



The Judiciary, State of Hawai‘i
Testimony to the House Committee on Finance
Representative Sylvia Luke, Chair
Representative Ty J.K. Cullen, Vice Chair

Monday, February 25, 2019, 2:00 p.m. (Agenda #1)
Room 308

by
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Bill No. and Title: House Bill No. 510, H.D. 1, Relating to the Judiciary.

Purpose: To provide biennium operating and capital improvement appropriations for FYs 2020 and 2021.

Judiciary's Position:

The Judiciary urges your support of House Bill No. 510, H.D. 1, which reflects the Judiciary's resource requirements for FYs 2020 and 2021.

The Judiciary recognizes that while the Hawai‘i economy continues to still perform well overall, economic growth has declined from the previous year. We are also aware that even with a projected State budget surplus, funds will continue to be tight as there are many outstanding funding issues that need to be addressed, such as increasing health care costs and their effect on premiums, post-employment/unfunded liabilities, and recovery from the effects of recent natural disasters in Hawai‘i. Accordingly, in our biennium budget request, the Judiciary has been very prudent and focused only on its most pressing needs, primarily in the areas of essential staffing for court and administrative operations, and client services. Specifically, with these factors in mind, the Judiciary is requesting 29 new permanent positions and additional funding of \$1.75 million for FY 2020 and \$2.54 million for FY 2021, just 1.0% and 1.5% more, respectively, than our current budget base.

The Judiciary is very grateful to the House Committee on Judiciary (JUD) for providing 13 new permanent positions and funding of \$759K in FY 2020 and \$1.4 million in FY 2021 for our biennium budget requests related to essential staffing for court and administrative operations. The requests supported specifically relate to: funding only for a Family Court judge and three



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support staff in First Circuit for which positions were previously authorized; an additional District Court judge and three support staff for both the First and Second Circuits; a Family Court judge and three support staff in Fifth Circuit; and a Staff Attorney position for the Intermediate Court of Appeals. We are also quite pleased with the eight positions and funding of \$198K in FY 2020 and \$271K in FY 2021 for our client services' requests: no-cost conversion of four temporary positions to permanent positions in First Circuit (i.e., two social workers for the Mental Health Unit, one for a program manager/coordinator for the Hawaii Zero to Three Court, and a clerk for the Court Interpreting Services Section); three positions to support First Circuit's Community Outreach Court; one additional clerk position for the for the Court Interpreting Services Section; and an additional \$100K for domestic violence intervention and support treatment services in the Second Circuit.

However, the Judiciary is very concerned that neither of the two general fund biennium budget requests related to the new Keahuolū Courthouse in Kona, scheduled to open in the Fall of 2019, were supported. These requests were for: (1) \$264K in FY 2020 and \$333K in FY 2021 for one groundskeeper and five additional janitorial positions to fully staff these services for the new 140,000 square foot courthouse on 10 acres of property, and to fully fund positions for a Facilities Manager and Building Maintenance Worker partially funded by the Legislature during its 2018 session; and (2) \$474K in FY 2020 and \$424K in FY 2021 to support new building operating costs related to electricity and other utilities; for annual maintenance contracts for elevators, air conditioning, fire alarms, energy management, water treatment, and refuse collection; and for other expenses such as janitorial and building maintenance supplies, and various repair and maintenance costs not covered by contract (additional \$50K in FY 2020 is for estimated moving expenses from three different buildings/locations to the new courthouse). Without the requested funding and positions, the Judiciary will not be able to properly and fully staff the new courthouse; may have to contract for janitorial and grounds keeping services; risks degradation of the facility, equipment, and property; and could incur expensive repairs in the more immediate future. It is also extremely important to fully fund the Facilities Manager position, because that position is primarily responsible for overseeing the daily operations of the building.

We are also concerned that JUD did not fully support our request for two social worker positions and funding of \$59K in FY 2020 and \$109K in FY 2021 for its Adult/Juvenile Community Service and Restitution Unit (A/JCSRU) although it appears that one position was provided without any funding. While one position is certainly helpful, both positions along with the related funding are needed to handle increased workload, help with the Community Outreach Court, address the backlog for restitution and ability to pay studies, manage community service placements, recruit agencies willing to provide community service opportunities, and monitor work sites.



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Lastly, JUD made a \$200K reduction to our budget base for Administration (JUD 601). The Judiciary respectfully requests restoration of these funds so that we can fully support Administration offices and programs and their needs, especially as costs continue to rise.

With regard to Capital Improvement Project (CIP) requirements, the Judiciary is extremely appreciative of JUD's support and funding of \$15.7 million of the \$23.3 million requested for FY 2020 and \$11 million of the \$15.9 million requested for FY 2021. While \$3 million of the supported amount was for our lump sum funding request for each year, the remaining funds were allocated to three important and needed First Circuit Ka'ahumanu Hale projects. These projects include: upgrade and modernization of the fire alarm systems and elevators, both of which are more than 30 years old, do not function at full capacity, malfunction with greater frequency, and do not meet fire alarm codes; repair of leaks into the basement evidence storage and communications rooms; and atrium security renovations. However, we are also quite concerned with the lack of support and funding for four other CIP projects. Two of these projects - security improvements for Hoapili Hale in Second Circuit, and reroof and repair of leaks and damages at Pu'uho'oua Kaulike in Fifth Circuit - are ongoing and funds are needed to continue moving forward towards completion. The two other unsupported requests were projects to upgrade the air conditioning system at Ali'iōlani Hale in downtown Honolulu, an important project related to the health and comfort of employees and visitors in the building, and to renovate parking structure piping, including sanitary, storm water, fire sprinkler, and chilled water (AC) piping at Hoapili Hale.

In summary, the Judiciary is extremely grateful for all the support provided by JUD, but also respectfully requests restoration of the six positions and funding of \$738K in FY 2020 and \$757K in FY 2021 relative to our two requests for the new Keahuolū Courthouse in Kona; one position and funding of \$59K in FY 2020 and \$109K in FY 2021 for our First Circuit A/JCSRU; \$200K related to the reduction to the JUD 601 Administration Program budget base; and \$7.6 million in CIP funding in FY 2020 and \$4.9 million in FY 2021 for the four projects not supported or funded. With these changes and the restoration of funding and positions, the Judiciary respectfully requests your support of House Bill No. 510, H.D. 1, the Judiciary's biennium budget request.

Thank you for the opportunity to testify on this measure.