

The Judiciary
State of Hawai'i

**The Multi-Year Program
and Financial Plan
(2011-2017)
Biennium Budget
(2011-2013)
and
Variance Report
(2009-2011)**

Submitted to the
Twenty-Sixth State Legislature

December 2010



**To the Twenty Sixth State Legislature of Hawai'i
Regular Session of 2011**

It is my pleasure to transmit to the Hawai'i State Legislature the Judiciary's FB 2011-13 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 to fairly resolve disputes and administer justice according to the law. In accordance with this principle, the courts seek to make justice available to all citizens without undue cost, inconvenience, or delay.

The Judiciary is very aware of the State's still unsettled economic situation, its limited financial resources, and the many competing demands for State general funding during the 2011-13 fiscal biennium. The Judiciary budget request for the next two years reflects our effort to utilize the limited resources available as effectively and efficiently as possible, and consists largely of two items that, under current laws and collective bargaining agreements, the Judiciary will be required to pay in the upcoming fiscal biennium.

First, we are requesting \$8.1 million in each year of the biennium to eliminate employee furloughs. As set forth in the Judiciary's recent Justice in Jeopardy report, employee furloughs have had significant negative effects on Judiciary operations and the members of the public that we serve. Second, absent further action by the legislature, the Judiciary will be mandated by law over the course of FY 2012 and 2013 to restore the 5% pay cut applied to judges' salaries beginning on July 1, 2009 and to fund judges' pay at the levels previously established by the state salary commission. Accordingly, we are requesting \$1.9 million in FY 2012 and \$4.4 million in FY 2013 for this purpose. Finally, we are requesting funding for ten positions so that the Judiciary can assume Community Service Sentencing Program intake functions from the Department of Public Safety, which is discontinuing this function on the neighbor islands (the Judiciary already performs this function in the First Circuit). If this request is not funded, it will leave judges in the Second, Third, and Fifth Circuits without the option of sentencing defendants to perform community service. Accordingly, we are requesting \$426K in FY 2012, and \$388K in FY 2013 for this purpose.

The Judiciary understands the importance of shared responsibility in balancing the state budget, and has already taken various cost-cutting measures, including significantly reducing expenditures for electricity, purchase of service contracts, guardian ad litem/legal counsel services, overtime, repair and maintenance, travel, temporary hire positions, forms/supplies/printing, and other miscellaneous items. Further, the Judiciary adopted an employee furlough plan that was implemented in November 2009. In addition, although funding is needed for building repairs and maintenance, and for other important operational and safety matters, we have not requested any additional general fund operating resources for these purposes.

Capital Improvement Project (CIP) requirements remain a major item of concern. As services provided and the population served by the Judiciary continue to expand, especially in the Kona area of the Big Island, CIP funds are necessary for land acquisition and design of a new Kona Judiciary Complex and to continue the process already begun with prior funding of site selection for that Complex. Additionally, with the move of most Family Court functions and the Detention Home to Kapolei, CIP funds are needed to begin the design process for a new Judiciary administration building in Kapolei. This administrative facility is vital to ensuring that critical family court support staff is housed in the Ronald T. Y. Moon Judiciary Complex. Lastly, CIP funds are needed for repairs and improvements to several Judiciary buildings which have deteriorated with age, including Ka'ahumanu Hale (Circuit Court), which requires improvements to elevator and fire alarm systems, and Kauikeaouli Hale (District Court), where CIP funds are needed for cellblock upgrades.

We realize that there are many competing demands for our state's scarce resources, and that we cannot reasonably seek an increased share of those resources without first ensuring that we are using the resources we do have in the most effective and efficient way possible. At the same time, we would also like to minimize and alleviate as much as possible the significant impact that the current economic environment has had and will continue to have on our citizens' access to court services. We believe that our budget approach indicates our commitment to address and mitigate these concerns.

I know the Legislature shares my deep 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,



MARK RECKTENWALD
Chief Justice
December 17, 2010

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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	Judicial Selection Commission	JUD 501
01 02 02	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 (MOF). 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 FYs 2011-12 and 2012-13 by major programs are as follows:

Operating Expenditures (In \$ Thousands)

Major Program	MOF	2011-12	2012-13	Total
Courts of Appeal	A	7,089	7,421	14,510
	W	243	243	486
First Circuit	A	72,577	74,007	146,584
	B	4,003	4,003	8,006
Second Circuit	A	15,140	15,395	30,535
Third Circuit	A	17,874	18,203	36,077
Fifth Circuit	A	6,884	7,004	13,888
Judicial Selection Commission Administration	A	90	90	180
	B	21,487	21,487	42,974
	W	6,930	6,930	13,860
		<u>100</u>	<u>100</u>	<u>200</u>
Total	A	141,141	143,607	284,748
	B	10,933	10,933	21,866
	W	<u>343</u>	<u>343</u>	<u>686</u>

Revenues

The projected revenues (all sources) for FYs 2012 and 2013 by major programs are as follows:

Revenues			
(In \$ Thousands)			
Major Program	2011-12	2012-13	Total
Courts of Appeal	42	42	84
First Circuit	35,390	36,059	71,449
Second Circuit	4,586	4,586	9,172
Third Circuit	5,489	5,598	11,087
Fifth Circuit	1,919	1,939	3,858
Administration	<u>118</u>	<u>118</u>	<u>236</u>
Total	<u>47,544</u>	<u>48,342</u>	<u>95,886</u>

Cost Categories, Cost Elements, and MOF

"**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.

"**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-Sixth State Legislature in accordance with the provisions of Chapter 37, Hawai'i Revised Statutes.

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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	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Operating Costs								
Personal Services	94,778,452	94,188,688	104,827,823	107,212,641	107,214	107,214	107,214	107,214
Other Current Expenses	43,434,191	46,450,178	46,527,090	46,771,714	46,769	46,769	46,769	46,769
Lease/Purchase Agreements	54,379	20,880	22,503	22,503	23	23	23	23
Equipment	4,254,645	1,099,863	1,039,847	876,105	876	876	876	876
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	142,521,667	141,759,609	152,417,263	154,882,963	154,882	154,882	154,882	154,882
Capital & Investment Costs	9,775,000	0	24,614,000	14,350,000	8,500	59,500	81,000	8,000
Total Program Expenditures	152,296,667	141,759,609	177,031,263	169,232,963	163,382	214,382	235,882	162,882

REQUIREMENTS BY MEANS OF FINANCING

	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
General Funds	1,875.50	1,875.50	1,885.50	1,885.50	1,885.50	1,885.50	1,885.50	1,885.50
	131,782,633	130,743,104	141,141,092	143,606,792	143,606	143,606	143,606	143,606
Special Funds	41.00	42.00	42.00	42.00	42.00	42.00	42.00	42.00
	10,710,833	10,673,244	10,932,910	10,932,910	10,932	10,932	10,932	10,932
Revolving Funds	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	28,201	343,261	343,261	343,261	344	344	344	344
G.O. Bond Funds	9,775,000	0	24,614,000	14,350,000	8,500	59,500	81,000	8,000
Total Financing	1,916.50	1,917.50	1,927.50	1,927.50	1,927.50	1,927.50	1,927.50	1,927.50
	152,296,667	141,759,609	177,031,263	169,232,963	163,382	214,382	235,882	162,882

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	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Operating Costs								
Personal Services	82,433,934	81,621,501	90,930,727	93,435,019	93,437	93,437	93,437	93,437
Other Current Expenses	31,217,125	32,032,944	32,270,254	32,270,404	32,268	32,268	32,268	32,268
Lease/Purchase Agreements	54,379	20,880	22,503	22,503	23	23	23	23
Equipment	1,998,722	695,375	586,347	547,605	548	548	548	548
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	115,704,160	114,370,700	123,809,831	126,275,531	126,276	126,276	126,276	126,276
Capital & Investment Costs	0	0	0	0	0	0	0	0
Total Program Expenditures	115,704,160	114,370,700	123,809,831	126,275,531	126,276	126,276	126,276	126,276

REQUIREMENTS BY MEANS OF FINANCING

	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
General Funds	1,661.50	1,661.50	1,671.50	1,671.50	1,671.50	1,671.50	1,671.50	1,671.50
	112,586,977	110,342,137	119,563,950	122,029,650	122,030	122,030	122,030	122,030
Special Funds	40.00	41.00	41.00	41.00	41.00	41.00	41.00	41.00
	3,105,780	3,785,302	4,002,620	4,002,620	4,002	4,002	4,002	4,002
Revolving Funds	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	11,403	243,261	243,261	243,261	244	244	244	244
G.O. Bond Funds	0	0	0	0	0	0	0	0
Total Financing	1,701.50	1,702.50	1,712.50	1,712.50	1,712.50	1,712.50	1,712.50	1,712.50
	115,704,160	114,370,700	123,809,831	126,275,531	126,276	126,276	126,276	126,276

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 2009-10	Estimated 2010-11	Budget Period		Estimated Expenditures (\$000's)			
			2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Operating Costs								
Personal Services	12,344,518	12,567,187	13,897,096	13,777,622	13,777	13,777	13,777	13,777
Other Current Expenses	12,217,066	14,417,234	14,256,836	14,501,310	14,501	14,501	14,501	14,501
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	2,255,923	404,488	453,500	328,500	328	328	328	328
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	26,817,507	27,388,909	28,607,432	28,607,432	28,606	28,606	28,606	28,606
Capital & Investment Costs	9,775,000	0	24,614,000	14,350,000	8,500	59,500	81,000	8,000
Total Program Expenditures	36,592,507	27,388,909	53,221,432	42,957,432	37,106	88,106	109,606	36,606

REQUIREMENTS BY MEANS OF FINANCING

	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
General Funds	214.00	214.00	214.00	214.00	214.00	214.00	214.00	214.00
	19,195,656	20,400,967	21,577,142	21,577,142	21,576	21,576	21,576	21,576
Special Funds	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
	7,605,053	6,887,942	6,930,290	6,930,290	6,930	6,930	6,930	6,930
Revolving Funds	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	16,798	100,000	100,000	100,000	100	100	100	100
G.O. Bond Funds	9,775,000	0	24,614,000	14,350,000	8,500	59,500	81,000	8,000
Total Financing	215.00	215.00	215.00	215.00	215.00	215.00	215.00	215.00
	36,592,507	27,388,909	53,221,432	42,957,432	37,106	88,106	109,606	36,606

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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 2009-10	Estimated 2010-11	Budget Period		Estimated Expenditures (\$000's)			
			2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Operating Costs								
Personal Services	5,122,875	5,168,544	5,755,824	6,087,540	6,088	6,088	6,088	6,088
Other Current Expenses	1,128,508	998,320	1,029,320	1,029,320	1,029	1,029	1,029	1,029
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	519,826	547,605	547,605	547,605	548	548	548	548
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	6,771,209	6,714,469	7,332,749	7,664,465	7,665	7,665	7,665	7,665
Capital & Investment Costs	0	0	0	0	0	0	0	0
Total Program Expenditures	6,771,209	6,714,469	7,332,749	7,664,465	7,665	7,665	7,665	7,665

REQUIREMENTS BY MEANS OF FINANCING

	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
General Funds	79.00 6,759,806	79.00 6,471,208	79.00 7,089,488	79.00 7,421,204	79.00 7,421	79.00 7,421	79.00 7,421	79.00 7,421
Special 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
Revolving Funds	0.00 11,403	0.00 243,261	0.00 243,261	0.00 243,261	0.00 244	0.00 244	0.00 244	0.00 244
G.O. Bond Funds	0	0	0	0	0	0	0	0
Total Financing	79.00 6,771,209	79.00 6,714,469	79.00 7,332,749	79.00 7,664,465	79.00 7,665	79.00 7,665	79.00 7,665	79.00 7,665

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	PLANNED LEVELS OF PROGRAM EFFECTIVENESS							
	Actual	Estimated	Budget Period			Estimated		
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Median Time to Decision, Criminal Appeal (Mo) *	5	5	5	5	5	5	5	5
Median Time to Decision, Civil Appeal (Mo) *	10	10	10	10	10	10	10	10
Median Time to Decision, Original Proc. (Mo)	1	1	1	1	1	1	1	1

* Counted from docket date.

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

Code No.	Program Size Indicators	Actual	Estimated	Budget Period			Estimated		
		2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
A01	Criminal Appeals Filed	266	280	280	280	280	280	280	280
A02	Civil Appeals Filed	210	220	220	220	220	220	220	220
A03	Original Proceedings Filed	98	100	100	100	100	100	100	100
A04	Appeals Disposed	650	670	670	670	670	670	670	670
A05	Motions Filed	2,421	2,600	2,600	2,600	2,600	2,600	2,600	2,600
A06	Motions Terminated	2,445	2,600	2,600	2,600	2,600	2,600	2,600	2,600
A07	Library-Size of Collection (000's)	406	407	407	407	407	407	407	407
A08	Library-Circulation & Reference Use (000's)	15	16	16	16	16	16	16	16
A09	Library-Patrons Served (000's)	7	7	7	7	7	7	7	7

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

Fund to Which Deposited	Actual	Estimated	Budget Period			Estimated		
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
General Fund	61	28	28	28	28	28	28	28
Special Fund	14	14	14	14	14	14	14	14
Other Funds	0	0	0	0	0	0	0	0
Total Program Revenues	75	42	42	42	42	42	42	42

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

Type of Revenue	Actual	Estimated	Budget Period			Estimated		
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
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	75	42	42	42	42	42	42	42
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	75	42	42	42	42	42	42	42

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; to discipline judges; and to make rules of practice and 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
 - 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 directed to judges and other public officers
 - applications for other extraordinary writs
 - 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 to 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. The Supreme Court 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. The Intermediate Court of Appeals 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 resources 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 election contests and petitions for writs of mandamus, prohibition, and habeas corpus are given priority on the calendar.

In the Intermediate Court of Appeals, direct appeals from incarcerated defendants and appeals from terminations of parental rights (in which children are awaiting a permanent placement) are accorded priority over other appeals.

D. IMPORTANT PROGRAM RELATIONSHIPS

Appeals are filed in the Intermediate Court of Appeals, but (1) before disposition, may be transferred to the Supreme Court, or (2) after disposition, may be reviewed by the Supreme Court upon an application for a writ of certiorari.

The Supreme Court exercises supervisory authority over all state courts by reviewing cases in the appellate process, entertaining applications for writs directed to judges, and establishing uniform rules of practice and procedure.

E. MAJOR EXTERNAL TRENDS

Factors contributing to the number of appellate filings include:

- changes in population
- availability and cost of alternative dispute resolution methods
- perceptions of timeliness
- perceptions of fairness in law and procedure
- issues involving access to the courts
- complexity of law.

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 2011-13 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.

In accordance with section 607-5.7(b), HRS, a \$25 fee is assessed for an initial filing of a civil action in the Supreme Court and deposited in the Indigent Legal Assistance Special 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 2009-10	Estimated 2010-11	Budget Period		Estimated Expenditures (\$000's)			
			2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Operating Costs								
Personal Services	52,134,026	51,494,100	57,071,946	58,502,078	58,502	58,502	58,502	58,502
Other Current Expenses	19,112,280	19,308,318	19,485,428	19,485,428	19,484	19,484	19,484	19,484
Lease/Purchase Agreements	54,379	20,880	22,503	22,503	23	23	23	23
Equipment	1,129,831	147,770	0	0	0	0	0	0
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	72,430,516	70,971,068	76,579,877	78,010,009	78,009	78,009	78,009	78,009
Capital & Investment Costs	0	0	0	0	0	0	0	0
Total Program Expenditures	72,430,516	70,971,068	76,579,877	78,010,009	78,009	78,009	78,009	78,009

REQUIREMENTS BY MEANS OF FINANCING

	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
General Funds	1,057.50	1,057.50	1,057.50	1,057.50	1,057.50	1,057.50	1,057.50	1,057.50
	69,324,736	67,185,766	72,577,257	74,007,389	74,007	74,007	74,007	74,007
Special Funds	40.00	41.00	41.00	41.00	41.00	41.00	41.00	41.00
	3,105,780	3,785,302	4,002,620	4,002,620	4,002	4,002	4,002	4,002
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	0	0	0	0	0	0	0
Total Financing	1,097.50	1,098.50	1,098.50	1,098.50	1,098.50	1,098.50	1,098.50	1,098.50
	72,430,516	70,971,068	76,579,877	78,010,009	78,009	78,009	78,009	78,009

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	PLANNED LEVELS OF PROGRAM EFFECTIVENESS							
	Actual	Estimated	Budget Period			Estimated		
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Med. Time to Dispo., Circt. Ct. Crim. Act. (Days)	250	288	288	288	288	288	288	288
Med. Time to Dispo., Circt. Ct. Civil Act. (Days)	361	415	415	415	415	415	415	415

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

Code No.	Program Size Indicators	Actual	Estimated	Budget Period			Estimated		
		2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
T01	Civil Actions, Circuit Court	7,460	8,000	8,000	8,000	8,000	8,000	8,000	8,000
T02	Marital Actions	7,593	8,000	8,000	8,000	8,000	8,000	8,000	8,000
T03	Adoption Proceedings	667	700	700	700	700	700	700	700
T04	Parental Proceedings	1,846	2,000	2,000	2,000	2,000	2,000	2,000	2,000
A01	Civil Actions Filed, Circuit Court	2,916	3,000	3,000	3,000	3,000	3,000	3,000	3,000
A02	Criminal Actions Filed, Circuit Court	2,224	2,500	2,500	2,500	2,500	2,500	2,500	2,500
A03	Marital Actions Filed	4,240	4,500	4,500	4,500	4,500	4,500	4,500	4,500
A04	Traffic - New Filings (thousands)	326	350	350	350	350	350	350	350
A05	Traffic - Entry of Judgement (thousands)	366	380	380	380	380	380	380	380

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

Fund to Which Deposited	Actual	Estimated	Budget Period			Estimated		
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
General Fund	26,361	26,486	26,983	27,513	28,055	28,606	29,168	29,742
Special Fund	8,371	8,272	8,407	8,546	8,688	8,832	8,979	9,131
Other Funds	0	0	0	0	0	0	0	0
Total Program Revenues	34,732	34,758	35,390	36,059	36,743	37,438	38,147	38,873

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

Type of Revenue	Actual	Estimated	Budget Period			Estimated		
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Revenues from Use of Money and Property	180	183	184	185	187	187	188	189
Revenues from Other Agencies	1,142	836	836	836	836	836	836	836
Charges for Current Services	15,708	15,692	15,968	16,268	16,575	16,887	17,205	17,531
Fines, Restitutions, Forfeits & Penalties	17,702	18,047	18,402	18,770	19,145	19,528	19,918	20,317
Nonrevenue Receipts	0	0	0	0	0	0	0	0
Total Program Revenues	34,732	34,758	35,390	36,059	36,743	37,438	38,147	38,873

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 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 and thereby promote 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 and 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 they 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 Court 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 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 a 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 Courts complement their 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 Hawai'i 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 that 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 that 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's office, 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

The Judiciary's ability to provide court services to our citizens is directly affected by the level of appropriations authorized by the Legislature. Therefore, in light of significant cuts to our budget base necessitated by the seriousness of the economic downturn, the Judiciary's goal for the upcoming biennium is to continue to provide necessary services in an effective and expedient

manner while operating within the limit of available resources. The courts also continue to pursue alternatives that promote efficiency without increasing overall resource requirements. Additionally, the Judiciary is grateful for the dedicated work of Circuit, Family, and District court judges and staff who have strived to maintain case disposition rates at a high level despite the current fiscal challenges. However, it is becoming increasingly difficult to maintain this high performance level while absorbing significant reductions in operating resources. It is hoped that recent indications that the economy is stabilizing and beginning the long road back to recovery will enable the restoration of at least a portion of the previous cuts in Judiciary funding.

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 Services 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 into the Parent Education Special Fund established by Act 274/97. (It is noted that funds for deposit into 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 into the state general fund, with the exception of amounts collected for deposit into the Driver Education and Training Special Fund, the Computer System Special Fund, and the Indigent Legal Assistance Special Fund.

There is a \$7 assessment on every moving traffic violation, of which \$5 is deposited into the Driver Education and Training Special Fund and \$2 is deposited into the Judiciary Computer System Special Fund (see paragraph below). A \$1 annual assessment against each insured motor vehicle, a \$50 penalty on persons required to attend child passenger restraint system safety classes, a \$100 penalty on every Driving Under the Influence conviction, and a \$75 penalty for excessive speeding are also deposited into the Driver Education and Training Special Fund. Act 64, SLH 2010, authorized the Traffic Violations Bureau to collect a \$20 fee for each certified traffic abstract issued, and provided that \$18 shall be deposited into the general fund with the remaining \$2 being deposited into the Computer System Special Fund.

Act 203, SLH 1996, as amended by Act 299, SLH 1999, established the Computer System Special Fund and authorized the collection of \$2 from each traffic abstract issued effective July 1, 1996. Act 216, SLH 2003, authorized the collection of \$20 for each civil filing in the District Courts (with some exceptions) and \$50 for each civil filing in the Circuit Courts (with some exceptions) effective July 1, 2003. Act 231, SLH 2004, authorized the collection of \$10 for administrative costs associated with the processing of traffic citations that involve stopping

(where prohibited), standing, or parking; \$40 for administrative costs associated with the processing of traffic citations which do not include stopping, standing, or parking; and \$30 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 fee is assessed for an initial filing for summary possession in the District Court and a \$25 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	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>
Operating Costs								
Personal Services	9,741,185	9,706,121	10,912,166	11,191,046	11,192	11,192	11,192	11,192
Other Current Expenses	4,057,031	4,203,411	4,203,411	4,203,561	4,203	4,203	4,203	4,203
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	93,865	0	23,916	0	0	0	0	0
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	13,892,081	13,909,532	15,139,493	15,394,607	15,395	15,395	15,395	15,395
Capital & Investment Costs	0	0	0	0	0	0	0	0
Total Program Expenditures	13,892,081	13,909,532	15,139,493	15,394,607	15,395	15,395	15,395	15,395

REQUIREMENTS BY MEANS OF FINANCING

	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>
	General Funds	205.00	205.00	209.00	209.00	209.00	209.00	209.00
Special Funds	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Revolving Funds	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
G.O. Bond Funds	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Financing	205.00	205.00	209.00	209.00	209.00	209.00	209.00	209.00

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	PLANNED LEVELS OF PROGRAM EFFECTIVENESS							
	Actual	Estimated	Budget Period			Estimated		
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Med. Time to Dispo., Circ. Ct. Crim. Act. (Days)	241	277	277	277	277	277	277	277
Med. Time to Dispo., Circ. Ct. Civil Act. (Days)	287	330	330	330	330	330	330	330

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

Code No.	Program Size Indicators	Actual	Estimated	Budget Period			Estimated		
		2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
T01	Civil Actions, Circuit Court	2,225	2,500	2,500	2,500	2,500	2,500	2,500	2,500
T02	Marital Actions	1,002	1,100	1,100	1,100	1,100	1,100	1,100	1,100
T03	Adoption Proceedings	52	70	70	70	70	70	70	70
T04	Parental Proceedings	400	450	450	450	450	450	450	450
A01	Civil Actions Filed, Circuit Court	920	950	950	950	950	950	950	950
A02	Criminal Actions Filed, Circuit Court	711	730	730	730	730	730	730	730
A03	Marital Actions Filed	625	650	650	650	650	650	650	650
A04	Traffic - New Filings (thousands)	31	33	33	33	33	33	33	33
A05	Traffic - Entry of Judgement (thousands)	37	39	39	39	39	39	39	39

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

Fund to Which Deposited	Actual	Estimated	Budget Period			Estimated		
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
General Fund	3,455	3,785	3,785	3,785	3,785	3,785	3,785	3,785
Special Fund	761	801	801	801	801	801	801	801
Other Funds	0	0	0	0	0	0	0	0
Total Program Revenues	4,216	4,586	4,586	4,586	4,586	4,586	4,586	4,586

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

Type of Revenue	Actual	Estimated	Budget Period			Estimated		
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
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	1,899	2,055	2,055	2,055	2,055	2,055	2,055	2,055
Fines, Restitutions, Forfeits & Penalties	2,317	2,531	2,531	2,531	2,531	2,531	2,531	2,531
Nonrevenue Receipts	0	0	0	0	0	0	0	0
Total Program Revenues	4,216	4,586	4,586	4,586	4,586	4,586	4,586	4,586

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 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 Courts complement their 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 Hawai'i 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's office, 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

The Judiciary's ability to provide court services to our citizens is directly affected by the level of appropriations authorized by the Legislature. Therefore, in light of significant cuts to our budget base necessitated by the seriousness of the economic downturn, the Judiciary's goal for the upcoming biennium is to continue to provide necessary services in an effective and expedient manner while operating within the limit of available resources. The courts also continue to pursue alternatives that promote efficiency without increasing overall resource requirements. Additionally, the Judiciary is grateful for the dedicated work of Circuit, Family, and District court judges and staff who have strived to maintain case disposition rates at a high level despite the current fiscal challenges. However, it is becoming increasingly difficult to maintain this high performance level while absorbing significant reductions in operating resources. It is hoped that recent indications that the economy is stabilizing and beginning the long road back to recovery will enable the restoration of at least a portion of the previous cuts in Judiciary funding.

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 Services Special Fund, the Computer System Special Fund, and the Indigent Legal Assistance Special Fund, all revenues are deposited into 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 into the Parent Education Special Fund established by Act 274/97. (It is noted that funds for deposit into 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 into 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 assessment on every moving traffic violation, of which \$5 is deposited into the Driver Education and Training Special Fund and \$2 is deposited into the Judiciary Computer System Special Fund (see paragraph below). A \$1 annual assessment against each insured motor vehicle, a \$50 penalty on persons required to attend child passenger restraint system safety classes, a \$100 penalty on every Driving Under the Influence conviction, and a \$75 penalty for excessive speeding are also deposited into the Driver Education and Training Special Fund. Act 64, SLH 2010, authorized the Traffic Violations Bureau to collect a \$20 fee for each certified traffic abstract issued, and provided that \$18 shall be deposited into the general fund with the remaining \$2 being deposited into the Computer System Special Fund.

Act 203, SLH 1996, as amended by Act 299, SLH 1999, established the Computer System Special Fund and authorized the collection of \$2 from each traffic abstract issued effective July 1, 1996. Act 216, SLH 2003, authorized the collection of \$20 for each civil filing in the District Courts (with some exceptions) and \$50 for each civil filing in the Circuit Courts (with some exceptions) effective July 1, 2003. Act 231, SLH 2004, authorized the collection of \$10 for administrative costs associated with the processing of traffic citations that involve stopping (where prohibited), standing, or parking; \$40 for administrative costs associated with the processing of traffic citations which do not include stopping, standing, or parking; and \$30 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 fee is assessed for an initial filing for summary possession in the District Court and a \$25 fee is assessed for an initial filing in Circuit Court.

H. SPECIAL ANALYSIS PERFORMED

None.

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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 2009-10	Estimated 2010-11	Budget Period		Estimated Expenditures (\$000's)			
			2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Operating Costs								
Personal Services	10,886,088	10,768,194	12,173,550	12,512,754	12,513	12,513	12,513	12,513
Other Current Expenses	5,242,430	5,690,157	5,690,157	5,690,157	5,690	5,690	5,690	5,690
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	192,555	0	10,126	0	0	0	0	0
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	16,321,073	16,458,351	17,873,833	18,202,911	18,203	18,203	18,203	18,203
Capital & Investment Costs	0	0	0	0	0	0	0	0
Total Program Expenditures	16,321,073	16,458,351	17,873,833	18,202,911	18,203	18,203	18,203	18,203

REQUIREMENTS BY MEANS OF FINANCING

	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
General Funds	223.00	223.00	227.00	227.00	227.00	227.00	227.00	227.00
Special Funds	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Revolving Funds	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
G.O. Bond Funds	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Financing	223.00	223.00	227.00	227.00	227.00	227.00	227.00	227.00

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	PLANNED LEVELS OF PROGRAM EFFECTIVENESS							
	Actual	Estimated	Budget Period			Estimated		
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Med. Time to Dispo., Circt. Ct. Crim. Act. (Days)	229	263	263	263	263	263	263	263
Med. Time to Dispo., Circt. Ct. Civil Act. (Days)	371	427	427	427	427	427	427	427

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

Code No.	Program Size Indicators	Actual	Estimated	Budget Period			Estimated		
		2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
T01	Civil Actions, Circuit Court	3,362	3,400	3,400	3,400	3,400	3,400	3,400	3,400
T02	Marital Actions	1,555	1,700	1,700	1,700	1,700	1,700	1,700	1,700
T03	Adoption Proceedings	107	110	110	110	110	110	110	110
T04	Parental Proceedings	946	950	950	950	950	950	950	950
A01	Civil Actions Filed, Circuit Court	879	900	900	900	900	900	900	900
A02	Criminal Actions Filed, Circuit Court	925	950	950	950	950	950	950	950
A03	Marital Actions Filed	683	700	700	700	700	700	700	700
A04	Traffic - New Filings (thousands)	45	47	47	47	47	47	47	47
A05	Traffic - Entry of Judgement (thousands)	42	44	44	44	44	44	44	44

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

Fund to Which Deposited	Actual	Estimated	Budget Period			Estimated		
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
General Fund	4,186	4,269	4,355	4,442	4,530	4,621	4,714	4,807
Special Fund	1,090	1,112	1,134	1,156	1,179	1,203	1,228	1,251
Other Funds	0	0	0	0	0	0	0	0
Total Program Revenues	5,276	5,381	5,489	5,598	5,709	5,824	5,942	6,058

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

Type of Revenue	Actual	Estimated	Budget Period			Estimated		
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Revenues from Use of Money and Property	1	1	1	1	1	1	1	1
Revenues from Other Agencies	5	5	5	5	5	5	5	5
Charges for Current Services	2,309	2,354	2,401	2,449	2,498	2,548	2,600	2,651
Fines, Restitutions, Forfeits & Penalties	2,961	3,021	3,082	3,143	3,205	3,270	3,336	3,401
Nonrevenue Receipts	0	0	0	0	0	0	0	0
Total Program Revenues	5,276	5,381	5,489	5,598	5,709	5,824	5,942	6,058

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 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 Courts complement their strictly adjudicatory functions by providing a number of counseling, guidance, detention, mediation, education, and supervisory programs for children and adults.

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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).

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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

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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's office, 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.

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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

The Judiciary's ability to provide court services to our citizens is directly affected by the level of appropriations authorized by the Legislature. Therefore, in light of significant cuts to our budget base necessitated by the seriousness of the economic downturn, the Judiciary's goal for the upcoming biennium is to continue to provide necessary services in an effective and expedient manner while operating within the limit of available resources. The courts also continue to pursue alternatives that promote efficiency without increasing overall resource requirements. Additionally, the Judiciary is grateful for the dedicated work of Circuit, Family, and District court judges and staff who have strived to maintain case disposition rates at a high level despite the current fiscal challenges. However, it is becoming increasingly difficult to maintain this high performance level while absorbing significant reductions in operating resources. It is hoped that recent indications that the economy is stabilizing and beginning the long road back to recovery will enable the restoration of at least a portion of the previous cuts in Judiciary funding.

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 Services Special Fund, the Computer System Special Fund, and the Indigent Legal Assistance Special Fund, all revenues are deposited into 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 into the Parent Education Special Fund established by Act 274/97. (It is noted that funds for deposit into 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 into 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 assessment on every moving traffic violation, of which \$5 is deposited into the Driver Education and Training Special Fund and \$2 is deposited into the Judiciary Computer System Special Fund (see paragraph below). A \$1 annual assessment against each insured motor vehicle, a \$50 penalty on persons required to attend child passenger restraint system safety classes, a \$100 penalty on every Driving Under the Influence conviction, and a \$75 penalty for excessive speeding are also deposited into the Driver Education and Training Special Fund. Act 64, SLH 2010, authorized the Traffic Violations Bureau to collect a \$20 fee for each certified traffic abstract issued, and provided that \$18 shall be deposited into the general fund with the remaining \$2 being deposited into the Computer System Special Fund.

Act 203, SLH 1996, as amended by Act 299, SLH 1999, established the Computer System Special Fund and authorized the collection of \$2 from each traffic abstract issued effective July 1, 1996. Act 216, SLH 2003, authorized the collection of \$20 for each civil filing in the District Courts (with some exceptions) and \$50 for each civil filing in the Circuit Courts (with some exceptions) effective July 1, 2003. Act 231, SLH 2004, authorized the collection of \$10 for administrative costs associated with the processing of traffic citations that involve stopping (where prohibited), standing, or parking; \$40 for administrative costs associated with the processing of traffic citations which do not include stopping, standing, or parking; and \$30 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 fee is assessed for an initial filing for summary possession in the District Court and a \$25 fee is assessed for an initial filing in Circuit Court.

H. SPECIAL ANALYSIS PERFORMED

None.

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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	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>
Operating Costs								
Personal Services	4,549,760	4,484,542	5,017,241	5,141,601	5,142	5,142	5,142	5,142
Other Current Expenses	1,676,876	1,832,738	1,861,938	1,861,938	1,862	1,862	1,862	1,862
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	62,645	0	4,700	0	0	0	0	0
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	6,289,281	6,317,280	6,883,879	7,003,539	7,004	7,004	7,004	7,004
Capital & Investment Costs	0	0	0	0	0	0	0	0
Total Program Expenditures	6,289,281	6,317,280	6,883,879	7,003,539	7,004	7,004	7,004	7,004

REQUIREMENTS BY MEANS OF FINANCING

	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>
		97.00	97.00	99.00	99.00	99.00	99.00	99.00
General Funds	6,289,281	6,317,280	6,883,879	7,003,539	7,004	7,004	7,004	7,004
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	6,289,281	6,317,280	6,883,879	7,003,539	7,004	7,004	7,004	7,004

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	PLANNED LEVELS OF PROGRAM EFFECTIVENESS							
	Actual	Estimated	Budget Period				Estimated	
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Med. Time to Dispo., Circt. Ct. Crim. Act. (Days)	315	362	362	362	362	362	362	362
Med. Time to Dispo., Circt. Ct. Civil Act. (Days)	302	347	347	347	347	347	347	347

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

Code No.	Program Size Indicators	Actual	Estimated	Budget Period			Estimated		
		2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
T01	Civil Actions, Circuit Court	1,043	1,100	1,100	1,100	1,100	1,100	1,100	1,100
T02	Marital Actions	692	700	700	700	700	700	700	700
T03	Adoption Proceedings	100	110	110	110	110	110	110	110
T04	Parental Proceedings	482	500	500	500	500	500	500	500
A01	Civil Actions Filed, Circuit Court	304	320	320	320	320	320	320	320
A02	Criminal Actions Filed, Circuit Court	361	380	380	380	380	380	380	380
A03	Marital Actions Filed	260	270	270	270	270	270	270	270
A04	Traffic - New Filings (thousands)	14	16	16	16	16	16	16	16
A05	Traffic - Entry of Judgement (thousands)	13	15	15	15	15	15	15	15

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

Fund to Which Deposited	Actual	Estimated	Budget Period			Estimated		
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
General Fund	1,607	1,606	1,606	1,622	1,638	1,655	1,671	1,689
Special Fund	313	313	313	317	320	323	326	329
Other Funds	0	0	0	0	0	0	0	0
Total Program Revenues	1,920	1,919	1,919	1,939	1,958	1,978	1,997	2,018

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

Type of Revenue	Actual	Estimated	Budget Period			Estimated		
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
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	693	692	692	700	706	714	720	728
Fines, Restitutions, Forfeits & Penalties	1,227	1,227	1,227	1,239	1,252	1,264	1,277	1,290
Nonrevenue Receipts	0	0	0	0	0	0	0	0
Total Program Revenues	1,920	1,919	1,919	1,939	1,958	1,978	1,997	2,018

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 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 Courts complement their 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 Hawai'i 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's office, 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

The Judiciary's ability to provide court services to our citizens is directly affected by the level of appropriations authorized by the Legislature. Therefore, in light of significant cuts to our budget base necessitated by the seriousness of the economic downturn, the Judiciary's goal for the upcoming biennium is to continue to provide necessary services in an effective and expedient manner while operating within the limit of available resources. The courts also continue to pursue alternatives that promote efficiency without increasing overall resource requirements. Additionally, the Judiciary is grateful for the dedicated work of Circuit, Family, and District court judges and staff who have strived to maintain case disposition rates at a high level despite the current fiscal challenges. However, it is becoming increasingly difficult to maintain this high performance level while absorbing significant reductions in operating resources. It is hoped that recent indications that the economy is stabilizing and beginning the long road back to recovery will enable the restoration of at least a portion of the previous cuts in Judiciary funding.

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 Services 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 into the Parent Education Special Fund established by Act 274/97. (It is noted that funds for deposit into 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 into 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 assessment on every moving traffic violation, of which \$5 is deposited into the Driver Education and Training Special Fund and \$2 is deposited into the Judiciary Computer System Special Fund (see paragraph below). A \$1 annual assessment against each insured motor vehicle, a \$50 penalty on persons required to attend child passenger restraint system safety classes, a \$100 penalty on every Driving Under the Influence conviction, and a \$75 penalty for excessive speeding are also deposited into the Driver Education and Training Special Fund. Act 64, SLH 2010, authorized the Traffic Violations Bureau to collect a \$20 fee for each certified traffic abstract issued, and provided that \$18 shall be deposited into the general fund with the remaining \$2 being deposited into the Computer System Special Fund.

Act 203, SLH 1996, as amended by Act 299, SLH 1999, established the Computer System Special Fund and authorized the collection of \$2 from each traffic abstract issued effective July 1, 1996. Act 216, SLH 2003, authorized the collection of \$20 for each civil filing in the District Courts (with some exceptions) and \$50 for each civil filing in the Circuit Courts (with some exceptions) effective July 1, 2003. Act 231, SLH 2004, authorized the collection of \$10 for administrative costs associated with the processing of traffic citations that involve stopping (where prohibited), standing, or parking; \$40 for administrative costs associated with the processing of traffic citations which do not include stopping, standing, or parking; and \$30 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 fee is assessed for an initial filing for summary possession in the District Court and a \$25 fee is assessed for an initial filing in Circuit Court.

H. SPECIAL ANALYSIS PERFORMED

None.

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JUDICIARY
STATE OF HAWAII

PROGRAM TITLE:
JUDICIAL SELECTION COMMISSION

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	Judicial Selection Commission

PROGRAM EXPENDITURES

	EXPENDITURES IN DOLLARS							
	Actual 2009-10	Estimated 2010-11	Budget Period		Estimated Expenditures (\$000's)			
			2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Operating Costs								
Personal Services	57,240	54,853	60,744	60,744	61	61	61	61
Other Current Expenses	20,158	29,504	29,504	29,504	29	29	29	29
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	0	0	0	0	0	0	0	0
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	77,398	84,357	90,248	90,248	90	90	90	90
Capital & Investment Costs	0	0	0	0	0	0	0	0
Total Program Expenditures	77,398	84,357	90,248	90,248	90	90	90	90

REQUIREMENTS BY MEANS OF FINANCING

	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
General Funds	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
77,398	84,357	90,248	90,248	90	90	90	90	
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	0	0	0	0	0	0	0
Total Financing	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
77,398	84,357	90,248	90,248	90	90	90	90	

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
JUDICIAL SELECTION COMMISSION

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 02 01

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

<u>Measures of Effectiveness</u>	PLANNED LEVELS OF PROGRAM EFFECTIVENESS							
	<u>Actual</u>	<u>Estimated</u>	<u>Budget Period</u>			<u>Estimated</u>		
	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>

N/A

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

<u>Code No.</u>	<u>Program Size Indicators</u>	<u>Actual</u>	<u>Estimated</u>	<u>Budget Period</u>			<u>Estimated</u>		
		<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>

N/A

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

<u>Fund to Which Deposited</u>	<u>Actual</u>	<u>Estimated</u>	<u>Budget Period</u>			<u>Estimated</u>		
	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>

N/A

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

<u>Type of Revenue</u>	<u>Actual</u>	<u>Estimated</u>	<u>Budget Period</u>			<u>Estimated</u>		
	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>

N/A

JUD 501 JUDICIAL SELECTION COMMISSION

A. PROGRAM OBJECTIVES

Judicial Selection Commission

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

B. PROGRAM ACTIVITIES

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 Judicial Selection Commission is attached to the Judiciary for administrative purposes only.

C. KEY POLICIES

The Judicial Selection Commission strives to effectively and efficiently oversee the activities relating to judicial vacancies and justices'/judges' retention.

D. IMPORTANT PROGRAM RELATIONSHIPS

None

E. MAJOR EXTERNAL TRENDS

None.

F. COST, EFFECTIVENESS, AND PROGRAM SIZE DATA

There is no significant discrepancy between the program size and cost variables in the Judicial Selection Commission.

G. PROGRAM REVENUES

None.

H. SPECIAL ANALYSIS PERFORMED

None.

JUDICIARY
STATE OF HAWAII

PROGRAM TITLE:
ADMINISTRATION

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 02 02

POSITION IN PROGRAM STRUCTURE

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

PROGRAM EXPENDITURES

	EXPENDITURES IN DOLLARS							
	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Operating Costs								
Personal Services	12,287,278	12,512,334	13,836,352	13,716,878	13,716	13,716	13,716	13,716
Other Current Expenses	12,196,908	14,387,730	14,227,332	14,471,806	14,472	14,472	14,472	14,472
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	2,255,923	404,488	453,500	328,500	328	328	328	328
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	26,740,109	27,304,552	28,517,184	28,517,184	28,516	28,516	28,516	28,516
Capital & Investment Costs	9,775,000	0	24,614,000	14,350,000	8,500	59,500	81,000	8,000
Total Program Expenditures	36,515,109	27,304,552	53,131,184	42,867,184	37,016	88,016	109,516	36,516

REQUIREMENTS BY MEANS OF FINANCING

	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
General Funds	213.00	213.00	213.00	213.00	213.00	213.00	213.00	213.00
	19,118,258	20,316,610	21,486,894	21,486,894	21,486	21,486	21,486	21,486
Special Funds	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
	7,605,053	6,887,942	6,930,290	6,930,290	6,930	6,930	6,930	6,930
Revolving Funds	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	16,798	100,000	100,000	100,000	100	100	100	100
G.O. Bond Funds	9,775,000	0	24,614,000	14,350,000	8,500	59,500	81,000	8,000
Total Financing	214.00	214.00	214.00	214.00	214.00	214.00	214.00	214.00
	36,515,109	27,304,552	53,131,184	42,867,184	37,016	88,016	109,516	36,516

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
ADMINISTRATION

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 02 02

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

Measures of Effectiveness	PLANNED LEVELS OF PROGRAM EFFECTIVENESS							
	Actual	Estimated	Budget Period			Estimated		
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Avg Time to Process JUDHR001 Form (Days)	5	5	5	5	5	5	5	5
Avg Time to Process Payment Document (Days)	5	5	5 ¹	5	5	5	5	5

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

Code No.	Program Size Indicators	Actual	Estimated	Budget Period			Estimated		
		2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
A01	Number of Payment Documents Processed	32,391	32,391	32,391	32,391	32,391	32,391	32,391	32,391
A02	Number of Recruitment Announcements	787	780	780	780	780	780	780	780
A03	Number of JUDHR001 Forms Processed	2,438	2,600	3,000	3,000	3,000	3,000	3,000	3,000

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

Fund to Which Deposited	Actual	Estimated	Budget Period			Estimated		
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
General Fund	79	0	0	0	0	0	0	0
Special Fund	121	118	118	118	118	118	118	118
Other Funds	0	0	0	0	0	0	0	0
Total Program Revenues	200	118	118	118	118	118	118	118

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

Type of Revenue	Actual	Estimated	Budget Period			Estimated		
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Revenues from use of Money and Property	95	100	100	100	100	100	100	100
Revenues from Other Agencies	6	0	0	0	0	0	0	0
Charges for Current Services	99	18	18	18	18	18	18	18
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	200	118	118	118	118	118	118	118

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 (EEO) laws, legislation, and policies.

- To provide training to judges, administrators, and staff on current 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.
- To administer a Judiciary-wide workers' compensation program designed to provide claims management, cost containment, and vocational rehabilitation services to all echelons of the Judiciary.

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, disability claims, 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 Commission on Judicial Conduct, which is attached to the Judiciary for administrative purposes only, is responsible for investigating allegations of judicial misconduct and disability. Rules of the court require that three licensed attorneys and four non-attorney citizens 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.

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 providing quality administrative support and direction to the rest of the Judiciary, and enhancing 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, and 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 2011-12 THROUGH 2016-17**

PROGRAM PLAN TITLE: Judiciary
PROGRAM STRUCTURE NO: 01

DESCRIPTION	Cost Element	Project Total	Prior Years Total	Actual 2009-10	Actual 2010-11	Recommended		Fiscal Year Estimates			
						2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
JUDICIARY TOTAL	Plans	3,039	1,390	975	0	424	250	0	0	0	0
	Land	6,189	6,139	50	0	4,500	0	0	0	0	0
	Design	29,835	7,600	2,500	0	9,985	9,750	0	0	0	0
	Constr	269,955	108,900	6,000	0	9,455	4,100	7,000	59,500	75,000	0
	Equip	34,300	18,050	250	0	250	250	1,500	0	6,000	8,000
	Total	343,318	142,079	9,775	0	24,614	14,350	8,500	59,500	81,000	8,000
	G.O. Bonds	343,318	142,079	9,775	0	24,614	14,350	8,500	59,500	81,000	8,000

MULTI-YEAR FINANCIAL PLAN
REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS
FISCAL YEARS 2011-12 THROUGH 2016-17

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

DESCRIPTION	Cost Element	Project Total	Prior Years Total	Actual 2009-10	Actual 2010-11	Recommended		Fiscal Year Estimates				
						2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	
Kapolei Judiciary Complex, O'ahu (incl. Admin. Svcs. Office Bldg.)	Plans	1,315	1,090	225								
	Land	6,139	6,139									
	Design	13,420	6,915	5		6,500						
	Constr	168,400	108,900						59,500			
	Equip	24,050	18,050							6,000		
	Total	213,324	141,094	230	0	6,500	0	0	59,500	6,000	0	0
G.O. Bonds	213,324	141,094	230	0	6,500	0	0	59,500	6,000	0	0	
Kona Judiciary Complex, Hawai'i	Plans	600	100	500								
	Land	50		50		4,500						
	Design	7,500					7,500					
	Constr	75,000								75,000		
	Equip	8,000									8,000	
	Total	91,150	100	550	0	4,500	7,500	0	0	75,000	8,000	8,000
G.O. Bonds	91,150	100	550	0	4,500	7,500	0	0	75,000	8,000	8,000	
Wahiawā District Court, O'ahu	Plans	100	100									
	Land	0										
	Design	685	685									
	Constr	0										
	Equip	0										
	Total	785	785	0	0	0	0	0	0	0	0	0
G.O. Bonds	785	785	0	0	0	0	0	0	0	0	0	
Moloka'i District Court, Moloka'i	Plans	100	100									
	Land	0										
	Design	0										
	Constr	0										
	Equip	0										
	Total	100	100	0	0	0	0	0	0	0	0	0
G.O. Bonds	100	100	0	0	0	0	0	0	0	0	0	
Ali'iōlani Hale Exterior and Clock Tower Improvements, O'ahu	Plans	0										
	Land	0										
	Design	40				40						
	Constr	3,000				3,000						
	Equip	0										
	Total	3,040	0	0	0	3,040	0	0	0	0	0	0
G.O. Bonds	3,040	0	0	0	3,040	0	0	0	0	0	0	
Kapuāiwa Building Window Replacement and Upgrade, O'ahu	Plans	0										
	Land	0										
	Design	185				185						
	Constr	1,850					1,850					
	Equip	0										
	Total	2,035	0	0	0	185	1,850	0	0	0	0	0
G.O. Bonds	2,035	0	0	0	185	1,850	0	0	0	0	0	

MULTI-YEAR FINANCIAL PLAN
REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS
FISCAL YEARS 2011-12 THROUGH 2016-17

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

DESCRIPTION	Cost Element	Project Total	Prior Years Total	Actual 2009-10	Actual 2010-11	Recommended		Fiscal Year Estimates			
						2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Ka'ahumanu Hale	Plans	80				80					
	Land	0									
Roof and Lanai Upgrades and Improvements, O'ahu	Design	360				360					
	Constr	4,205				4,205					
	Equip	0									
	Total	4,645	0	0	0	4,645	0	0	0	0	0
G.O. Bonds	4,645	0	0	0	4,645	0	0	0	0	0	
Ka'ahumanu Hale	Plans	22				22					
	Land	0									
Elevator System Upgrade and Modernization, O'ahu	Design	270				270					
	Constr	3,000						3,000			
	Equip	500						500			
	Total	3,792	0	0	0	292	0	3,500	0	0	0
G.O. Bonds	3,792	0	0	0	292	0	3,500	0	0	0	
Ka'ahumanu Hale	Plans	7				7					
	Land	0									
Fire Alarm System Upgrade and Improvements, O'ahu	Design	140				140					
	Constr	1,500						1,500			
	Equip	500						500			
	Total	2,147	0	0	0	147	0	2,000	0	0	0
G.O. Bonds	2,147	0	0	0	147	0	2,000	0	0	0	
Kauikeaouli Hale	Plans	65				65					
	Land	0									
Cellblock Upgrade and Improvements, O'ahu	Design	240				240					
	Constr	2,500						2,500			
	Equip	500						500			
	Total	3,305	0	0	0	305	0	3,000	0	0	0
G.O. Bonds	3,305	0	0	0	305	0	3,000	0	0	0	
Kauikeaouli Hale	Plans	0									
	Land	0									
Elevator System Upgrade and Modernization, O'ahu	Design	245		245							
	Constr	3,750		3,750							
	Equip	0									
	Total	3,995	0	3,995	0	0	0	0	0	0	0
G.O. Bonds	3,995	0	3,995	0	0	0	0	0	0	0	
Lump Sum CIP for Judiciary Facilities, Statewide (FB 2009-2011 and FB 2011-2013 only)	Plans	750		250	0	250	250				
	Land	0									
	Design	6,750		2,250	0	2,250	2,250				
	Constr	6,750		2,250	0	2,250	2,250				
	Equip	750		250	0	250	250				
	Total	15,000	0	5,000	0	5,000	5,000	0	0	0	0
G.O. Bonds	15,000	0	5,000	0	5,000	5,000	0	0	0	0	

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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.

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.

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STATE OF HAWAII
PROGRAM TITLE: Courts of Appeal

Program Plan ID: JUD 101

Program Structure No. 01 01 01

PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

COST (Expenditures in \$1,000's)		Fiscal Year 2010					Fiscal Year 2011				
		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	79.0	77.0	2.0	-	3	79.0	79.0	0.0	+	0
	Expenditures	7,160	6,771	389	-	5	5,036	5,382	346	+	7
Totals	Positions	79.0	77.0	2.0	-	3	79.0	79.0	0.0	+	0
	Expenditures	7,160	6,771	389	-	5	5,036	5,382	346	+	7

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

Item No.	MEASURES OF EFFECTIVENESS	Fiscal Year 2010					Fiscal Year 2011				
		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	5	11	-	69	16	5	11	-	69
2.	Median Time to Decision, Civil Appeal (Mo)*	16	10	6	-	38	16	10	6	-	38
3.	Median Time to Decision, Original Proc. (Mo)	1	1	0	+	0	1	1	0	+	0

*Counted from docket date.

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

Item No.	PROGRAM SIZE INDICATORS	Fiscal Year 2010					Fiscal Year 2011				
		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	266	26	+	11	240	280	40	+	17
2.	A02 Civil Appeals Filed	340	210	130	-	38	340	220	120	-	35
3.	A03 Original Proceedings Filed	72	98	26	+	36	72	100	28	+	39
4.	A04 Appeals Disposed	630	650	20	+	3	630	670	40	+	6
5.	A05 Motions Filed	2,400	2,421	21	+	1	2,400	2,600	200	+	8
6.	A06 Motions Terminated	2,400	2,445	45	+	2	2,400	2,600	200	+	8
7.	A07 Library-Size of Collections (000's)	400	406	6	+	2	400	407	7	+	2
8.	A08 Library-Circulation & Reference Use	10,000	15,283	5,283	+	53	10,000	16,000	6,000	+	60
9.	A09 Library-Patrons Served	7,000	6,617	383	-	5	7,000	7,000	0	+	0

JUD 101 COURTS OF APPEAL

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2010, 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 positions. The expenditure variances were largely due to the two-day per month furlough applied to all Judiciary employees, the five percent pay cut assigned to all judges, and revolving fund expenditures that were less than budgeted.

In the first quarter of FY 2011, the variance in positions was attributable primarily to a vacancy in judgeship position and related support staff, in conjunction with normal employee turnover and standard recruitment delays. The expenditure variance was largely the result of payroll savings due to the position variance. For the remainder of FY 2011, estimated expenditures are expected to reflect the combined effect of additional payroll expenses, the liquidation of first quarter billings as they are received in later quarters, payments made for court purchased items, and the payroll reduction due to the continuation of employee furloughs and the judges' pay cut.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

Items 1 and 2, Median Time to Decision for Criminal and Civil Appeals, were 69% and 38%, respectively, under planned levels. Median times to completion of pending appeals for Criminal and Civil Appeals improved during FY 2010.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Item 2, Civil Appeals Filed, was 38% under the planned level due to overestimation of the planned level.

Item 3, Original Proceedings Filed, was 36% over the planned level due to underestimation of the planned level.

Item 8, Library-Circulation and Reference Use, was 53% over the planned level. This was due to increases in the number of items borrowed and reference questions handled by library staff.

JUDICIARY

STATE OF HAWAII
PROGRAM TITLE: First Circuit

Program Plan ID: JUD 310

VARIANCE DETAILS
Program Structure No. 01 01 02

PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

COST (Expenditures in \$1,000's)		Fiscal Year 2010					Three Months Ended 9-30-10					Nine Months Ended 6-30-11				
		A Budgeted	B Actual	Change From A TO B Amount	+/-	%	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	1097.5	1045.5	52.0	-	5	1097.5	1057.5	40.0	-	4	1097.5	1057.5	40.0	-	4
	Expenditures	75,144	72,431	2,713	-	4	17,743	16,387	1,356	-	8	53,228	54,584	1,356	+	3
Totals	Positions	1097.5	1045.5	52.0	-	5	1097.5	1057.5	40.0	-	4	1097.5	1057.5	40.0	-	4
	Expenditures	75,144	72,431	2,713	-	4	17,743	16,387	1,356	-	8	53,228	54,584	1,356	+	3

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

Item No. MEASURES OF EFFECTIVENESS		Fiscal Year 2010					Fiscal Year 2011				
		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)	260	250	10	-	4	260	288	28	+	11
2.	Med. Time to Dispo., Circt. Ct. Civil Act. (Days)	395	361	34	-	9	395	415	20	+	5

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

Item No. PROGRAM SIZE INDICATORS		Fiscal Year 2010					Fiscal Year 2011				
		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	6,700	7,460	760	+	11	6,700	8,000	1,300	+	19
2.	T02 Marital Actions	7,100	7,593	493	+	7	7,100	8,000	900	+	13
3.	T03 Adoption Proceedings	700	667	33	-	5	700	700	0	+	0
4.	T04 Parental Proceedings	2,000	1,846	154	-	8	2,000	2,000	0	+	0
5.	A01 Civil Actions Filed, Circuit Court	2,800	2,916	116	+	4	2,800	3,000	200	+	7
6.	A02 Criminal Actions Filed, Circuit Court	2,200	2,224	24	+	1	2,200	2,500	300	+	14
7.	A03 Marital Actions Filed	4,150	4,240	90	+	2	4,150	4,500	350	+	8
8.	A04 Traffic - New Filings (thousands)	360	326	34	-	9	360	350	10	-	3
9.	A05 Traffic - Entry of Judgement (thousands)	350	366	16	+	5	350	380	30	+	9

JUD 310 FIRST CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2010, position variances were the result of employee turnover and conservative hiring practices that recognized the seriousness of the state financial situation. Recruitment time factors for the limited number of key positions that were vacated and subsequently filled also affected position variances. All position vacancies are carefully screened as part of the ongoing process of reassessment undertaken to ensure that new hires are necessary to continue vital court services. Conservative hiring practices are also necessary due to the common 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. FY 2010 First Circuit expenditures were significantly less than “planned” largely due to the two-day per month furlough applied to all Judiciary employees and the five percent pay cut assigned to all judges. Special fund expenditures were also slightly less than budgeted.

In the first quarter of FY 2011, the variance in the number of filled authorized positions is again reflective of employee turnover, recruitment time factors, and the necessary continuation of conservative hiring practices. Expenditure variances in the first quarter are largely due to payroll savings relating to the conservative hiring practices, and normal procurement and operational practices.

For the balance of FY 2011, estimated expenditures are expected to reflect the combined effect of additional payroll expenses (as essential position vacancies are filled), the liquidation of first quarter billings as they are received in later quarters, payments made for court purchased services, and the payroll reduction due to the continuation of employee furloughs and the judges’ pay cut. However, the “savings variance” that one would expect from these actions does not occur because the Judiciary’s budget base has already been significantly reduced to account for such savings. Action to fill important 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 variance.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

No significant variance.

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

		Fiscal Year 2010										
COST (Expenditures in \$1,000's)		A	B	Change From A TO B								
		Budgeted	Actual	Amount	+/-	%						
Research and Development	Positions											
	Expenditures											
Operating	Positions	205.0	200.0	5.0	-	2						
	Expenditures	14,770	13,892	878	-	6						
Totals	Positions	205.0	200.0	5.0	-	2						
	Expenditures	14,770	13,892	878	-	6						
		Three Months Ended 9-30-10					Nine Months Ended 6-30-11					
COST (Expenditures in \$1,000's)		A	B	Change From A TO B			A	B	Change From A TO B			
		Budgeted	Actual	Amount	+/-	%	Budgeted	Estimated	Amount	+/-	%	
Research and Development	Positions											
	Expenditures											
Operating	Positions	205.0	199.0	6.0	-	3	205.0	199.0	6.0	-	3	
	Expenditures	3,478	3,109	369	-	11	10,432	10,801	369	+	4	
Totals	Positions	205.0	199.0	6.0	-	3	205.0	199.0	6.0	-	3	
	Expenditures	3,478	3,109	369	-	11	10,432	10,801	369	+	4	

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

		Fiscal Year 2010					Fiscal Year 2011				
Item No.	MEASURES OF EFFECTIVENESS	A	B	Change From A TO B			A	B	Change From A TO B		
		Planned	Actual	Amount	+/-	%	Planned	Estimated	Amount	+/-	%
1.	Med. Time to Dispo., Circt. Ct. Crim. Act. (Days)	225	241	16	+	7	225	277	52	+	23
2.	Med. Time to Dispo., Circt. Ct. Civil Act. (Days)	350	287	63	-	18	350	330	20	-	6

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

		Fiscal Year 2010					Fiscal Year 2011				
Item No.	PROGRAM SIZE INDICATORS	A	B	Change From A TO B			A	B	Change From A TO B		
		Planned	Actual	Amount	+/-	%	Planned	Estimated	Amount	+/-	%
1.	T01 Civil Actions, Circuit Court	1,800	2,225	425	+	24	1,800	2,500	700	+	39
2.	T02 Marital Actions	920	1,002	82	+	9	920	1,100	180	+	20
3.	T03 Adoption Proceedings	85	52	33	-	39	85	70	15	-	18
4.	T04 Parental Proceedings	318	400	82	+	26	318	450	132	+	42
5.	A01 Civil Actions Filed, Circuit Court	720	920	200	+	28	720	950	230	+	32
6.	A02 Criminal Actions Filed, Circuit Court	725	711	14	-	2	725	730	5	+	1
7.	A03 Marital Actions Filed	620	625	5	+	1	620	650	30	+	5
8.	A04 Traffic - New Filings (thousands)	38	31	7	-	18	38	33	5	-	13
9.	A05 Traffic - Entry of Judgement (thousands)	38	37	1	-	3	38	39	1	+	3

JUD 320 SECOND CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2010, 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 positions. The expenditure variances were largely due to the two-day per month furlough applied to all Judiciary employees and the five percent pay cut assigned to all judges.

In the first quarter of FY 2011, 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 largely the result of payroll savings due to the position variance. For the remainder of FY 2011, estimated expenditures are expected to reflect the combined effect of additional payroll expenses, the liquidation of first quarter billings as they are received in later quarters, payments made for court purchased services, and the payroll reduction due to the continuation of employee furloughs and the judges' pay cut.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

No significant variances to report.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Item 1, Civil Actions - Circuit Court, was 24% over the planned level due to an increase in foreclosure and collection cases due to creditors pursuing credit card debts and other loans.

Item 3, Adoption Proceedings, was 39% below the planned level due to a decrease in adoptions.

Item 4, Parental Proceedings, was 26% over planned levels due to an increase in Family Court Special Services filings.

Item 5, Civil Actions Filed - Circuit Court, was 28% over the planned level due to an increase in foreclosures.

JUDICIARY

STATE OF HAWAII
PROGRAM TITLE: Third Circuit

Program Plan ID: JUD 330

VARIANCE DETAILS

Program Structure No. 01 01 04

PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

COST (Expenditures in \$1,000's)		Fiscal Year 2010					Fiscal Year 2011				
		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	223.0	213.0	10.0	-	4	223.0	216.0	7.0	-	3
	Expenditures	17,441	16,321	1,120	-	6	12,343	12,812	469	+	4
Totals	Positions	223.0	213.0	10.0	-	4	223.0	216.0	7.0	-	3
	Expenditures	17,441	16,321	1,120	-	6	12,343	12,812	469	+	4

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

Item No.	MEASURES OF EFFECTIVENESS	Fiscal Year 2010					Fiscal Year 2011				
		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)	330	229	101	-	31	330	263	67	-	20
2.	Med. Time to Dispo., Circ. Ct. Civil Act. (Days)	350	371	21	+	6	350	427	77	+	22

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

Item No.	PROGRAM SIZE INDICATORS	Fiscal Year 2010					Fiscal Year 2011				
		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	2,500	3,362	862	+	34	2,500	3,400	900	+	36
2.	T02 Marital Actions	1,510	1,555	45	+	3	1,510	1,700	190	+	13
3.	T03 Adoption Proceedings	114	107	7	-	6	114	110	4	-	4
4.	T04 Parental Proceedings	749	946	197	+	26	749	950	201	+	27
5.	A01 Civil Actions Filed, Circuit Court	850	879	29	+	3	850	900	50	+	6
6.	A02 Criminal Actions Filed, Circuit Court	970	925	45	-	5	970	950	20	-	2
7.	A03 Marital Actions Filed	675	683	8	+	1	675	700	25	+	4
8.	A04 Traffic - New Filings (thousands)	51	45	6	-	12	51	47	4	-	8
9.	A05 Traffic - Entry of Judgement (thousands)	51	42	9	-	18	51	44	7	-	14

JUD 330 THIRD CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2010, 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 positions. The expenditure variances were largely due to the two-day per month furlough applied to all Judiciary employees and the five percent pay cut assigned to all judges.

In the first quarter of FY 2011, 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 largely the result of payroll savings due to the position variance. For the remainder of FY 2011, estimated expenditures are expected to reflect the combined effect of additional payroll expenses, the liquidation of first quarter billings as they are received in later quarters, payments made for court purchased services, and the payroll reduction due to the continuation of employee furloughs and the judges' pay cut.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

No significant variances to report.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Item 1, Civil Actions - Circuit Court, was 34% over the planned level due to an increase in foreclosure and collection cases due to creditors pursuing credit card debts and other loans.

Item 4, Parental Proceedings, was 26% over planned levels due to an increase in cases involving tracking down hard to locate defendants to attempt to establish paternitys.

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

		Fiscal Year 2010									
COST (Expenditures in \$1,000's)		A	B	Change From A TO B							
		Budgeted	Actual	Amount	+/-	%					
Research and Development	Positions										
	Expenditures										
Operating	Positions	97.0	95.0	2.0	-	2					
	Expenditures	6,699	6,289	410	-	6					
Totals	Positions	97.0	95.0	2.0	-	2					
	Expenditures	6,699	6,289	410	-	6					

		Three Months Ended 9-30-10					Nine Months Ended 6-30-11				
COST (Expenditures in \$1,000's)		A	B	Change From A TO B			A	B	Change From A TO B		
		Budgeted	Actual	Amount	+/-	%	Budgeted	Estimated	Amount	+/-	%
Research and Development	Positions										
	Expenditures										
Operating	Positions	97.0	96.0	1.0	-	1	97.0	97.0	0.0	+	0
	Expenditures	1,579	2,117	538	+	34	4,738	4,200	538	-	11
Totals	Positions	97.0	96.0	1.0	-	1	97.0	97.0	0.0	+	0
	Expenditures	1,579	2,117	538	+	34	4,738	4,200	538	-	11

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

		Fiscal Year 2010					Fiscal Year 2011				
Item No.	MEASURES OF EFFECTIVENESS	A	B	Change From A TO B			A	B	Change From A TO B		
		Planned	Actual	Amount	+/-	%	Planned	Estimated	Amount	+/-	%
1.	Med. Time to Dispo., Circ. Ct. Crim. Act. (Days)	330	315	15	-	5	330	362	32	+	10
2.	Med. Time to Dispo., Circ. Ct. Civil Act. (Days)	375	302	73	-	19	375	347	28	-	7

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

		Fiscal Year 2010					Fiscal Year 2011				
Item No.	PROGRAM SIZE INDICATORS	A	B	Change From A TO B			A	B	Change From A TO B		
		Planned	Actual	Amount	+/-	%	Planned	Estimated	Amount	+/-	%
1.	TO1 Civil Actions, Circuit Court	800	1,043	243	+	30	800	1,100	300	+	38
2.	TO2 Marital Actions	655	692	37	+	6	655	700	45	+	7
3.	TO3 Adoption Proceedings	101	100	1	-	1	101	110	9	+	9
4.	TO4 Parental Proceedings	420	482	62	+	15	420	500	80	+	19
5.	A01 Civil Actions Filed, Circuit Court	250	304	54	+	22	250	320	70	+	28
6.	A02 Criminal Actions Filed, Circuit Court	300	361	61	+	20	300	380	80	+	27
7.	A03 Marital Actions Filed	250	260	10	+	4	250	270	20	+	8
8.	A04 Traffic - New Filings (thousands)	11	14	3	+	27	11	16	5	+	45
9.	A05 Traffic - Entry of Judgment (thousands)	11	13	2	+	18	11	15	4	+	36

JUD 350 FIFTH CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2010, 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 positions. The expenditure variances were largely due to the two-day per month furlough applied to all Judiciary employees and the five percent pay cut assigned to all judges.

In the first quarter of FY 2011, 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 largely the result of higher cost items being encumbered in the first quarter that will be liquidated during the fiscal year. For the remainder of FY 2011, estimated expenditures are expected to reflect the combined effect of additional payroll expenses, the liquidation of first quarter billings as they are received in later quarters, payments made for court purchased services, and the payroll reduction due to the continuation of employee furloughs and the judges' pay cut.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

No significant variances to report.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Item 1, Civil Actions - Circuit Court, was 30% over the planned level due to an increase in foreclosures.

Item 5, Civil Actions Filed - Circuit Court, was 22% over the planned level due to an increase in foreclosures.

Item 8, Traffic - New Filings, was 27% over the planned level due to underestimation of the planned level.

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE: Judicial Selection Commission

Program Plan ID: JUD 501

VARIANCE DETAILS

Program Structure No. 01 02 01

PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

COST (Expenditures in \$1,000's)		Fiscal Year 2010					Fiscal Year 2011				
		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	1.0	1.0	0.0	+ 0	1.0	1.0	0.0	+ 0		
	Expenditures	91	77	14	- 15	63	65	2	+ 3		
Totals	Positions	1.0	1.0	0.0	+ 0	1.0	1.0	0.0	+ 0		
	Expenditures	91	77	14	- 15	63	65	2	+ 3		

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

Item No. MEASURES OF EFFECTIVENESS		Fiscal Year 2010					Fiscal Year 2011				
		A Planned	B Actual	Change From A TO B Amount +/- %		A Planned	B Estimated	Change From A TO B Amount +/- %			
N/A											

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

Item No. PROGRAM SIZE INDICATORS		Fiscal Year 2010					Fiscal Year 2011				
		A Planned	B Actual	Change From A TO B Amount +/- %		A Planned	B Estimated	Change From A TO B Amount +/- %			
N/A											

JUD 501 JUDICIAL SELECTION COMMISSION

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

The Judicial Selection Commission reflects no position variance for FY 2010 as the sole position was filled throughout the year. The corresponding expenditure variance for the fiscal year is attributed to the two-day per month furlough as well as continued conservative spending practices employed by the Judicial Selection Commission.

While it is anticipated that there will continue to be no position variance for FY 2011, there is an expenditure variance expected for the first quarter due to the proportionately lower expenditures that are typically incurred in the early part of the fiscal year. The remainder of FY 2011 reflects the higher level of expenditures associated with the normal increase in procurement and operational activity.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

N/A.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

N/A.

JUDICIARY

STATE OF HAWAII
PROGRAM TITLE: Administration

Program Plan ID: JUD 601

VARIANCE DETAILS

Program Structure No. 01 02 02

PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

COST (Expenditures in \$1,000's)		Fiscal Year 2010					Fiscal Year 2011				
		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	214.0	207.0	7.0	-	3	214.0	214.0	0.0	+	0
	Expenditures	30,225	26,740	3,485	-	12	20,479	18,595	1,884	-	9
Totals	Positions	214.0	207.0	7.0	-	3	214.0	214.0	0.0	+	0
	Expenditures	30,225	26,740	3,485	-	12	20,479	18,595	1,884	-	9

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

Item No.	MEASURES OF EFFECTIVENESS	Fiscal Year 2010					Fiscal Year 2011				
		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 JUDHR001 Form (days)	5	5	0	+	0	5	5	0	+	0
2.	Average Time to Process Payment Document (days)	5	5	0	+	0	5	5	0	+	0

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

Item No.	PROGRAM SIZE INDICATORS	Fiscal Year 2010					Fiscal Year 2011				
		A Planned	B Actual	Change From A TO B Amount +/- %		A Planned	B Estimated	Change From A TO B Amount +/- %			
1.	A01 Number of Payment Documents Processed	39,913	32,391	7,522	-	19	39,913	32,391	7,522	-	19
2.	A02 Number of Recruitment Announcements	970	787	183	-	19	970	780	190	-	20
3.	A03 Number of JUDHR001 Forms Processed	3,500	2,438	1,062	-	30	3,000	2,600	400	-	13

JUD 601 ADMINISTRATION

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

The FY 2010 position variance was due to normal employee turnover and recruitment delays combined with conservative recruitment activity. The corresponding expenditure variance for the year was attributable to the two-day per month furlough instituted Judiciary-wide as well as the continued practice of significantly reducing spending levels in various operating areas. Along with their court program counterparts, the administrative programs recognized the ongoing economic crisis confronting the State and curtailed spending wherever possible.

In the first quarter of FY 2011, the position variance appears to be relatively stable. However, with reduced staffing levels resulting from the previous fiscal year's position deletions, Administrative programs are expected to fill vacant positions expeditiously and a minimal position variance is expected for the remainder of the fiscal year. The expenditure variance for the first quarter period was largely due to full-year funding encumbered for various contracts and operating expenses. This fiscal practice results in the proportionately lower level of operating expenses projected for the remaining three quarters of FY 2011.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

There are no variances identified.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

The variance reflected in the Number of Payment Documents Processed (Item 1) for FY 2010 was impacted by continuing efforts to reduce paperwork through the consolidation of payments as well as the gradual integration of automated accounting functions. The variance for FY 2011 is expected to continue at the same level due to sustained efforts to reduce paperwork.

The significant variance identified in the Number of Recruitment Announcements (Item 2) issued during FY 2010 resulted from the Judiciary's conservative recruitment policies. In light of the ongoing difficulties associated with the state financial situation, recruitment activities are expected to continue at these lower levels in FY 2011.

The variance reflected in Item 3, Number of Personnel Action Forms Processed in FY 2010, is due to an overestimation formulated on historically increasing trends prior to the recent constraints imposed on departments statewide. This resulted in a significant overestimation due to the budget related restrictions placed on various operational activities during FY 2010. While the number of Personnel Action Forms Processed is projected to increase in FY 2011, a variance is reflected due to the aforementioned overestimation in planned levels that were developed previously.

