules and regulations of state and county regulatory agencies. Certain traffic matters, known as "decriminalized" traffic

offenses, are handled on a civil standard within the traffic division. Those traffic matters which are not "decriminalized" are handled on a criminal standard.

In criminal matters, the jurisdiction of the District Courts is limited to misdemeanors, traffic offenses, and cases filed for violations of county ordinances and the rules of the State's regulatory agencies. In felony cases where an arrest has been made, the District Courts are required to hold a preliminary hearing, unless such hearing is waived by the accused. All trials are conducted by judges. However, in criminal misdemeanor cases, the defendant may demand a jury trial, in which case the matter is committed to the Circuit Court for trial.

C. KEY POLICIES

The overall policy is to evaluate each case on an individual basis to ensure that an individual's constitutional rights are not violated. This includes directing continued emphasis on processing of criminal cases to assure that defendants are afforded the right to speedy trials.

Policies guiding the Circuit Courts are designed to ensure the efficient and effective operation of the court system and to adjudicate cases in a timely, fair, and impartial manner.

Policies guiding the Family Courts are designed to maintain and improve the expeditious, efficient, and equitable processing of all matters brought before the court.

Policies guiding the District Courts are designed to coordinate and evenly apply practices, procedures, and statutory interpretations.

D. IMPORTANT PROGRAM RELATIONSHIPS

Circuit Court decisions, when appealed, are referred to the Intermediate Court of Appeals. Services rendered to the Family Courts include handling of support payments, and filings and processing of case documents in divorce actions, adoption, guardianship, and paternity cases.

The Family Courts utilize a number of community agencies which offer programs for positive behavioral change, emotional growth, and victim support. The Family Courts also coordinate related services provided by state agencies such as the Departments of Human Services, Education, and Health, and are in turn affected by changes in their procedures. The majority of children and domestic violence referrals originate with the police; consequently, there is a relationship between the number of police officers, the police policy regarding arrest or discharge of suspected offenders, and the number of Family Court referrals received.

The District Courts have operations which necessitate the Courts' interacting with various non-Judiciary departments. The Courts necessarily work with and are affected by the Department of

Public Safety (both in the Sheriff's Division and Corrections), the various county police departments, the Offices of the Prosecuting Attorneys and Public Defenders, the Department of Motor Vehicles and Licensing, and others.

Internally, the District Courts have administrative and/or adjudicative relationships with the Division of Driver Education, Community Service Sentencing Program, Traffic Violations Bureau, Administrative Driver's License Revocation Office, and others.

On an inter-court basis, the District Court has concurrent jurisdiction with the Family Court for juvenile traffic matters, holds felony preliminary hearings, processes referrals for criminal/civil jury demand cases, and also works on various processes on a daily basis with the Circuit Courts. Further, the Chief Justice may assign District Court judges on a temporary basis to the Circuit and Family Courts when the need arises.

E. MAJOR EXTERNAL TRENDS

Accessibility to the courts and timely processing of cases within the courts are affected by the interaction of a complex set of variables. Among these are demographic factors, economic conditions, size of the local bar, alternative dispute resolution trends, crime rates, law enforcement, and legislation. Specific factors include violent crime and drug-related case filings along with new federal laws, initiatives, and grant funds focusing on these issues.

The increase in public awareness and attention to domestic violence has prompted the police, public defender, and prosecutor's office to follow procedures which would bring all persons charged to court promptly. This continues to affect the number of cases being handled by the Family Courts.

Family violence and child abuse and neglect issues are being addressed by both community agencies and the Legislature. Police departments, the Office of the Public Defender, and the Attorney General's Office cooperate in the prosecution of family violence offenders. This also affects the number of cases handled by the Courts.

Increases in the number of police officers or changes in their assignment or emphasis affect the workload of various divisions.

Legislative changes (creating new criminal, traffic, or civil causes of action; expanding the jurisdiction of the courts; or changing the penalty for existing offenses) can affect the courts' workload.

F. COST, EFFECTIVENESS, AND PROGRAM SIZE DATA

Due to the diligent efforts of the Circuit Courts, backlogs in pending cases have been reduced over the last several years and disposition rates have remained near 100 percent. The Circuit Courts also continue to pursue alternatives that promote efficiency utilizing existing resources, including incorporating the system-wide initiatives relating to the Judiciary's efforts toward Achieving Court Excellence.

The services provided by the Family Courts are affected by the level of appropriations provided by the Legislature. The Family Court's goal for the upcoming biennium is to continue to provide necessary services in an effective and expedient manner while incorporating system-wide initiatives.

The District Court's ability to maintain and improve current services is also affected by the level of appropriations provided by the Legislature. The District Court's biennium budget request is directly related to its ever present desire to improve operations and public service.

G. PROGRAM REVENUES

Circuit Court revenues collected include, among other things, fines, bail forfeitures, interest earned on deposits, court costs and filing fees, and fees collected on the administration of small estates. Effective July 1, 2000, the Circuit Courts began collecting probation services fees from defendants for the Probation Services Special Fund as established by Act 205/2000. Except for collections deposited into the Probation Service Special Fund, the Computer System Special Fund, and the Indigent Legal Assistance Special Fund, all revenues are deposited in the state general fund.

Family Court revenues include fines, fees for copies of documents, surcharges, and filing fees. All revenues are deposited into the state general fund, with the exception of amounts collected for deposit to the Parent Education Special Fund established by Act 274/97. (It is noted that funds for deposit to the Spouse and Child Abuse Special Account established by Act 232/94, are collected and deposited by the State Department of Health.)

District Court revenues include fines, fees, forfeitures, and penalties. The revenues are deposited in the state general fund, with the exception of amounts collected for deposit into the Driver Education and Training Special Fund, the Judiciary Computer System Special Fund, and the Indigent Legal Assistance Special Fund.

A \$7.00 assessment on every moving traffic violation, a \$1.00 assessment against each insured motor vehicle, a \$50 penalty on persons required to attend child passenger restraint system safety classes, and a \$100 penalty on every Driving Under the Influence conviction are deposited into the Driver Education and Training Fund.

Act 203, SLH 1996, as amended by Act 299, SLH 1999, established the Computer System Special Fund and authorizes the collection of \$2.00 from each traffic abstract issued effective July 1, 1996. Act 216, SLH 2003, authorizes the collection of \$20.00 for each civil filing in the district courts (with some exceptions) and \$50.00 for each civil filing in the circuit courts (with some exceptions) effective July 1, 2003. Act 231, SLH 2004, authorizes the collection of \$10.00 for administrative costs associated with the processing of traffic citations that involve stopping (where prohibited), standing, or parking; \$40.00 for administrative costs associated with the processing of traffic citations which do not include stopping, standing, or parking; and \$30.00 for administrative costs associated with the processing of traffic citations issued for violations of a statute or ordinance relating to vehicles or their drivers, or owners not covered by the earlier two provisions, with one-half of each collection being deposited into the Computer System Special Fund effective January 1, 2005.

Act 305, SLH 1996, and Act 121, SLH 1998, established the Indigent Legal Assistance Special Fund, into which monies from surcharges levied on civil cases are deposited. A \$10.00 fee is assessed for an initial filing for summary possession in the district court and a \$25.00 fee is assessed for an initial filing in Circuit Court.

H. SPECIAL ANALYSIS PERFORMED

None.

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
THIRD CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 04

POSITION IN PROGRAM STRUCTURE

| Level | No. | Title |
|-----------|-----|---------------------|
| Level I | 01 | The Judicial System |
| Level II | 01 | Court Operations |
| Level III | 04 | Third Circuit |

PROGRAM EXPENDITURES

| | EXPENDITURES IN DOLLARS | | | | | | | |
|---------------------------------------|-------------------------|-------------------|-------------------|-------------------|----------------------------------|---------------|---------------|---------------|
| | Actual | Estimate | Budget Period | | Estimated Expenditures (\$000's) | | | |
| | 2005-06 | 2006-07 | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| Operating Costs | | | | | | | | |
| Personal Services | 9,774,160 | 10,325,046 | 10,641,063 | 10,832,842 | 10,833 | 10,833 | 10,833 | 10,833 |
| Other Current Expenses | 5,444,925 | 5,651,639 | 6,640,606 | 6,939,406 | 7,080 | 7,223 | 7,368 | 7,516 |
| Lease/Purchase Agreements | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Equipment | 173,069 | 5,277 | 715,380 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicles | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Operation Costs | 15,392,154 | 15,981,962 | 17,997,049 | 17,772,248 | 17,913 | 18,056 | 18,201 | 18,349 |
| Capital & Investment Costs | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Program Expenditures | 15,392,154 | 15,981,962 | 17,997,049 | 17,772,248 | 17,913 | 18,056 | 18,201 | 18,349 |

REQUIREMENTS BY MEANS OF FINANCING

| | Actual | Estimate | Budget Period | | Estimated Expenditures (\$000's) | | | |
|------------------------|---------------|---------------|---------------|---------------|----------------------------------|---------------|---------------|---------------|
| | 2005-06 | 2006-07 | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| | | | | | | | | |
| General Funds | 206.00 | 209.00 | 222.00 | 222.00 | 222.00 | 222.00 | 222.00 | 222.00 |
| | 15,392,154 | 15,981,962 | 17,997,049 | 17,772,248 | 17,913 | 18,056 | 18,201 | 18,349 |
| Special Funds | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Revolving Funds | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| G.O. Bond Funds | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Financing | 206.00 | 209.00 | 222.00 | 222.00 | 222.00 | 222.00 | 222.00 | 222.00 |
| | 15,392,154 | 15,981,962 | 17,997,049 | 17,772,248 | 17,913 | 18,056 | 18,201 | 18,349 |

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
THIRD CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 04

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

| Measures of Effectiveness | Actual 2005-06 | Estimate 2006-07 | PLANNED LEVELS OF PROGRAM EFFECTIVENESS | | | | | |
|---|-------------------|---------------------|---|---------|---------|----------|---------|---------|
| | | | Budget Period | | | Estimate | | |
| | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| Med. Time to Dispo., Circt. Ct. Crim. Act. (Days) | 328 | 330 | 330 | 330 | 330 | 330 | 330 | 330 |
| Med. Time to Dispo., Circt. Ct. Civil Act. (Days) | 330 | 350 | 350 | 350 | 350 | 350 | 350 | 350 |

PROGRAM SIZE INDICATORS (T=target group indicators; A=activity indicators)

| Code No. | Program Size Indicators | Actual 2005-06 | Estimate 2006-07 | Budget Period | | | Estimate | | |
|----------|---------------------------------------|-------------------|---------------------|---------------|---------|---------|----------|---------|---------|
| | | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| T01 | Civil Actions, Circuit Court | 1856 | 1925 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 |
| T02 | Marital Actions | 1453 | 1383 | 1350 | 1350 | 1350 | 1350 | 1350 | 1350 |
| T03 | Adoption Proceedings | 116 | 157 | 150 | 150 | 150 | 150 | 150 | 150 |
| T04 | Parental Proceedings | 722 | 767 | 750 | 750 | 750 | 750 | 750 | 750 |
| T05 | Childrens' Referrals | 5191 | 5342 | 5300 | 5300 | 5300 | 5300 | 5300 | 5300 |
| A01 | Civil Actions Filed, Circuit Court | 560 | 611 | 617 | 617 | 617 | 617 | 617 | 617 |
| A02 | Criminal Actions Filed, Circuit Court | 935 | 886 | 895 | 895 | 895 | 895 | 895 | 895 |
| A03 | Marital Actions Filed | 673 | 620 | 626 | 626 | 626 | 626 | 626 | 626 |
| A04 | Adoption Proceedings Filed | 58 | 85 | 86 | 86 | 86 | 86 | 86 | 86 |
| A05 | Parental Proceedings Filed | 357 | 300 | 301 | 301 | 301 | 301 | 301 | 301 |
| A06 | Children's Referrals Filed | 3593 | 3610 | 3650 | 3650 | 3650 | 3650 | 3650 | 3650 |
| A07 | Traffic Offenses Filed ('000) | 60 | 60 | 60 | 60 | 60 | 60 | 60 | 60 |
| A08 | Traffic Abstracts Issued ('000) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

PROJECTED PROGRAM REVENUES, BY TYPE OF FUND TO WHICH DEPOSITED (in thousands of dollars)

| Fund to Which Deposited | Actual 2005-06 | Estimate 2006-07 | Budget Period | | | Estimate | | |
|-------------------------|-------------------|---------------------|---------------|---------|---------|----------|---------|---------|
| | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| General Fund | 3594 | 3670 | 3751 | 3822 | 3900 | 3900 | 3900 | 3900 |
| Special Fund | 802 | 818 | 834 | 850 | 868 | 868 | 868 | 868 |
| Other Funds | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Program Revenues | 4396 | 4488 | 4585 | 4672 | 4768 | 4768 | 4768 | 4768 |

PROJECTED PROGRAM REVENUES, BY TYPE OF REVENUE (in thousands of dollars)

| Type of Revenue | Actual 2005-06 | Estimate 2006-07 | Budget Period | | | Estimate | | |
|---|-------------------|---------------------|---------------|---------|---------|----------|---------|---------|
| | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| Revenues from Use of Money and Property | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Revenues from Other Agencies | 2 | 4 | 5 | 5 | 5 | 5 | 5 | 5 |
| Charges for Current Services | 1794 | 1831 | 1867 | 1905 | 1942 | 1942 | 1942 | 1942 |
| Fines, Restitutions, Forfeits & Penalties | 2599 | 2652 | 2712 | 2761 | 2820 | 2820 | 2820 | 2820 |
| Nonrevenue Receipts | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Program Revenues | 4396 | 4488 | 4585 | 4672 | 4768 | 4768 | 4768 | 4768 |

JUD 330 THIRD CIRCUIT

The mission of the Third Circuit is to expeditiously and fairly adjudicate or resolve all matters within its jurisdiction in accordance with law.

A. PROGRAM OBJECTIVES

- To assure a proper consideration of all competing interests and countervailing considerations intertwined in questions of law arising under the Constitution of the State and the United States in order to safeguard individual rights and liberties and to protect the legitimate interest of the State and thereby ensure to the people of this State the highest standard of justice attainable under our system of government.
- To develop and maintain a sound management system which incorporates the most modern administrative practices and techniques to assure the uniform delivery of services of the highest possible quality, while providing for and promoting the effective, economical, and efficient utilization of public resources.
- To administer a system for the selection of qualified individuals to serve as jurors so as to ensure fair and impartial trials and thereby effectuate the constitutional guarantee of trial by jury.
- To provide for the fair and prompt resolution of all civil and criminal proceedings and all civil and criminal traffic cases so as to ensure public safety and promote the general welfare of the people of the State, but with due consideration for safeguarding the constitutional rights of the accused.
- To conduct presentence and other predispositional investigations in a fair and prompt manner for the purpose of assisting the courts in rendering appropriate sentences and other dispositions with due consideration for all relevant facts and circumstances.
- To maintain accurate and complete court records as required by law and to permit immediate access to such records, where appropriate, by employing a records management system which minimizes storage and meets retention requirements.
- To supervise convicted and deferred law violators who are placed on probation or given deferments of guilty pleas by the courts to assist them toward socially acceptable behavior, thereby promoting public safety.

- To safeguard the rights and interests of persons by assuring an effective, equitable, and expeditious resolution of civil and criminal cases properly brought to the courts, and by providing a proper legal remedy for legally recognized wrongs.
- To assist and protect children and families whose rights and well-being are jeopardized by securing such rights through action by the court, thereby promoting the community's legitimate interest in the unity and welfare of the family and the child.
- To administer, to the fullest extent permitted by law, the orders and decrees pronounced by the Family Division so as to maintain the integrity of the judicial process.
- To supervise law violators who are placed on probation by the Family Division to assist them toward socially acceptable behavior, thereby promoting public safety.
- To protect minors whose environment or behavior is injurious to themselves or others and to restore them to society as law-abiding citizens.
- To complement the strictly adjudicatory function of the Family Division by providing services such as counseling, guidance, mediation, education, and other necessary and proper services for children and adults.
- To coordinate and administer a comprehensive traffic safety education program as a preventive and rehabilitative endeavor directed to both adult and juvenile traffic offenders in order to reduce the number of deaths and injuries resulting from traffic mishaps.
- To develop a statewide drug court treatment and supervision model for non-violent adults and juveniles, adapted to meet the needs and resources of the individual jurisdictions the drug courts serve.
- To deliver services and attempt to resolve disputes in a balanced manner that provides attention to all participants in the justice system, including parties to a dispute, attorneys, witnesses, jurors, and other community members, embodying the principles of restorative justice.

B. PROGRAM ACTIVITIES

The Circuit Courts are trial courts of general jurisdiction. They have exclusive jurisdiction in all felony cases, probate and guardianship proceedings, and in civil cases involving amounts greater than \$20,000. In civil cases involving amounts between \$10,000 and \$20,000, Circuit Courts

have concurrent jurisdiction with District Courts. The parties to civil cases where the amount in controversy exceeds \$5,000, may demand a jury trial. Appeals are made directly to the Intermediate Court of Appeals, subject to transfer to or review by the Supreme Court.

As a court of record, the Circuit Court is responsible for the filing, docketing, and maintenance of court records. During the course of a case, numerous documents may be filed, thus document filing is an ongoing activity.

The court administrators, with the assistance of support staff, administer probate hearings of small estates and guardianship cases.

Criminal offenders are referred to the Adult Client Services staff for presentence diagnostic evaluations. Offenders placed under court jurisdiction are supervised by probation officers.

The Family Courts, divisions of the Circuit Courts, are specialized courts of record designed to deal with family conflict and juvenile offenders. The Family Court complements its strictly adjudicatory functions by providing a number of counseling, guidance, detention, mediation, education, and supervisory programs for children and adults.

The Family Courts retain jurisdiction over children who, while under the age of 18, violate any law or ordinance, are neglected or abandoned, are beyond the control of their parents or other custodians, live in an environment injurious to their welfare, or behave in a manner injurious to their own or others' welfare. Activities are geared toward facilitating the determination of the court for appropriate and timely dispositions; preparing cases for detention, and for adjudicatory and dispositional hearings; conducting social study investigations; and supervising and treating juveniles under legal status with the court. Family Court activities also include Foster Home placement and providing volunteer guardians ad-litem.

The Family Court's jurisdiction also encompasses adults involved in offenses against other family members; dissolution of marriages; disputed child custody and visitation issues; resolution of paternity issues; adoptions; and adults who are incapacitated and/or are in need of protection. The Family Courts provide services which include temporary restraining orders for protection; treatment of parties involved in domestic violence; supervision and monitoring of defendants in domestic abuse cases; and education programs for separating parents and children.

The District Courts, in civil matters, exercise jurisdiction where the amount in controversy does not exceed \$20,000. If the amount in controversy exceeds \$5,000, the parties may demand a jury trial, in which case the matter is committed to the Circuit Courts. The District Courts also have exclusive jurisdiction in all landlord-tenant cases and all small claims actions (suits in which the amount in controversy does not exceed \$3,500).

The civil divisions of the District Courts also handle temporary restraining orders and injunctions against harassment for non-household members.

In traffic matters, the District Courts exercise jurisdiction over civil infractions and criminal traffic violations of the Hawaii Revised Statutes, county ordinances, and the rules and regulations of state and county regulatory agencies. Certain traffic matters, known as "decriminalized" traffic offenses, are handled on a civil standard within the traffic division. Those traffic matters which are not "decriminalized" are handled on a criminal standard.

In criminal matters, the jurisdiction of the District Courts is limited to misdemeanors, traffic offenses, and cases filed for violations of county ordinances and the rules of the State's regulatory agencies. In felony cases where an arrest has been made, the District Courts are required to hold a preliminary hearing, unless such hearing is waived by the accused. All trials are conducted by judges. However, in criminal misdemeanor cases, the defendant may demand a jury trial, in which case the matter is committed to the Circuit Court for trial.

C. KEY POLICIES

The overall policy is to evaluate each case on an individual basis to ensure that an individual's constitutional rights are not violated. This includes directing continued emphasis on processing of criminal cases to assure that defendants are afforded the right to speedy trials.

Policies guiding the Circuit Courts are designed to ensure the efficient and effective operation of the court system and to adjudicate cases in a timely, fair, and impartial manner.

Policies guiding the Family Courts are designed to maintain and improve the expeditious, efficient, and equitable processing of all matters brought before the court.

Policies guiding the District Courts are designed to coordinate and evenly apply practices, procedures, and statutory interpretations.

D. IMPORTANT PROGRAM RELATIONSHIPS

Circuit Court decisions, when appealed, are referred to the Intermediate Court of Appeals. Services rendered to the Family Courts include handling of support payments, and filings and processing of case documents in divorce actions, adoption, guardianship, and paternity cases.

The Family Courts utilize a number of community agencies which offer programs for positive behavioral change, emotional growth, and victim support. The Family Courts also coordinate related services provided by state agencies such as the Departments of Human Services, Education, and Health, and are in turn affected by changes in their procedures. The majority of children and domestic violence referrals originate with the police; consequently, there is a relationship between the number of police officers, the police policy regarding arrest or discharge of suspected offenders, and the number of Family Court referrals received.

The District Courts have operations which necessitate the Courts' interacting with various non-Judiciary departments. The Courts necessarily work with and are affected by the Department of Public Safety (both in the Sheriff's Division and Corrections), the various county police departments, the Offices of the Prosecuting Attorneys and Public Defenders, the Department of Motor Vehicles and Licensing, and others.

Internally, the District Courts have administrative and/or adjudicative relationships with the Division of Driver Education, Community Service Sentencing Program, Traffic Violations Bureau, Administrative Driver's License Revocation Office, and others.

On an inter-court basis, the District Court has concurrent jurisdiction with the Family Court for juvenile traffic matters, holds felony preliminary hearings, processes referrals for criminal/civil jury demand cases, and also works on various processes on a daily basis with the Circuit Courts. Further, the Chief Justice may assign District Court judges on a temporary basis to the Circuit and Family Courts when the need arises.

E. MAJOR EXTERNAL TRENDS

Accessibility to the courts and timely processing of cases within the courts are affected by the interaction of a complex set of variables. Among these are demographic factors, economic conditions, size of the local bar, alternative dispute resolution trends, crime rates, law enforcement, and legislation. Specific factors include violent crime and drug-related case filings along with new federal laws, initiatives, and grant funds focusing on these issues.

The increase in public awareness and attention to domestic violence has prompted the police, public defender, and prosecutor's office to follow procedures which would bring all persons charged to court promptly. This continues to affect the number of cases being handled by the Family Courts.

Family violence and child abuse and neglect issues are being addressed by both community agencies and the Legislature. Police departments, the Office of the Public Defender, and the Attorney General's Office cooperate in the prosecution of family violence offenders. This also affects the number of cases handled by the Courts.

Increases in the number of police officers or changes in their assignment or emphasis affect the workload of various divisions.

Legislative changes (creating new criminal, traffic, or civil causes of action; expanding the jurisdiction of the courts; or changing the penalty for existing offenses) can affect the courts' workload.

F. COST, EFFECTIVENESS, AND PROGRAM SIZE DATA

Due to the diligent efforts of the Circuit Courts, backlogs in pending cases have been reduced over the last several years and disposition rates have remained near 100 percent. The Circuit Courts also continue to pursue alternatives that promote efficiency utilizing existing resources, including incorporating the system-wide initiatives relating to the Judiciary's efforts toward Achieving Court Excellence.

The services provided by the Family Courts are affected by the level of appropriations provided by the Legislature. The Family Court's goal for the upcoming biennium is to continue to provide necessary services in an effective and expedient manner while incorporating system-wide initiatives.

The District Court's ability to maintain and improve current services is also affected by the level of appropriations provided by the Legislature. The District Court's biennium budget request is directly related to its ever present desire to improve operations and public service.

G. PROGRAM REVENUES

Circuit Court revenues collected include, among other things, fines, bail forfeitures, interest earned on deposits, court costs and filing fees, and fees collected on the administration of small estates. Effective July 1, 2000, the Circuit Courts began collecting probation services fees from defendants for the Probation Services Special Fund as established by Act 205/2000. Except for collections deposited into the Probation Service Special Fund, the Computer System Special Fund, and the Indigent Legal Assistance Special Fund, all revenues are deposited in the state general fund.

Family Court revenues include fines, fees for copies of documents, surcharges, and filing fees. All revenues are deposited into the state general fund, with the exception of amounts collected for deposit to the Parent Education Special Fund established by Act 274/97. (It is noted that funds for deposit to the Spouse and Child Abuse Special Account established by Act 232/94, are collected and deposited by the State Department of Health.)

District Court revenues include fines, fees, forfeitures, and penalties. The revenues are deposited in the state general fund, with the exception of amounts collected for deposit into the Driver Education and Training Special Fund, the Judiciary Computer System Special Fund, and the Indigent Legal Assistance Special Fund.

A \$7.00 assessment on every moving traffic violation, a \$1.00 assessment against each insured motor vehicle, a \$50 penalty on persons required to attend child passenger restraint system safety classes, and a \$100 penalty on every Driving Under the Influence conviction are deposited into the Driver Education and Training Fund.

Act 203, SLH 1996, as amended by Act 299, SLH 1999, established the Computer System Special Fund and authorizes the collection of \$2.00 from each traffic abstract issued effective July 1, 1996. Act 216, SLH 2003, authorizes the collection of \$20.00 for each civil filing in the district courts (with some exceptions) and \$50.00 for each civil filing in the circuit courts (with some exceptions) effective July 1, 2003. Act 231, SLH 2004, authorizes the collection of \$10.00 for administrative costs associated with the processing of traffic citations that involve stopping (where prohibited), standing, or parking; \$40.00 for administrative costs associated with the processing of traffic citations which do not include stopping, standing, or parking; and \$30.00 for administrative costs associated with the processing of traffic citations issued for violations of a statute or ordinance relating to vehicles or their drivers, or owners not covered by the earlier two provisions, with one-half of each collection being deposited into the Computer System Special Fund effective January 1, 2005.

Act 305, SLH 1996, and Act 121, SLH 1998, established the Indigent Legal Assistance Special Fund, into which monies from surcharges levied on civil cases are deposited. A \$10.00 fee is assessed for an initial filing for summary possession in the district court and a \$25.00 fee is assessed for an initial filing in Circuit Court.

H. SPECIAL ANALYSIS PERFORMED

None.

JUDICIARY
STATE OF HAWAII

PROGRAM TITLE:
FIFTH CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 05

POSITION IN PROGRAM STRUCTURE

| Level | No. | Title |
|-----------|-----|---------------------|
| Level I | 01 | The Judicial System |
| Level II | 01 | Court Operations |
| Level III | 05 | Fifth Circuit |

PROGRAM EXPENDITURES

EXPENDITURES IN DOLLARS

| | Actual | Estimate | Budget Period | | Estimated Expenditures (\$000's) | | | |
|---------------------------------------|------------------|------------------|------------------|------------------|----------------------------------|--------------|--------------|--------------|
| | 2005-06 | 2006-07 | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| Operating Costs | | | | | | | | |
| Personal Services | 4,022,086 | 4,698,848 | 4,600,200 | 4,620,299 | 4,621 | 4,621 | 4,621 | 4,621 |
| Other Current Expenses | 1,504,595 | 2,069,510 | 2,278,191 | 2,278,191 | 2,325 | 2,372 | 2,419 | 2,468 |
| Lease/Purchase Agreements | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Equipment | 128,998 | 11,100 | 0 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicles | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Operation Costs | 5,655,679 | 6,779,458 | 6,878,391 | 6,898,490 | 6,946 | 6,993 | 7,040 | 7,089 |
| Capital & Investment Costs | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Program Expenditures | 5,655,679 | 6,779,458 | 6,878,391 | 6,898,490 | 6,946 | 6,993 | 7,040 | 7,089 |

REQUIREMENTS BY MEANS OF FINANCING

| | Actual | Estimate | Budget Period | | Estimated Expenditures (\$000's) | | | |
|------------------------|--------------|--------------|---------------|--------------|----------------------------------|--------------|--------------|--------------|
| | 2005-06 | 2006-07 | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| General Funds | 94.00 | 98.00 | 98.00 | 98.00 | 98.00 | 98.00 | 98.00 | 98.00 |
| Special Funds | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Revolving Funds | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| G.O. Bond Funds | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Financing | 94.00 | 98.00 | 98.00 | 98.00 | 98.00 | 98.00 | 98.00 | 98.00 |

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
FIFTH CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 05

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

| Measures of Effectiveness | Actual 2005-06 | Estimate 2006-07 | PLANNED LEVELS OF PROGRAM EFFECTIVENESS | | | | | |
|--|-------------------|---------------------|---|---------|----------|---------|---------|---------|
| | | | Budget Period | | Estimate | | | |
| | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| Med. Time to Dispo., Circ. Ct. Crim. Act. (Days) | 294 | 330 | 330 | 330 | 330 | 330 | 330 | 330 |
| Med. Time to Dispo., Circ. Ct. Civil Act. (Days) | 307 | 375 | 375 | 375 | 375 | 375 | 375 | 375 |

PROGRAM SIZE INDICATORS (T=target group indicators; A=activity indicators)

| Code No. | Program Size Indicators | Actual 2005-06 | Estimate 2006-07 | Budget Period | | Estimate | | | |
|----------|---------------------------------------|-------------------|---------------------|---------------|---------|----------|---------|---------|---------|
| | | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| T01 | Civil Actions, Circuit Court | 570 | 622 | 615 | 615 | 615 | 615 | 615 | 615 |
| T02 | Marital Actions | 533 | 544 | 540 | 540 | 540 | 540 | 540 | 540 |
| T03 | Adoption Proceedings | 59 | 67 | 65 | 65 | 65 | 65 | 65 | 65 |
| T04 | Parental Proceedings | 360 | 367 | 365 | 365 | 365 | 365 | 365 | 365 |
| T05 | Children's Referrals | 2513 | 3046 | 3000 | 3000 | 3000 | 3000 | 3000 | 3000 |
| A01 | Civil Actions Filed, Circuit Court | 166 | 191 | 193 | 193 | 193 | 193 | 193 | 193 |
| A02 | Criminal Actions Filed, Circuit Court | 300 | 300 | 303 | 303 | 303 | 303 | 303 | 303 |
| A03 | Marital Actions Filed | 209 | 200 | 202 | 202 | 202 | 202 | 202 | 202 |
| A04 | Adoption Proceedings Filed | 31 | 28 | 29 | 29 | 29 | 29 | 29 | 29 |
| A05 | Parental Proceedings Filed | 86 | 80 | 81 | 81 | 81 | 81 | 81 | 81 |
| A06 | Children's Referrals Filed | 1747 | 1587 | 1600 | 1600 | 1600 | 1600 | 1600 | 1600 |
| A07 | Traffic Offenses Filed ('000) | 14 | 14 | 14 | 14 | 14 | 14 | 14 | 14 |

PROJECTED PROGRAM REVENUES, BY TYPE OF FUND TO WHICH DEPOSITED (in thousands of dollars)

| Fund to Which Deposited | Actual 2005-06 | Estimate 2006-07 | Budget Period | | Estimate | | | |
|-------------------------|-------------------|---------------------|---------------|---------|----------|---------|---------|---------|
| | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| General Fund | 1173 | 1206 | 1242 | 1279 | 1317 | 1356 | 1396 | 1437 |
| Special Fund | 221 | 226 | 233 | 240 | 247 | 255 | 262 | 270 |
| Other Funds | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Program Revenues | 1394 | 1432 | 1475 | 1519 | 1564 | 1611 | 1658 | 1707 |

PROJECTED PROGRAM REVENUES, BY TYPE OF REVENUE (in thousands of dollars)

| Type of Revenue | Actual 2005-06 | Estimate 2006-07 | Budget Period | | Estimate | | | |
|---|-------------------|---------------------|---------------|---------|----------|---------|---------|---------|
| | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| Revenues from Use of Money and Property | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Revenues from Other Agencies | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Charges for Current Services | 512 | 518 | 533 | 549 | 566 | 583 | 600 | 617 |
| Fines, Restitutions, Forfeits & Penalties | 882 | 914 | 942 | 970 | 998 | 1028 | 1058 | 1090 |
| Nonrevenue Receipts | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Program Revenues | 1394 | 1432 | 1475 | 1519 | 1564 | 1611 | 1658 | 1707 |

JUD 350 FIFTH CIRCUIT

The mission of the Fifth Circuit is to expeditiously and fairly adjudicate or resolve all matters within its jurisdiction in accordance with law.

A. PROGRAM OBJECTIVES

- To assure a proper consideration of all competing interests and countervailing considerations intertwined in questions of law arising under the Constitution of the State and the United States in order to safeguard individual rights and liberties and to protect the legitimate interest of the State and thereby ensure to the people of this State the highest standard of justice attainable under our system of government.
- To develop and maintain a sound management system which incorporates the most modern administrative practices and techniques to assure the uniform delivery of services of the highest possible quality, while providing for and promoting the effective, economical, and efficient utilization of public resources.
- To administer a system for the selection of qualified individuals to serve as jurors so as to ensure fair and impartial trials and thereby effectuate the constitutional guarantee of trial by jury.
- To provide for the fair and prompt resolution of all civil and criminal proceedings and all civil and criminal traffic cases so as to ensure public safety and promote the general welfare of the people of the State, but with due consideration for safeguarding the constitutional rights of the accused.
- To conduct presentence and other predispositional investigations in a fair and prompt manner for the purpose of assisting the courts in rendering appropriate sentences and other dispositions with due consideration for all relevant facts and circumstances.
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- To assist and protect children and families whose rights and well-being are jeopardized by securing such rights through action by the court, thereby promoting the community's legitimate interest in the unity and welfare of the family and the child.
- To administer, to the fullest extent permitted by law, the orders and decrees pronounced by the Family Division so as to maintain the integrity of the judicial process.
- To supervise law violators who are placed on probation by the Family Division to assist them toward socially acceptable behavior, thereby promoting public safety.
- To protect minors whose environment or behavior is injurious to themselves or others and to restore them to society as law-abiding citizens.
- To complement the strictly adjudicatory function of the Family Division by providing services such as counseling, guidance, mediation, education, and other necessary and proper services for children and adults.
- To coordinate and administer a comprehensive traffic safety education program as a preventive and rehabilitative endeavor directed to both adult and juvenile traffic offenders in order to reduce the number of deaths and injuries resulting from traffic mishaps.
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have concurrent jurisdiction with District Courts. The parties to civil cases where the amount in controversy exceeds \$5,000, may demand a jury trial. Appeals are made directly to the Intermediate Court of Appeals, subject to transfer to or review by the Supreme Court.

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District Court revenues include fines, fees, forfeitures, and penalties. The revenues are deposited in the state general fund, with the exception of amounts collected for deposit into the Driver Education and Training Special Fund, the Judiciary Computer System Special Fund, and the Indigent Legal Assistance Special Fund.

A \$7.00 assessment on every moving traffic violation, a \$1.00 assessment against each insured motor vehicle, a \$50 penalty on persons required to attend child passenger restraint system safety classes, and a \$100 penalty on every Driving Under the Influence conviction are deposited into the Driver Education and Training Fund.

Act 203, SLH 1996, as amended by Act 299, SLH 1999, established the Computer System Special Fund and authorizes the collection of \$2.00 from each traffic abstract issued effective July 1, 1996. Act 216, SLH 2003, authorizes the collection of \$20.00 for each civil filing in the district courts (with some exceptions) and \$50.00 for each civil filing in the circuit courts (with some exceptions) effective July 1, 2003. Act 231, SLH 2004, authorizes the collection of \$10.00 for administrative costs associated with the processing of traffic citations that involve stopping (where prohibited), standing, or parking; \$40.00 for administrative costs associated with the processing of traffic citations which do not include stopping, standing, or parking; and \$30.00 for administrative costs associated with the processing of traffic citations issued for violations of a statute or ordinance relating to vehicles or their drivers, or owners not covered by the earlier two provisions, with one-half of each collection being deposited into the Computer System Special Fund effective January 1, 2005.

Act 305, SLH 1996, and Act 121, SLH 1998, established the Indigent Legal Assistance Special Fund, into which monies from surcharges levied on civil cases are deposited. A \$10.00 fee is assessed for an initial filing for summary possession in the district court and a \$25.00 fee is assessed for an initial filing in Circuit Court.

H. SPECIAL ANALYSIS PERFORMED

None.

JUDICIARY
STATE OF HAWAII

PROGRAM TITLE:
ADMINISTRATION

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 02 01

POSITION IN PROGRAM STRUCTURE

| Level | No. | Title |
|-----------|-----|---------------------|
| Level I | 01 | The Judicial System |
| Level II | 02 | Support Services |
| Level III | 01 | Administration |

PROGRAM EXPENDITURES

EXPENDITURES IN DOLLARS

| | Actual | Estimate | Budget Period | | Estimated Expenditures (\$000's) | | | |
|---------------------------------------|--------------------|-------------------|-------------------|-------------------|----------------------------------|---------------|---------------|---------------|
| | 2005-06 | 2006-07 | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| Operating Costs | | | | | | | | |
| Personal Services | 11,943,800 | 12,097,778 | 12,600,709 | 12,608,395 | 12,605 | 12,605 | 12,605 | 12,605 |
| Other Current Expenses | 11,780,911 | 11,901,280 | 11,356,539 | 11,487,916 | 11,719 | 11,953 | 12,192 | 12,435 |
| Lease/Purchase Agreements | 221,400 | 213,412 | 209,100 | 197,198 | 194 | 192 | 192 | 192 |
| Equipment | 762,461 | 1,807,182 | 2,242,779 | 1,779,781 | 1,815 | 1,851 | 1,888 | 1,925 |
| Motor Vehicles | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Operation Costs | 24,708,572 | 26,019,652 | 26,409,127 | 26,073,290 | 26,333 | 26,601 | 26,877 | 27,157 |
| Capital & Investment Costs | 95,500,000 | 14,000,000 | 18,020,000 | 4,000,000 | 18,500 | 15,000 | 19,700 | 70,000 |
| Total Program Expenditures | 120,208,572 | 40,019,652 | 44,429,127 | 30,073,290 | 44,833 | 41,601 | 46,577 | 97,157 |

REQUIREMENTS BY MEANS OF FINANCING

| | Actual | Estimate | Budget Period | | Estimated Expenditures (\$000's) | | | |
|------------------------|--------------------|-------------------|-------------------|-------------------|----------------------------------|---------------|---------------|---------------|
| | 2005-06 | 2006-07 | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| | 214.00 | 220.00 | 226.00 | 226.00 | 226.00 | 226.00 | 226.00 | 226.00 |
| General Funds | 20,150,957 | 20,365,415 | 20,754,890 | 20,419,053 | 20,666 | 20,921 | 21,184 | 21,450 |
| | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 |
| Special Funds | 4,557,615 | 5,554,237 | 5,554,237 | 5,554,237 | 5,565 | 5,576 | 5,587 | 5,599 |
| | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Revolving Funds | 0 | 100,000 | 100,000 | 100,000 | 102 | 104 | 106 | 108 |
| G.O. Bond Funds | 95,500,000 | 14,000,000 | 18,020,000 | 4,000,000 | 18,500 | 15,000 | 19,700 | 70,000 |
| | 215.00 | 221.00 | 227.00 | 227.00 | 227.00 | 227.00 | 227.00 | 227.00 |
| Total Financing | 120,208,572 | 40,019,652 | 44,429,127 | 30,073,290 | 44,833 | 41,601 | 46,577 | 97,157 |

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
ADMINISTRATION

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 02 01

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

| Measures of Effectiveness | Actual 2005-06 | Estimate 2006-07 | PLANNED LEVELS OF PROGRAM EFFECTIVENESS | | | | | |
|-------------------------------------|-------------------|---------------------|---|---------|---------|----------|---------|---------|
| | | | Budget Period | | | Estimate | | |
| | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| Avg Time to Process Form 5 (Days) | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 |
| Avg Time to Process Vouchers (Days) | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 |

PROGRAM SIZE INDICATORS (T=target group indicators; A=activity indicators)

| Code No. | Program Size Indicators | Actual 2005-06 | Estimate 2006-07 | Budget Period | | | | | |
|-------------|-------------------------------------|-------------------|---------------------|---------------|---------|---------|----------|---------|---------|
| | | | | Budget Period | | | Estimate | | |
| | | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| A01 | Number of Vouchers Issued | 38773 | 39548 | 40339 | 41146 | 41969 | 42808 | 43664 | 44537 |
| A02 | Number of Recruitment Announcements | 979 | 960 | 989 | 1019 | 1050 | 1082 | 1114 | 1147 |
| A03 | Form 5's Processed | 5489 | 5599 | 5711 | 5825 | 5941 | 6060 | 6181 | 6305 |

PROJECTED PROGRAM REVENUES, BY TYPE OF FUND TO WHICH DEPOSITED (in thousands of dollars)

| Fund to Which Deposited | Actual 2005-06 | Estimate 2006-07 | Budget Period | | | | | |
|-------------------------|-------------------|---------------------|---------------|---------|---------|----------|---------|---------|
| | | | Budget Period | | | Estimate | | |
| | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| General Fund | 35 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Special Fund | 103 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| Other Funds | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Program Revenues | 138 | 101 | 101 | 101 | 101 | 101 | 101 | 101 |

PROJECTED PROGRAM REVENUES, BY TYPE OF REVENUE (in thousands of dollars)

| Type of Revenue | Actual 2005-06 | Estimate 2006-07 | Budget Period | | | | | |
|---|-------------------|---------------------|---------------|---------|---------|----------|---------|---------|
| | | | Budget Period | | | Estimate | | |
| | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| Revenues from use of Money and Property | 103 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| Revenues from Other Agencies | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Charges for Current Services | 35 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Fines, Restitutions, Forfeits & Penalties | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Nonrevenue Receipts | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Program Revenues | 138 | 101 | 101 | 101 | 101 | 101 | 101 | 101 |

JUD 601 ADMINISTRATION

The Office of the Administrative Director is responsible for the provision of efficient and effective administrative support to the Chief Justice, the courts, and Judiciary programs, and to promote, facilitate, and enhance the mission of the Judiciary.

A. PROGRAM OBJECTIVES

Overall Program Objective

- To enhance the effectiveness and efficiency of judicial programs by providing executive direction, program coordination, policy development, resource allocation and fiscal control, and administrative services.

Policy and Planning

- To develop and maintain an effective and comprehensive planning capability within the Judiciary to provide the statewide organization with overall guidance and long-range direction in meeting the community's demands for judicial service.
- To establish and maintain a budgeting system that will serve as the mechanism by which the required resources to achieve the objectives of the Judiciary will be identified and articulated to top-level management.
- To develop and maintain a uniform statistical information system for the statewide Judiciary which identifies what data is needed as well as how the data will be collected, tabulated, analyzed, and interpreted so as to permit the periodic reporting of statistics of court cases to the principal decision-makers of the Judiciary and thereby facilitate evaluation of influential factors or variables affecting court workload and efficiency.
- To administer a judiciary-wide audit program to ensure compliance with laws, rules and regulations, and policies of the Judiciary, the State and, where applicable, the federal government.
- To conduct investigations and audits of accounting, reporting, and internal control systems established and maintained in the Judiciary, and to suggest and recommend improvements to accounting methods and procedures.
- To provide advice and technical assistance to the Judiciary to ensure compliance with equal employment opportunity laws, legislation, and policies.

- To provide training to judges, administrators, and staff on current Equal Employment Opportunities (EEO) issues; to develop and review EEO policies and procedures; and to investigate complaints of discrimination.
- To provide a fair and expeditious administrative process for revoking the driver licenses and motor vehicle registrations of alcohol or drug impaired offenders who have shown themselves to be safety hazards by driving or boating under the influence of intoxicants or who refused chemical testing.

Support Services

- To provide current, accurate, and complete financial and accounting data in a form useful to decision-makers.
- To ensure adequate and reasonable accounting control over assets, liabilities, revenues, and expenditures in accordance with generally accepted accounting principles, laws, policies, rules, and regulations of the State and the Judiciary.
- To plan, organize, direct, and coordinate the Judiciary's statewide telecommunications and information processing program, resources, and services by providing advice, guidance, and assistance to all Judiciary courts and administrative units relating to the concepts, methods, and use of telecommunication and information processing technologies and equipment.
- To plan, direct, and manage a centralized court records management system which includes reproduction, retention, control, storage, and destruction.
- To maintain accurate and complete court records, render technical assistance, and provide information and reference services from court records to court personnel, attorneys, and the general public.
- To provide cost effective, printing, form development, and related services, statewide.

Intergovernmental and Community Relations

- To promote public awareness and understanding of the Judiciary by disseminating information through various print, broadcast, and electronic means; the news media; and direct dealings with the general public and other audiences concerning the role of the Judiciary and the services that it provides.
- To acquaint the Legislature with the program and policies of the Judiciary in order to convey the ongoing needs and importance of its role as an independent branch of government.

- To advise Judiciary officials on public perception of particular issues relating to the Judiciary.
- To design and implement projects that promote access to the courts for all persons, including those with special needs.
- To promote, through research and educational programs, fair treatment in adjudication of cases and provision of services to the public.
- To inform and provide learning opportunities to the public about the judicial process and Hawaii's legal history from pre contact to present. The Judiciary History Center generates knowledge by conducting and encouraging research, disseminating information, and collecting, preserving, and displaying materials.
- To provide an impartial professional process for addressing reports of felony child abuse that will facilitate access to the justice system for child victims and witnesses.
- To maintain a continuing liaison with agencies and departments dealing with child abuse to foster cooperation within the legal system to improve and coordinate activities for the effective overall administration of justice.
- To investigate, design, and implement alternative dispute resolution processes for the judicial, legislative, and executive branches of government that will assist these three branches of government in resolving their disputes. Emphasis is on developing systems for use by the Judiciary in the various courts, mediating/facilitating public policy issues, and building skills capacity within all branches of government.
- To provide and coordinate the Judiciary's statewide guardianship services for mentally incapacitated adults.
- To provide information, referral, and technical assistance to guardians and to the courts on the roles and responsibilities of a guardian.
- To effectively utilize volunteer citizen participants from a cross-section of the community in formalized volunteer positions based on the needs of the Judiciary and the skills, talents, and interests of the volunteers.

Human Resources

- To manage a central recruitment and examination system that will attract the most capable persons and provide a selection system that will ensure the highest caliber

employee, without regard to race, color, religion, sex, sexual orientation, national origin, ancestry, age, physical disability, marital status, or political affiliation.

- To develop, enhance, and manage a Judiciary compensation program consistent with merit principles, recognized job evaluation principles and methodologies, and labor market trends, and to attract and retain a competent and skilled workforce.
- To develop and implement an ongoing comprehensive continuing legal education program for judges to support them in their judicial roles and in the performance of their duties and responsibilities and programs of continuing education and development for staff in support of the judges and the mission of the Judiciary.

Judicial Selection Commission

- To screen and submit nominees for judicial vacancies, and to conduct hearings for retention of justices or judges.

Commission on Judicial Conduct

- To investigate and conduct hearings concerning allegations of misconduct or disability of justices or judges.
- To make recommendations to the Supreme Court concerning the reprimand, discipline, suspension, retirement, or removal of any justice or judge.
- To provide advisory opinions concerning proper interpretations of the Revised Code of Judicial Conduct.

B. PROGRAM ACTIVITIES

The Office of the Administrative Director of the Courts serves as the administrative arm of the Judiciary. It is headed by an Administrative Director who is appointed by the Chief Justice with the approval of the Supreme Court. The Administrative Director is assisted by a Deputy Administrative Director of the Courts in fulfilling the duties and responsibilities assigned to the office. The Director's Office is composed of a number of staff and specific programs.

The planning, program evaluation, budgeting, statistical, capital improvement, affirmative action, audit, legislative coordination, and administrative drivers' license revocation functions are carried out by the Policy and Planning Department.

The financial, purchasing, data processing, reprographics, telecommunications, and records management functions are performed within the Support Services Department.

The Human Resources Department manages centralized programs of recruitment, compensation, record keeping, employee and labor relations, employee benefits, and continuing education.

The Intergovernmental and Community Relations Department provides legal services, public relations, and information services for the Judiciary; coordinates citizen volunteer services and investigative processes in cases of intrafamilial and extrafamilial child sex abuse; researches, plans, and develops alternate dispute resolution procedures and programs; and provides educational programs using a variety of interpretive media that promote understanding and appreciation of the history of Hawaii's Judiciary. This Department is also concerned with providing public guardianship for mentally incapacitated adults, and providing equality and accessibility in the State's justice system.

The Judicial Selection Commission is responsible for reviewing applicants for judgeships in Hawai'i courts and submitting a list of six nominees to the appointing authority for each vacancy. The Governor, with the consent of the Senate, appoints justices to the Supreme Court and judges to the Intermediate Court of Appeals and Circuit Court. The Chief Justice appoints and the Senate confirms District Court and District Family Court judges. The Commission has sole authority to act on reappointments to judicial office.

The Commission on Judicial Conduct is responsible for investigating allegations of judicial misconduct and disability. Rules of the court require that three licensed attorneys and four citizens who are not attorneys be appointed to this Commission. An additional function allows the Commission to issue advisory opinions to aid judges in the interpretation of the Code of Judicial Conduct.

The Judicial Selection Commission and the Commission on Judicial Conduct are attached to the Judiciary for administrative purposes only.

C. KEY POLICIES

The Judiciary's Administration strives to improve and streamline procedures to attain maximum productivity from available resources, promote uniformity in statewide court operations, and prevent duplication of effort from circuit to circuit.

D. IMPORTANT PROGRAM RELATIONSHIPS

As one of the three branches of state government, the Judiciary works closely with and cooperates with the executive and legislative branches. Executive agencies with which the Judiciary has frequent contact include the Departments of Health, Education, and Human Services. The Department of the Attorney General is regularly consulted regarding the interpretation of laws governing the Judiciary. Other executive agencies which provide services or consultations to the Judiciary are the Departments of Budget and Finance, Accounting and General Services, Human

Resources Development, and Public Safety. Because any new legislation potentially affects the courts, the Judiciary's interaction with the legislative branch is also of critical importance.

E. MAJOR EXTERNAL TRENDS

Increasing population and urbanization, dynamic economic conditions, changing social values, expansion of the rights of criminal defendants and consumers, the creation of new classes of civil and criminal actions, and the increasing tendency for litigants to exercise their right to a review of trial court decisions all contribute to the rising workload of the courts, and impact the activities of the Office of the Administrative Director.

F. COST, EFFECTIVENESS, AND PROGRAM SIZE DATA

There is no significant discrepancy between the program size and cost variables in the Administrative Director's Program.

The major focus of this program for the upcoming biennium period is to continue incorporating the system-wide initiatives relating to Achieving Court Excellence, provide quality administrative support and direction to the rest of the Judiciary, and enhance efficiency within the current fiscal constraints.

G. PROGRAM REVENUES

Revenues are collected from movie production companies, photographers, and others that use Judiciary facilities for their work; these revenues are deposited into the state general fund.

H. SPECIAL ANALYSIS PERFORMED

None.

PART IV



Capital Improvements Appropriations and Details

JUDICIARY
STATE OF HAWAII

MULTI-YEAR FINANCIAL PLAN
REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS
FISCAL YEARS 2007-08 THROUGH 2012-13

PROGRAM PLAN TITLE: Administration
PROGRAM STRUCTURE NO: 01

| DESCRIPTION | Cost Element | Project Total | Prior Years Total | Actual 2005-06 | Actual 2006-07 | Budget Period | | ---Fiscal Year Estimates--- | | | |
|-------------|--------------|---------------|-------------------|----------------|----------------|---------------|---------|-----------------------------|---------|---------|---------|
| | | | | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 |
| JUDICIARY | Plans | 5,154 | 1,275 | 0 | 499 | 330 | 1,600 | 0 | 1,000 | 450 | 0 |
| TOTAL | Land | 21,449 | 10,152 | 1 | 6,001 | 25 | 120 | 0 | 5,000 | 150 | 0 |
| | Design | 26,035 | 12,442 | 1,001 | 252 | 1,310 | 530 | 100 | 8,900 | 1,000 | 500 |
| | Constr | 225,594 | 28,600 | 85,497 | 6,497 | 16,200 | 1,500 | 9,600 | 100 | 16,100 | 61,500 |
| | Equip | 28,982 | 25 | 9,001 | 751 | 155 | 250 | 8,800 | 0 | 2,000 | 8,000 |
| | Total | 307,214 | 52,494 | 95,500 | 14,000 | 18,020 | 4,000 | 18,500 | 15,000 | 19,700 | 70,000 |
| | G.O. Bonds | 307,214 | 52,494 | 95,500 | 14,000 | 18,020 | 4,000 | 18,500 | 15,000 | 19,700 | 70,000 |

JUDICIARY
STATE OF HAWAII

MULTI-YEAR FINANCIAL PLAN
REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS
FISCAL YEARS 2007-08 THROUGH 2012-13

PROGRAM PLAN TITLE: Administration
PROGRAM STRUCTURE NO: 01 02 01

| DESCRIPTION | Cost Element | Project Total | Prior Years Total | Actual 2005-06 | Actual 2006-07 | Budget Period | | Fiscal Year Estimates | | | | |
|--|--------------|---------------|-------------------|----------------|----------------|---------------|---------|-----------------------|---------|---------|---------|--------|
| | | | | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 | |
| Kapolei Judiciary Complex, O'ahu | Plans | 865 | 640 | | | 225 | | | | | | |
| | Land | 6,139 | 114 | | 6,000 | 25 | | | | | | |
| | Design | 6,965 | 4,915 | 1,000 | | 1,000 | | 50 | | | | |
| | Constr | 99,400 | | 85,000 | | 14,200 | | 200 | | | | |
| | Equip | 17,800 | | 9,000 | | 50 | | 8,750 | | | | |
| | Total | 131,169 | 5,669 | 95,000 | | 6,000 | 15,500 | 0 | 9,000 | 0 | 0 | 0 |
| G.O. Bonds | 131,169 | 5,669 | 95,000 | | 6,000 | 15,500 | 0 | 9,000 | 0 | 0 | 0 | |
| Hilo Judiciary Complex, Hawai'i | Plans | 330 | 330 | | | | | | | | | |
| | Land | 10,038 | 10,038 | | | | | | | | | |
| | Design | 7,072 | 6,822 | | | 250 | | | | | | |
| | Constr | 33,500 | 28,500 | | | 5,000 | | | | | | |
| | Equip | 750 | | | | 750 | | | | | | |
| | Total | 51,690 | 45,690 | 0 | | 6,000 | 0 | 0 | 0 | 0 | 0 | 0 |
| G.O. Bonds | 51,690 | 45,690 | 0 | | 6,000 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Kona Judiciary Complex, Hawai'i | Plans | 1,050 | 100 | | | | | | | | | |
| | Land | 4,540 | | | | | 450 | | 500 | | | |
| | Design | 5,510 | | | | | 40 | | 4,500 | | | |
| | Constr | 61,500 | | | | | 10 | | 5,000 | | 500 | |
| | Equip | 8,000 | | | | | | | | | 61,500 | |
| | Total | 80,600 | 100 | 0 | | 0 | 0 | 500 | 0 | 10,000 | 0 | 70,000 |
| G.O. Bonds | 80,600 | 100 | 0 | | 0 | 0 | 500 | 0 | 10,000 | 0 | 70,000 | |
| Wahiawa Court Facility, O'ahu | Plans | 100 | 100 | | | | | | | | | |
| | Land | 0 | | | | | | | | | | |
| | Design | 735 | 685 | | | | | 50 | | | | |
| | Constr | 9,450 | | | | | | 9,400 | | 50 | | |
| | Equip | 1,000 | | | | | | 50 | | 950 | | |
| | Total | 11,285 | 785 | 0 | | 0 | 0 | 0 | 9,500 | 0 | 1,000 | 0 |
| G.O. Bonds | 11,285 | 785 | 0 | | 0 | 0 | 0 | 9,500 | 0 | 1,000 | 0 | |
| Moloka'i Court Facility, Moloka'i | Plans | 550 | 100 | | | | | | | | | |
| | Land | 150 | | | | | | | | 450 | | |
| | Design | 500 | | | | | | | | 150 | | |
| | Constr | 50 | | | | | | | | 500 | | |
| | Equip | 50 | | | | | | | | 50 | | |
| | Total | 1,300 | 100 | 0 | | 0 | 0 | 0 | 0 | 0 | 1,200 | 0 |
| G.O. Bonds | 1,300 | 100 | 0 | | 0 | 0 | 0 | 0 | 0 | 1,200 | 0 | |

JUDICIARY
STATE OF HAWAII

MULTI-YEAR FINANCIAL PLAN
REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS
FISCAL YEARS 2007-08 THROUGH 2012-13

PROGRAM PLAN TITLE: Administration
PROGRAM STRUCTURE NO: 01 02 01

| DESCRIPTION | Cost Element | Project Total | Prior Years Total | Actual 2005-06 | Actual 2006-07 | Budget Period | | Fiscal Year Estimates | | | | | |
|---|---|--|---------------------------------|----------------|----------------|------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|---------|---------|---------------------------|---|
| | | | | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 | | |
| Keakealani Building - Court Facilities Improvements, Hawai'i | Plans Land Design Constr Equip Total | 10 0 30 1,100 30 1,170 | 5 20 100 25 150 | | | 5 10 1,000 5 1,020 | 0 | 0 | 0 | 0 | 0 | 0 | |
| | G.O. Bonds | 1,170 | 150 | 0 | 0 | 1,020 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Status Offender Shelter and Juvenile Services Center, O'ahu | Plans Land Design Constr Equip Total | 950 540 4,410 16,100 1,000 23,000 | | | | | | 450 40 10 500 | 500 500 3,900 100 5,000 | 500 | 500 | 16,000 1,000 17,500 | 0 |
| | G.O. Bonds | 23,000 | 0 | 0 | 0 | 0 | 500 | 0 | 5,000 | 17,500 | | 0 | |
| Lump Sum CIP for Judiciary Facilities, Statewide (FB 2007-2009) | Plans Land Design Constr Equip Total | 351 0 801 3,497 351 5,000 | | | | 1 1 997 1 1,000 | 100 300 1,000 100 1,500 | 250 500 1,500 250 2,500 | | | | | 0 |
| | G.O. Bonds | 5,000 | 0 | 0 | 1,000 | 1,500 | 2,500 | 0 | 0 | 0 | 0 | 0 | |
| Master Planning for Judiciary Facilities, Statewide | Plans Land Design Constr Equip Total | 948 41 11 0 0 1,000 | | | | 498 1 1 500 | 450 40 10 500 | | | | | | 0 |
| | G.O. Bonds | 1,000 | 0 | 0 | 500 | 0 | 500 | 0 | 0 | 0 | 0 | 0 | |
| Domestic Violence Clearinghouse and Legal Hotline, O'ahu | Plans Land Design Constr Equip Total | 0 1 1 497 1 500 | | | | 1 1 497 1 500 | | | | | | | 0 |
| | G.O. Bonds | 500 | 0 | 500 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |

JUDICIARY
STATE OF HAWAII

MULTI-YEAR FINANCIAL PLAN
 REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
 BY CAPITAL PROJECT
 IN THOUSANDS OF DOLLARS
 FISCAL YEARS 2007-08 THROUGH 2012-13

PROGRAM PLAN TITLE: Administration
 PROGRAM STRUCTURE NO: 01 02 01

| DESCRIPTION | Cost Element | Project Total | Prior Years Total | Actual 2005-06 | Actual 2006-07 | Budget Period | | Fiscal Year Estimates | | | | |
|---|--------------|---------------|-------------------|----------------|----------------|---------------|---------|-----------------------|---------|---------|---------|---|
| | | | | | | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 | |
| Child and Family Services, O'ahu (HRS Chapter 42-F, Grant-in-Aid) | Plans | 0 | | | | | | | | | | |
| | Land | 0 | | | | | | | | | | |
| | Design | 0 | | | | | | | | | | |
| | Constr | 500 | | | 500 | | | | | | | |
| | Equip | 0 | | | | | | | | | | |
| | Total | 500 | 0 | 0 | 500 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | G.O. Bonds | 500 | 0 | 0 | 500 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

PART V



Variance Report

VARIANCE REPORT

INTRODUCTION

The Variance Report presents for each program the absolute and percentage differences in expenditures, positions, measures of effectiveness, and program size indicators. Significant differences between the planned and the actual levels for the last completed fiscal year and the current fiscal year are explained in narrative form.

The variances reported in this section continue to examine Judiciary performance in terms of individual court programs during this transitional period to judicial circuits as the primary program identifiers.

In general, the reasons for the variance tend to fall into one or more of the following four categories:

A. FORECASTING AND DATA COLLECTION METHODS

At present, the forecasting techniques used are largely bivariate regression. This methodology is then further refined by smoothing and by normative trend/event analysis. In order to obtain more accurate projections, sophisticated and expensive modeling techniques would have to be employed to fully take into account the numerous factors that affect the courts. Such techniques are beyond the financial resources of the courts.

As to the variances reported, the initial estimate may have been inaccurate due to difficulties in forecasting. These situations have occurred most notably where data was limited or unavailable. On a more specific empirical level, a change in data collection methods may have caused further difficulties in forecasting estimated levels. However, these are temporary conditions which can be overcome as a larger database develops and as clear statistical patterns emerge over time.

B. EXTERNAL TRENDS AND EVENTS

There are cases where the forecasts, given historical trends, would have been accurate but for unforeseen trends or events, external to the Judiciary, which might have caused the actual magnitude to change. These events or trends include, among others: (1) new laws enacted by the Legislature; (2) social, economic, and technological change on global, national, state, and local levels; (3) fluctuations in public and institutional attitudes toward litigation and crime; and (4) reductions in resources available to the court programs as a result of the current economic conditions of the State.

C. OTHER FACTORS

In a few cases, it is difficult to ascertain, with any degree of exactitude, the precise cause of the variance. This ambiguity in causality happens as a result of a multitude of contributing factors that may come into play. Such factors as staff shortages, a redirection of court resources, policy changes on the part of other criminal justice agencies, or other factors that are as yet undefined all contribute in differing degrees to a variation between the actual and planned levels.

By comparing the actual and the planned, the analyst, the manager, and the decision-maker are forced to constantly reevaluate the system and thereby gain valuable information as to the activities of the system under study.

JUDICIARY

STATE OF HAWAII
PROGRAM TITLE: Courts of Appeal

Program Plan ID: JUD 101

VARIANCE DETAILS
Program Structure No. 01 01 01

PART I – VARIANCES IN EXPENDITURES AND POSITIONS

| COST (Expenditures in \$1,000's) | | Fiscal Year 2006 | | | | | Fiscal Year 2007 | | | | |
|-------------------------------------|--------------|------------------|-------------|------------------------------------|---|---------------|------------------|------------------------------------|--|--|--|
| | | A Budgeted | B Actual | Change From A TO B Amount +/- % | | A Budgeted | B Estimated | Change From A TO B Amount +/- % | | | |
| Research and Development | Positions | | | | | | | | | | |
| | Expenditures | | | | | | | | | | |
| Operating | Positions | 76.0 | 75.0 | 1.0 | | 1 | | | | | |
| | Expenditures | 6,538 | 6,423 | 115 | - | 2 | | | | | |
| Totals | Positions | 76.0 | 75.0 | 1.0 | | 1 | | | | | |
| | Expenditures | 6,538 | 6,423 | 115 | - | 2 | | | | | |

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

| Item No. MEASURES OF EFFECTIVENESS | | Fiscal Year 2006 | | | | | Fiscal Year 2007 | | | | |
|---------------------------------------|---|------------------|-------------|------------------------------------|---|--------------|------------------|------------------------------------|---|---|---|
| | | A Planned | B Actual | Change From A TO B Amount +/- % | | A Planned | B Estimated | Change From A TO B Amount +/- % | | | |
| 1. | Median Time to Decision, Criminal Appeal (Mo) | 16 | 16 | 0 | 0 | 0 | 16 | 16 | 0 | 0 | 0 |
| 2. | Median Time to Decision, Civil Appeal (Mo) | 16 | 16 | 0 | 0 | 0 | 16 | 16 | 0 | 0 | 0 |
| 3. | Median Time to Decision, Original Proc. (Mo) | 1 | 1 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 |

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

| Item No. PROGRAM SIZE INDICATORS | | Fiscal Year 2006 | | | | | Fiscal Year 2007 | | | | |
|-------------------------------------|---|------------------|-------------|------------------------------------|---|--------------|------------------|------------------------------------|----|---|----|
| | | A Planned | B Actual | Change From A TO B Amount +/- % | | A Planned | B Estimated | Change From A TO B Amount +/- % | | | |
| 1. | A01 Criminal Appeals Filed | 240 | 240 | 0 | 0 | 0 | 250 | 240 | 10 | - | 4 |
| 2. | A02 Civil Appeals Filed | 425 | 348 | 77 | - | 18 | 425 | 340 | 85 | - | 20 |
| 3. | A03 Original Proceedings Filed | 55 | 52 | 3 | - | 5 | 74 | 60 | 14 | - | 19 |
| 4. | A04 Appeals Disposed | 750 | 714 | 36 | - | 5 | 800 | 725 | 75 | - | 9 |
| 5. | A08 Motions Filed | 3,000 | 2,784 | 216 | - | 7 | 2,800 | 2,800 | 0 | + | 0 |
| 6. | A11 Library-Size of Collection (000's) | 375 | 379 | 4 | + | 1 | 386 | 384 | 2 | - | 1 |
| 7. | A12 Library-Circulation & Reference Use (000's) | 5 | 7 | 2 | + | 40 | 5 | 7 | 2 | + | 40 |
| 8. | A13 Library-Patrons Served (000's) | 10 | 10 | 0 | 0 | 0 | 12 | 10 | 2 | - | 17 |

JUD 101 COURTS OF APPEAL

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

There were no significant position variances in fiscal year 2005-06. The variance between the budgeted and expenditure amounts for fiscal year 2005-06 was largely the result of collective bargaining augmentation, expenditures related to the Penal Code Review (Act 125, SLH 2005), and the lapsing of \$224,627 from the Law Library Revolving Fund appropriation.

For fiscal year 2006-07, the position variance during the first quarter was due to normal personnel turnover and two authorized but unfunded staff attorney positions for the Intermediate Court of Appeals. The expenditure variance in the first quarter of FY 2007 was due to the vacancy of four positions and payments for collective bargaining increases. For the remainder of the fiscal year, the variance in expenditures is based on the anticipated filling of positions, payments for collective bargaining raises, and the anticipated lapsing of unexpended Law Library Revolving Fund appropriations.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

No significant variances are identified.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Item 7, Library - Circulation and Reference Use, was 40% over the planned level. This was partly due to increased diligence on the part of library staff to record statistics, and partly due to the small numbers involved.

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE: First Circuit

VARIANCE DETAILS

Program Plan ID: JUD 310

Program Structure No. 01 01 02

PART I – VARIANCES IN EXPENDITURES AND POSITIONS

| COST (Expenditures in \$1,000's) | | Fiscal Year 2006 | | | | | Fiscal Year 2007 | | | | |
|-------------------------------------|--------------|------------------|-------------|------------------------------------|-----|---------------|------------------|------------------------------------|-----|--|--|
| | | A Budgeted | B Actual | Change From A TO B Amount +/- % | | A Budgeted | B Estimated | Change From A TO B Amount +/- % | | | |
| Research and Development | Positions | | | | | | | | | | |
| | Expenditures | | | | | | | | | | |
| Operating | Positions | 1089.5 | 989.0 | 100.5 | - 9 | 1095.5 | 1040.5 | 55.0 | - 5 | | |
| | Expenditures | 66,424 | 66,480 | 56 | 0 | 51,067 | 55,899 | 4,832 | + 9 | | |
| Totals | Positions | 1089.5 | 989.0 | 100.5 | - 9 | 1095.5 | 1040.5 | 55.0 | - 5 | | |
| | Expenditures | 66,424 | 66,480 | 56 | 0 | 51,067 | 55,899 | 4,832 | + 9 | | |

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

| Item No. MEASURES OF EFFECTIVENESS | | Fiscal Year 2006 | | | | | Fiscal Year 2007 | | | | |
|------------------------------------|---|------------------|-------------|------------------------------------|------|--------------|------------------|------------------------------------|-----|--|--|
| | | A Planned | B Actual | Change From A TO B Amount +/- % | | A Planned | B Estimated | Change From A TO B Amount +/- % | | | |
| 1. | Med. Time to Dispo., Circt. Ct. Crim. Act. (Days) | 240 | 212 | 28 | - 12 | 230 | 210 | 20 | - 9 | | |
| 2. | Med. Time to Dispo., Circt. Ct. Civil Act. (Days) | 430 | 399 | 31 | - 7 | 430 | 395 | 35 | - 8 | | |

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

| Item No. PROGRAM SIZE INDICATORS | | Fiscal Year 2006 | | | | | Fiscal Year 2007 | | | | |
|----------------------------------|---|------------------|-------------|------------------------------------|-----|--------------|------------------|------------------------------------|------|--|--|
| | | A Planned | B Actual | Change From A TO B Amount +/- % | | A Planned | B Estimated | Change From A TO B Amount +/- % | | | |
| 1. | T01 Civil Actions, Circuit Court | 5,872 | 5,798 | 74 | - 1 | 5,712 | 5,519 | 193 | - 3 | | |
| 2. | T02 Marital Actions | 6,798 | 6,665 | 133 | - 2 | 5,655 | 7,078 | 1,423 | + 25 | | |
| 3. | T03 Adoption Proceedings | 883 | 870 | 13 | - 1 | 811 | 843 | 32 | + 4 | | |
| 4. | T04 Parental Proceedings | 2,272 | 2,320 | 48 | + 2 | 3,531 | 2,608 | 923 | - 26 | | |
| 5. | T05 Children's Referrals | 8,730 | 8,409 | 321 | - 4 | 9,294 | 8,405 | 889 | - 10 | | |
| 6. | A01 Civil Actions Filed, Circuit Court | 2,300 | 2,226 | 74 | - 3 | 2,300 | 2,230 | 70 | - 3 | | |
| 7. | A02 Criminal Actions Filed, Circuit Court | 2,900 | 2,965 | 65 | + 2 | 3,023 | 2,905 | 118 | - 4 | | |
| 8. | A03 Marital Actions Filed | 4,300 | 4,167 | 133 | - 3 | 3,973 | 4,150 | 177 | + 4 | | |
| 9. | A04 Adoption Proceedings Filed | 560 | 547 | 13 | - 2 | 550 | 480 | 70 | - 13 | | |
| 10. | A05 Parental Proceedings Filed | 1,300 | 1,348 | 48 | + 4 | 1,653 | 1,375 | 278 | - 17 | | |
| 11. | A06 Children's Referrals Filed | 6,700 | 6,379 | 321 | - 5 | 7,400 | 6,321 | 1,079 | - 15 | | |
| 12. | A07 Traffic Offenses Filed ('000) | 365 | 367 | 2 | + 1 | 327 | 367 | 40 | + 12 | | |

JUD 310 FIRST CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In fiscal year 2005-06, position variances were the result of employee turnover and delays in filling vacancies due to recruitment time factors, as well as conservative hiring practices. The First Circuit continued to carefully screen position vacancies as part of the ongoing process of reassessment that ensures that new hires are necessary to provide vital court services. Conservative hiring practices were necessary due to the accepted practice of budgeting for payroll expenses at less than 100%, and instead providing a reduced budget which is reflective of anticipated "turnover savings" derived when authorized positions are vacant during the recruitment process. Such action was also considered prudent in light of the finite nature of available state general funds and the significant resources required to provide adequate court services to Hawaii's citizens. Fiscal year 2005-06 First Circuit expenditures were slightly higher than planned largely due to payroll expenses (collective bargaining augmentation appropriated via separate acts) that were partially offset by special fund expenditures that were less than budgeted.

In the first quarter of fiscal year 2006-07, the variance in the number of filled authorized positions was again reflective of employee turnover, recruitment time factors, and the continuation of conservative hiring practices. Expenditure variances in the first quarter were largely due to payroll savings, and normal procurement and operational practices.

For the balance of fiscal year 2006-07, estimated expenditures are expected to increase slightly due to additional payroll expenses (as essential vacant positions are filled), the liquidation of first quarter billings as they are received in later quarters, and as payments are made for court purchased services. Action to fill essential position vacancies and recruitment time factors should result in the maintenance of normal position variances through the final nine months of the year.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

No significant variances are identified.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

No significant variances are identified.

JUDICIARY

STATE OF HAWAII
PROGRAM TITLE: Second Circuit

Program Plan ID: JUD 320

VARIANCE DETAILS
Program Structure No. 01 01 03

PART I – VARIANCES IN EXPENDITURES AND POSITIONS

| COST (Expenditures in \$1,000's) | | Fiscal Year 2006 | | | | | Fiscal Year 2007 | | | | |
|-------------------------------------|--------------|------------------|-------------|------------------------------------|------|---------------|------------------|------------------------------------|------|--|--|
| | | A Budgeted | B Actual | Change From A TO B Amount +/- % | | A Budgeted | B Estimated | Change From A TO B Amount +/- % | | | |
| Research and Development | Positions | | | | | | | | | | |
| | Expenditures | | | | | | | | | | |
| Operating | Positions | 205.0 | 185.0 | 20.0 | - 10 | 208.0 | 202.0 | 6.0 | - 3 | | |
| | Expenditures | 13,268 | 13,456 | 188 | + 1 | 10,082 | 11,264 | 1,183 | + 12 | | |
| Totals | Positions | 205.0 | 185.0 | 20.0 | - 10 | 208.0 | 202.0 | 6.0 | - 3 | | |
| | Expenditures | 13,268 | 13,456 | 188 | + 1 | 10,082 | 11,264 | 1,183 | + 12 | | |

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

| Item No. | MEASURES OF EFFECTIVENESS | Fiscal Year 2006 | | | | | Fiscal Year 2007 | | | | |
|-------------|---|------------------|-------------|------------------------------------|------|--------------|------------------|------------------------------------|-----|--|--|
| | | A Planned | B Actual | Change From A TO B Amount +/- % | | A Planned | B Estimated | Change From A TO B Amount +/- % | | | |
| 1. | Med. Time to Dispo., Circt. Ct. Crim. Act. (Days) | 200 | 225 | 25 | + 13 | 230 | 225 | 5 | - 2 | | |
| 2. | Med. Time to Dispo., Circt. Ct. Civil Act. (Days) | 350 | 375 | 25 | + 7 | 350 | 350 | 0 | 0 | | |

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

| Item No. | PROGRAM SIZE INDICATORS | Fiscal Year 2006 | | | | | Fiscal Year 2007 | | | | |
|-------------|---|------------------|-------------|------------------------------------|------|--------------|------------------|------------------------------------|------|--|--|
| | | A Planned | B Actual | Change From A TO B Amount +/- % | | A Planned | B Estimated | Change From A TO B Amount +/- % | | | |
| 1. | T01 Civil Actions, Circuit Court | 1,559 | 1,505 | 54 | - 3 | 1,541 | 1,427 | 114 | - 7 | | |
| 2. | T02 Marital Actions | 927 | 973 | 46 | + 5 | 922 | 1,030 | 108 | + 12 | | |
| 3. | T03 Adoption Proceedings | 106 | 88 | 18 | - 17 | 95 | 84 | 11 | - 12 | | |
| 4. | T04 Parental Proceedings | 388 | 388 | 0 | 0 | 416 | 394 | 22 | - 5 | | |
| 5. | T05 Childrens' Referrals | 3,253 | 2,619 | 634 | - 19 | 3,338 | 2,773 | 565 | - 17 | | |
| 6. | A01 Civil Actions Filed, Circuit Court | 550 | 496 | 54 | - 10 | 569 | 477 | 92 | - 16 | | |
| 7. | A02 Criminal Actions Filed, Circuit Court | 660 | 615 | 45 | - 7 | 699 | 671 | 28 | - 4 | | |
| 8. | A03 Marital Actions Filed | 625 | 671 | 46 | + 7 | 620 | 670 | 50 | + 8 | | |
| 9. | A04 Adoption Proceedings Filed | 85 | 67 | 18 | - 21 | 71 | 65 | 6 | - 8 | | |
| 10. | A05 Parental Proceedings Filed | 260 | 260 | 0 | 0 | 300 | 260 | 40 | - 13 | | |
| 11. | A06 Children's Referrals Filed | 2,200 | 1,566 | 634 | - 29 | 2,404 | 1,708 | 696 | - 29 | | |
| 12. | A07 Traffic Offenses Filed ('000) | 47 | 51 | 4 | + 9 | 52 | 51 | 1 | - 2 | | |

JUD 320 SECOND CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In fiscal year 2005-06, the variance in positions was due primarily to general employee turnover, standard delays in filling vacancies relating to the recruitment and selection process, and difficulty in filling Social Worker positions. The expenditure variances were due to collective bargaining increases that were appropriated in a separate bill.

In the first quarter of fiscal year 2006-07, the variance in positions was attributable to the carryover from the previous year, in conjunction with normal employee turnover and standard recruitment delays. The expenditure variance was the result of payroll savings due to the position variance. For the remainder of fiscal year 2006-07, the Second Circuit anticipates filling additional vacant positions, thus increasing expenditures.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

No significant variances are identified.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Item 9, Adoption Proceedings Filed, and Item 11, Children's Referrals Filed, were 21% and 29%, respectively, under planned levels. Planned levels relied on the application of statewide growth/reduction factors that resulted in unexpected statistical aberrations. Statewide variances in the period were -7% for adoption proceedings filed, and +1% for children's referrals filed.

JUDICIARY

STATE OF HAWAII
PROGRAM TITLE: Third Circuit

Program Plan ID: JUD 330

Program Structure No. 01 01 04

VARIANCE DETAILS

PART I – VARIANCES IN EXPENDITURES AND POSITIONS

| | | Fiscal Year 2006 | | | | | | | | | |
|-------------------------------------|--------------|------------------|-------------|--------------------|-----|---|--|--|--|--|--|
| COST (Expenditures in \$1,000's) | | A Budgeted | B Actual | Change From A TO B | | | | | | | |
| | | | | Amount | +/- | % | | | | | |
| Research and Development | Positions | | | | | | | | | | |
| | Expenditures | | | | | | | | | | |
| Operating | Positions | 206.0 | 200.0 | 6.0 | - | 3 | | | | | |
| | Expenditures | 15,152 | 15,392 | 240 | + | 2 | | | | | |
| Totals | Positions | 206.0 | 200.0 | 6.0 | - | 3 | | | | | |
| | Expenditures | 15,152 | 15,392 | 240 | + | 2 | | | | | |

| | | Three Months Ended 9-30-06 | | | | | Nine Months Ended 6-30-07 | | | | |
|-------------------------------------|--------------|----------------------------|-------------|--------------------|-----|---------------|---------------------------|--------------------|--------|-----|----|
| COST (Expenditures in \$1,000's) | | A Budgeted | B Actual | Change From A TO B | | A Budgeted | B Estimated | Change From A TO B | | | |
| | | | | Amount | +/- | | | % | Amount | +/- | % |
| Research and Development | Positions | | | | | | | | | | |
| | Expenditures | | | | | | | | | | |
| Operating | Positions | 209.0 | 197.0 | 12.0 | - | 6 | 209.0 | 203.0 | 6.0 | - | 3 |
| | Expenditures | 3,835 | 3,339 | 496 | - | 13 | 11,504 | 12,643 | 1,139 | + | 10 |
| Totals | Positions | 209.0 | 197.0 | 12.0 | - | 6 | 209.0 | 203.0 | 6.0 | - | 3 |
| | Expenditures | 3,835 | 3,339 | 496 | - | 13 | 11,504 | 12,643 | 1,139 | + | 10 |

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

| | | Fiscal Year 2006 | | | | | Fiscal Year 2007 | | | | |
|----------|---|------------------|-------------|--------------------|-----|--------------|------------------|--------------------|--------|-----|----|
| Item No. | MEASURES OF EFFECTIVENESS | A Planned | B Actual | Change From A TO B | | A Planned | B Estimated | Change From A TO B | | | |
| | | | | Amount | +/- | | | % | Amount | +/- | % |
| 1. | Med. Time to Dispo., Circt. Ct. Crim. Act. (Days) | 270 | 328 | 58 | + | 21 | 285 | 330 | 45 | + | 16 |
| 2. | Med. Time to Dispo., Circt. Ct. Civil Act. (Days) | 350 | 330 | 20 | - | 6 | 370 | 350 | 20 | - | 5 |

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

| | | Fiscal Year 2006 | | | | | Fiscal Year 2007 | | | | |
|----------|---|------------------|-------------|--------------------|-----|--------------|------------------|--------------------|--------|-----|----|
| Item No. | PROGRAM SIZE INDICATORS | A Planned | B Actual | Change From A TO B | | A Planned | B Estimated | Change From A TO B | | | |
| | | | | Amount | +/- | | | % | Amount | +/- | % |
| 1. | T01 Civil Actions, Circuit Court | 1,821 | 1,856 | 35 | + | 2 | 1,706 | 1,925 | 219 | + | 13 |
| 2. | T02 Marital Actions | 1,405 | 1,453 | 48 | + | 3 | 1,371 | 1,383 | 12 | + | 1 |
| 3. | T03 Adoption Proceedings | 138 | 116 | 22 | - | 16 | 122 | 157 | 35 | + | 29 |
| 4. | T04 Parental Proceedings | 715 | 722 | 7 | + | 1 | 947 | 767 | 180 | - | 19 |
| 5. | T05 Childrens' Referrals | 4,498 | 5,191 | 693 | + | 15 | 5,819 | 5,342 | 477 | - | 8 |
| 6. | A01 Civil Actions Filed, Circuit Court | 525 | 560 | 35 | + | 7 | 600 | 611 | 11 | + | 2 |
| 7. | A02 Criminal Actions Filed, Circuit Court | 1,000 | 935 | 65 | - | 7 | 866 | 866 | 0 | - | 0 |
| 8. | A03 Marital Actions Filed | 625 | 673 | 48 | + | 8 | 650 | 620 | 30 | - | 5 |
| 9. | A04 Adoption Proceedings Filed | 80 | 58 | 22 | - | 28 | 90 | 85 | 5 | - | 6 |
| 10. | A05 Parental Proceedings Filed | 366 | 357 | 9 | - | 2 | 540 | 300 | 240 | - | 44 |
| 11. | A06 Children's Referrals Filed | 2,900 | 3,593 | 693 | + | 24 | 3,800 | 3,610 | 190 | - | 5 |
| 12. | A07 Traffic Offenses Filed ('000) | 55 | 60 | 5 | + | 9 | 60 | 60 | 0 | - | 0 |

JUD 330 THIRD CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In fiscal year 2005-06, the variance in positions was due primarily to general employee turnover and standard delays in filling vacancies relating to the recruitment and selection process. The expenditure variances were due to collective bargaining increases that were appropriated in a separate bill.

In the first quarter of fiscal year 2006-07, the variance in positions was attributable to the carryover from the previous year, in conjunction with normal employee turnover and standard recruitment delays. The expenditure variance was the result of payroll savings due to the position variance. For the remainder of fiscal year 2006-07, the Third Circuit anticipates filling additional vacant positions, thus increasing expenditures.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

Item 1, Median Time to Disposition, for Circuit Court criminal actions was 21% over the planned level. This was partly due to cleanup of old outstanding cases.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Variances for Item 9, Adoption Proceedings Filed, and Item 11, Children's Referrals Filed, were -28% and +24%, respectively. Planned levels relied on the application of statewide growth/reduction factors that resulted in unexpected statistical aberrations. Statewide variances in the period were -7% for adoption proceedings filed, and +1% for Children's Referrals Filed.

JUDICIARY

STATE OF HAWAII
PROGRAM TITLE: Fifth Circuit

Program Plan ID: JUD 350

VARIANCE DETAILS
Program Structure No. 01 01 05

PART I – VARIANCES IN EXPENDITURES AND POSITIONS

| COST (Expenditures in \$1,000's) | | Fiscal Year 2006 | | | |
|-------------------------------------|--------------|------------------|-------------|------------------------------------|---|
| | | A Budgeted | B Actual | Change From A TO B Amount +/- % | |
| Research and Development | Positions | | | | |
| | Expenditures | | | | |
| Operating | Positions | 94.0 | 89.0 | 5.0 - | 5 |
| | Expenditures | 5,950 | 5,656 | 294 - | 5 |
| Totals | Positions | 94.0 | 89.0 | 5.0 - | 5 |
| | Expenditures | 5,950 | 5,656 | 294 - | 5 |

| COST (Expenditures in \$1,000's) | | Three Months Ended 9-30-06 | | | | Nine Months Ended 6-30-07 | | | |
|-------------------------------------|--------------|----------------------------|-------------|------------------------------------|----|---------------------------|----------------|------------------------------------|----|
| | | A Budgeted | B Actual | Change From A TO B Amount +/- % | | A Budgeted | B Estimated | Change From A TO B Amount +/- % | |
| Research and Development | Positions | | | | | | | | |
| | Expenditures | | | | | | | | |
| Operating | Positions | 98.0 | 95.0 | 3.0 - | 3 | 98.0 | 96.0 | 2.0 - | 2 |
| | Expenditures | 1,625 | 1,175 | 450 - | 28 | 4,874 | 5,604 | 730 + | 15 |
| Totals | Positions | 98.0 | 95.0 | 3.0 - | 3 | 98.0 | 96.0 | 2.0 - | 2 |
| | Expenditures | 1,625 | 1,175 | 450 - | 28 | 4,874 | 5,604 | 730 + | 15 |

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

| Item No. MEASURES OF EFFECTIVENESS | | Fiscal Year 2006 | | | | Fiscal Year 2007 | | | |
|---------------------------------------|--|------------------|-------------|------------------------------------|----|------------------|----------------|------------------------------------|----|
| | | A Planned | B Actual | Change From A TO B Amount +/- % | | A Planned | B Estimated | Change From A TO B Amount +/- % | |
| 1. | Med. Time to Dispo., Circ. Ct. Crim. Act. (Days) | 210 | 294 | 84 + | 40 | 210 | 330 | 120 + | 57 |
| 2. | Med. Time to Dispo., Circ. Ct. Civil Act. (Days) | 400 | 307 | 93 - | 23 | 390 | 375 | 15 - | 4 |

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

| Item No. PROGRAM SIZE INDICATORS | | Fiscal Year 2006 | | | | Fiscal Year 2007 | | | |
|-------------------------------------|---|------------------|-------------|------------------------------------|----|------------------|----------------|------------------------------------|----|
| | | A Planned | B Actual | Change From A TO B Amount +/- % | | A Planned | B Estimated | Change From A TO B Amount +/- % | |
| 1. | TO1 Civil Actions, Circuit Court | 579 | 570 | 9 - | 2 | 459 | 622 | 163 + | 36 |
| 2. | TO2 Marital Actions | 585 | 533 | 52 - | 9 | 550 | 544 | 6 - | 1 |
| 3. | TO3 Adoption Proceedings | 60 | 59 | 1 - | 2 | 79 | 67 | 12 - | 15 |
| 4. | TO4 Parental Proceedings | 374 | 360 | 14 - | 4 | 435 | 367 | 68 - | 16 |
| 5. | TO5 Children's Referrals | 2,166 | 2,513 | 347 + | 16 | 2,014 | 3,046 | 1,032 + | 51 |
| 6. | A01 Civil Actions Filed, Circuit Court | 175 | 166 | 9 - | 5 | 166 | 191 | 25 + | 15 |
| 7. | A02 Criminal Actions Filed, Circuit Court | 400 | 300 | 100 - | 25 | 420 | 300 | 120 - | 29 |
| 8. | A03 Marital Actions Filed | 261 | 209 | 52 - | 20 | 255 | 200 | 55 - | 22 |
| 9. | A04 Adoption Proceedings Filed | 32 | 31 | 1 - | 3 | 50 | 28 | 22 - | 44 |
| 10. | A05 Parental Proceedings Filed | 100 | 86 | 14 - | 14 | 123 | 80 | 43 - | 35 |
| 11. | A06 Children's Referrals Filed | 1,400 | 1,747 | 347 + | 25 | 1,450 | 1,587 | 137 + | 9 |
| 12. | A07 Traffic Offenses Filed ('000) | 15 | 14 | 1 - | 7 | 13 | 14 | 1 + | 8 |

JUD 350 FIFTH CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

The position variance reflected in fiscal year 2005-06 was attributable to normal employee turnover and recruitment delays. The expenditure variance for this period was representative of the Fifth Circuit's efforts to employ conservative spending practices.

In the first quarter of fiscal year 2006-07, the Fifth Circuit continued to experience normal employee turnover and recruitment delays as reflected in the position variance. The corresponding expenditure variance for this three month period resulted primarily from the fiscal effects of the position vacancy rate and the natural tendency for a disproportionately lower level of expenditures in the early part of the fiscal year. While the position variance is expected to remain at a relatively stable level for the remainder of fiscal year 2006-2007, the projected expenditure variance should change significantly due to collective bargaining augmentation and an anticipated overall increase in spending levels.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

Item 1, Median Time to Disposition, for circuit court criminal actions was 40% over the planned level. This was partly due to cleanup of old outstanding cases.

Item 2, Median Time to Disposition, for circuit court civil actions was 23% under the planned level. Older civil actions represented a smaller proportion of total terminations when compared to terminations in previous years.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Variance for Item 7, Criminal Actions Filed (Circuit Court), Item 8, Marital Actions Filed, and Item 11, Children's Referrals Filed, were -25%, -20%, and +25%, respectively. Planned levels relied on the application of statewide growth/reduction factors that resulted in unexpected statistical aberrations. Statewide variances in the period were -3% for criminal actions filed at the circuit courts, -2% for marital actions filed at the family courts, and +1% for children's referrals filed.

JUDICIARY

STATE OF HAWAII
PROGRAM TITLE: Administration

Program Plan ID: JUD 601

VARIANCE DETAILS

Program Structure No. 01 02 01

PART I – VARIANCES IN EXPENDITURES AND POSITIONS

| | | Fiscal Year 2006 | | | | | | | | | |
|-------------------------------------|--------------|------------------|-------------|------------------------------------|---|---|--|--|--|--|--|
| COST (Expenditures in \$1,000's) | | A Budgeted | B Actual | Change From A TO B Amount +/- % | | | | | | | |
| Research and Development | Positions | | | | | | | | | | |
| | Expenditures | | | | | | | | | | |
| Operating | Positions | 215.0 | 204.0 | 11.0 | - | 5 | | | | | |
| | Expenditures | 24,196 | 24,709 | 513 | + | 2 | | | | | |
| Totals | Positions | 215.0 | 204.0 | 11.0 | - | 5 | | | | | |
| | Expenditures | 24,196 | 24,709 | 513 | + | 2 | | | | | |

| | | Three Months Ended 9-30-06 | | | | | Nine Months Ended 6-30-07 | | | | |
|-------------------------------------|--------------|----------------------------|-------------|------------------------------------|---|---------------|---------------------------|------------------------------------|-----|---|---|
| COST (Expenditures in \$1,000's) | | A Budgeted | B Actual | Change From A TO B Amount +/- % | | A Budgeted | B Estimated | Change From A TO B Amount +/- % | | | |
| Research and Development | Positions | | | | | | | | | | |
| | Expenditures | | | | | | | | | | |
| Operating | Positions | 219.0 | 210.0 | 9.0 | - | 4 | 219.0 | 219.0 | 0.0 | + | 0 |
| | Expenditures | 4,479 | 4,394 | 85 | - | 2 | 20,910 | 21,477 | 567 | + | 3 |
| Totals | Positions | 219.0 | 210.0 | 9.0 | - | 4 | 219.0 | 219.0 | 0.0 | + | 0 |
| | Expenditures | 4,479 | 4,394 | 85 | - | 2 | 20,910 | 21,477 | 567 | + | 3 |

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

| | | Fiscal Year 2006 | | | | | Fiscal Year 2007 | | | | |
|----------|--|------------------|-------------|------------------------------------|---|--------------|------------------|------------------------------------|---|--|--|
| Item No. | MEASURES OF EFFECTIVENESS | A Planned | B Actual | Change From A TO B Amount +/- % | | A Planned | B Estimated | Change From A TO B Amount +/- % | | | |
| 1. | Average Time to Process Form 5 (days) | 5 | 5 | 0 | 0 | 5 | 5 | 0 | 0 | | |
| 2. | Average Time to Process Voucher (days) | 5 | 5 | 0 | 0 | 5 | 5 | 0 | 0 | | |

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

| | | Fiscal Year 2006 | | | | | Fiscal Year 2007 | | | | |
|----------|---|------------------|-------------|------------------------------------|---|--------------|------------------|------------------------------------|------|---|----|
| Item No. | PROGRAM SIZE INDICATORS | A Planned | B Actual | Change From A TO B Amount +/- % | | A Planned | B Estimated | Change From A TO B Amount +/- % | | | |
| 1. | A01 Number of Vouchers Issued | 40,201 | 38,773 | 1428 | - | 4 | 44,656 | 39,548 | 5108 | - | 11 |
| 2. | A02 Number of Recruitment Announcements | 1,330 | 979 | 351 | - | 26 | 960 | 960 | 0 | - | 0 |
| 3. | A03 Number of Form 5's Processed | 3,287 | 5,489 | 2202 | + | 67 | 3,352 | 5,599 | 2247 | + | 67 |

JUD 601 ADMINISTRATION

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

For fiscal year 2005-06, the position variance was due to normal position turnover. The variance between the budgeted and actual expenditure amounts included collective bargaining augmentation, a transfer-in of funds from other programs to cover unanticipated costs, the lapsing of funds in the Indigent Legal Assistance Special Fund to allow for a carryover balance, and a lapsing of funds from the Computer System Special Fund due to the inability to purchase various equipment prior to the end of the fiscal year.

In the first quarter of fiscal year 2006-07, variances in the number of authorized positions and the number of positions filled were due to vacancies that continued from the previous fiscal year and to delays encountered in filling the vacant positions. The variance between the budgeted and actual expenditure amounts in the first quarter was largely due to collective bargaining augmentation and the unavailability of encumbrance amounts due to a breakdown in the accounting software program that produces this report.

For the remainder of the fiscal year, the position vacancies are expected to be filled and the expenditure variance will be due to collective bargaining costs and unexpended appropriations in the special funds.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

There are no variances identified.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Item 2, Number of Recruitment Announcements, was 26% less than planned due to an overestimation of the planned amount. The variance for the rest of the year is not expected to be significant.

Item 3, Number of Form 5's Processed, was 67% higher than planned. The variance was primarily due to negotiated pay increases, judges pay increases, and a general underestimation of the number of forms to be processed.