



The Judiciary

State of Hawai'i

Supplemental Budget (2013-2015) and Variance Report (2012-2014)

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

December 2013



**To the Twenty Seventh State Legislature of Hawai'i
Regular Session of 2014**

As Chief Justice of the Hawai'i Supreme Court and Administrative Head of the Judiciary, it is my pleasure to transmit to the Hawai'i State Legislature the Judiciary's FB 2013-15 Supplemental Budget and Variance Report. 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. Consistent with this principle, the courts seek to make justice available without undue cost, inconvenience, or delay.

The Judiciary recognizes that the economy and overall economic outlook for Hawai'i have significantly improved relative to the last two fiscal biennia. However, as you know and we understand, in keeping with the biennium budget concept, supplemental budget resources will be requested largely to address unforeseen developments, inadvertent oversights, and other special circumstances which might cause hardship on those we serve. In addition, we are quite mindful of the many competing demands for the limited resources available. Accordingly, the Judiciary has tried to be very prudent in its supplemental budget request and focus on only its most pressing needs relative to the clients and public it serves, as well as to its own operations and staff.

Overall, the Judiciary is requesting 18 new permanent positions and additional funding of \$4.8 million for FY 2015. Some of our requests focus on our especially vulnerable clients, and relate to maintaining and expanding the number of First Circuit clients who receive services for mental health issues; providing for new interview recording equipment for the Children's Justice Center locations so that children who have been sexually abused or witnesses to violent crimes will not have to be re-interviewed and re-traumatized due to faulty recording equipment; and establishing an additional Office of Public Guardian position to help better manage clients assigned who cannot fend for themselves and a Nurse Manager position for the Juvenile Detention Facility in Kapolei to ensure proper medical attention to the juveniles housed within. Another set of requests relate to adult and juvenile offenders and Family Court matters. Specifically, First Circuit has requested supplemental resources to: (1) maintain and expand its Project HOPE (Hawaii's Opportunity Probation with Enforcement) program, (2) continue restoration of Purchase of Service contract funding to provide essential treatment to adult and juvenile offenders and their victims, (3) lease space in Kapolei to further consolidate Family Court functions in one geographic location and be more efficient, and (4) establish a Family Court mediator position to provide an on-site alternative to expensive and timely litigation; while Second Circuit has requested funds to cover increased guardian ad litem/legal counsel costs.

Other supplemental resources are being requested in the court operations and services area. These include funding for a First Circuit position to help with the managing and

scheduling of court interpreters; updating the JAVS audio/visual system that produces official records of court proceedings in the 14 courtrooms in Kapolei; additional bailiff positions for Kohala/Hamakua and Hilo Family Courts; hiring of two special duty police officers to provide security for the Kona Circuit and Family Courts; an IT specialist for Kona in the Third Circuit; an additional legal documents clerk position in the Second Circuit; and four positions related to cashiering functions in the Circuit, District, and Family Courts of the First Circuit. The last area of concern for which the Judiciary is requesting supplemental resources are areas which affect the Judiciary overall, or affect the staff, their operations and their performance of duties. Specifically, funding is being requested for training of judges and staff, an identified area of concern; a new multi-point control unit for video-conferencing; a Capital Improvement Program (CIP) Specialist position to assist with the numerous CIP jobs and maintenance concerns for aging facilities; an additional IT specialist position and education specialist position in Administration; the replacement of aging computers in the First Circuit; and salary adjustments for the judges based on the 2013 Commission on Salaries recommendation and for the Administrative and Deputy Administrative Director of the Courts based on a bill introduced this session.

It should be noted that the total proposed general fund appropriations for the Judiciary (including the Judiciary Supplemental Budget for FY 2013-15 and related collective bargaining appropriations) exceed the appropriation ceiling by \$8.5 million or 6.04% in FY 2014 and by \$2.1 million or 1.38% in FY 2015. Previous uncertainty relating to collective bargaining augmentation, changing State growth rate estimates, and the need to address important operating requirements resulted in the Judiciary's total general fund appropriations exceeding the ceiling.

Capital Improvement Project (CIP) requirements remain a major item of concern as the Judiciary's infrastructure continues to age and deteriorate, and as the population served and corresponding demand for services provided by the Judiciary keep increasing. To that end and like last year, the number one priority item in the CIP area is the Kona Judiciary Complex and the need for an additional \$81 million for construction of this vitally needed project. Other CIP construction funding is being requested for elevator replacement at Ka'ahumanu Hale (the Circuit Court Building on O'ahu). In addition, CIP planning funding has been included for Ka'ahumanu Hale cellblock redesign; upgrade of the air conditioning and ventilation systems at Kauikeaouli Hale (the District Court Building on O'ahu), and the air conditioning system at Lahaina District Court Building; and upgrade of the fire alarm systems and assessment of all parking structure systems (e.g., fire sprinkler, sewage, storm drainage, and air conditioning piping) at Hoapili Hale (the Circuit Court Building on Maui).

The Judiciary recognizes that balancing the desire to continue to provide adequate public services to Hawaii's citizens against competing initiatives with available general fund resources creates difficult allocation decisions. To address this concern, and in keeping with its commitment toward increasing efficiency and access to justice, the Judiciary has included requests for additional resources which provide the greatest opportunity to serve those requiring court services.

We know that the Legislature shares the Judiciary's commitment to preserving a fair and effective 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 continued support and consideration.

Sincerely,

A handwritten signature in black ink that reads "Mark E. Recktenwald". The signature is written in a cursive, flowing style.

MARK E. RECKTENWALD
Chief Justice
December 16, 2013

TABLE OF CONTENTS

	Chief Justice's Message	i
	Table of Contents	v
Part I.	Introduction	1
Part II.	Operating Program Summaries	6
	The Judicial System	7
	Court Operations	8
	Support Services	9
Part III.	Operating Program Plan Details	11
	Courts of Appeal	13
	First Circuit	17
	Second Circuit	31
	Third Circuit	37
	Fifth Circuit	43
	Judicial Selection Commission	47
	Administration	49
Part IV.	Capital Improvements Appropriations and Details	62
Part V.	Variance Report	69
	Courts of Appeal	73
	First Circuit	75
	Second Circuit	77
	Third Circuit	79
	Fifth Circuit	81
	Judicial Selection Commission	83
	Administration	85

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			Program I.D.
	I	II	III	
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

This document contains the Judiciary Supplemental Budget. It has been prepared to supplement the Judiciary Budget Document presented to the Legislature in December 2012, and serves as the basis for amending the Judiciary Appropriations Act (Act 133, SLH 2013) passed by the Twenty Seventh State Legislature.

The following is an explanation of the sections contained in this document:

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 Supplemental Budget is presented by major program areas. Each program area includes a financial summary, followed by narratives on the program objectives, and related data. The budget requests are listed and then discussed.

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 for FY 2015 by major programs are as follows:

Operating Expenditures (in \$)

Major Program	MOF	Current Appropriation	Supplemental Request	Total Request
Courts of Appeal	A	6,155,459	43,836	6,199,295
First Circuit	A	75,257,274	3,411,358	78,668,632
	B	4,002,620	---	4,002,620
Second Circuit	A	15,098,670	141,184	15,239,854
Third Circuit	A	17,958,784	328,490	18,287,274
Fifth Circuit	A	6,894,905	16,426	6,911,331
Judicial Selection Commission	A	88,857	---	88,857
Administration	A	22,958,656	844,510	23,803,166
	B	7,930,290	---	7,930,290
	W	<u>343,261</u>	<u>---</u>	<u>343,261</u>
Total	A	144,412,605	4,785,804	149,198,409
	B	11,932,910	---	11,932,910
	W	<u>343,261</u>	<u>---</u>	<u>343,261</u>

Revenues

The projected revenues (all sources) for FY 2015 by major programs are as follows:

Revenues (in \$)

Major Program	Amount
Courts of Appeal	83,400
First Circuit	37,062,858
Second Circuit	4,601,747
Third Circuit	5,163,137
Fifth Circuit	1,791,447
Administration	<u>119,983</u>
Total	<u>48,822,572</u>

Cost Categories, Cost Elements, and Means of Financing

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

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

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

This document has been prepared by the Office of the Administrative Director with assistance from the Judiciary staff. It is being submitted to the Twenty-Seventh 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		

PROGRAM EXPENDITURES (in dollars)	FISCAL YEAR 2013-14			FISCAL YEAR 2014-15			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs								
	1,938.50	0.00	1,938.50	1,938.50	18.00	1,956.50	1,938.50	1,956.50
Personal Services	107,812,842	0	107,812,842	107,949,570	1,303,934	109,253,504	215,762,412	217,066,346
Other Current Expenses	49,094,260	0	49,094,260	47,839,260	2,273,446	50,112,706	96,933,520	99,206,966
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	899,946	0	899,946	899,946	1,208,424	2,108,370	1,799,892	3,008,316
Motor Vehicles	0	0	0	0	0	0	0	0
	1,938.50	0.00	1,938.50	1,938.50	18.00	1,956.50	1,938.50	1,956.50
Total Operation Costs	157,807,048	0	157,807,048	156,688,776	4,785,804	161,474,580	314,495,824	319,281,628
Capital & Investment Costs	3,425,000	0	3,425,000	11,400,000	89,190,000	100,590,000	14,825,000	104,015,000
	1,938.50	0.00	1,938.50	1,938.50	18.00	1,956.50	1,938.50	1,956.50
Total Program Expenditures	161,232,048	0	161,232,048	168,088,776	93,975,804	262,064,580	329,320,824	423,296,628

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2013-14			FISCAL YEAR 2014-15			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
	1,896.50	0.00	1,896.50	1,896.50	18.00	1,914.50	1,896.50	1,914.50
General Fund	145,530,877	0	145,530,877	144,412,605	4,785,804	149,198,409	289,943,482	294,729,286
	42.00	0.00	42.00	42.00	0.00	42.00	42.00	42.00
Special Funds	11,932,910	0	11,932,910	11,932,910	0	11,932,910	23,865,820	23,865,820
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Revolving Funds	343,261	0	343,261	343,261	0	343,261	686,522	686,522
G.O. Bond Fund	3,425,000	0	3,425,000	11,400,000	89,190,000	100,590,000	14,825,000	104,015,000
	1,938.50	0.00	1,938.50	1,938.50	18.00	1,956.50	1,938.50	1,956.50
Total Financing	161,232,048	0	161,232,048	168,088,776	93,975,804	262,064,580	329,320,824	423,296,628

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		

PROGRAM EXPENDITURES (in dollars)	FISCAL YEAR 2013-14			FISCAL YEAR 2014-15			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs	1,710.50	0.00	1,710.50	1,710.50	14.00	1,724.50	1,710.50	1,724.50
Personal Services	93,510,441	0	93,510,441	93,556,017	1,071,780	94,627,797	187,066,458	188,138,238
Other Current Expenses	32,166,695	0	32,166,695	31,811,695	2,190,053	34,001,748	63,978,390	66,168,443
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	0	0	0	0	679,461	679,461	0	679,461
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	125,677,136	0	125,677,136	125,367,712	3,941,294	129,309,006	251,044,848	254,986,142
Capital & Investment Costs	0	0	0	0	0	0	0	0
Total Program Expenditures	125,677,136	0	125,677,136	125,367,712	3,941,294	129,309,006	251,044,848	254,986,142

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2013-14			FISCAL YEAR 2014-15			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
General Fund	121,674,516	0	121,674,516	121,365,092	3,941,294	125,306,386	243,039,608	246,980,902
Special Funds	4,002,620	0	4,002,620	4,002,620	0	4,002,620	8,005,240	8,005,240
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Fund	0	0	0	0	0	0	0	0
Total Financing	125,677,136	0	125,677,136	125,367,712	3,941,294	129,309,006	251,044,848	254,986,142

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		

PROGRAM EXPENDITURES (in dollars)	FISCAL YEAR 2013-14			FISCAL YEAR 2014-15			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs								
	228.00	0.00	228.00	228.00	4.00	232.00	228.00	232.00
Personal Services	14,302,401	0	14,302,401	14,393,553	232,154	14,625,707	28,695,954	28,928,108
Other Current Expenses	16,927,565	0	16,927,565	16,027,565	83,393	16,110,958	32,955,130	33,038,523
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	899,946	0	899,946	899,946	528,963	1,428,909	1,799,892	2,328,855
Motor Vehicles	0	0	0	0	0	0	0	0
	228.00	0.00	228.00	228.00	4.00	232.00	228.00	232.00
Total Operation Costs	32,129,912	0	32,129,912	31,321,064	844,510	32,165,574	63,450,976	64,295,486
Capital & Investment Costs	3,425,000	0	3,425,000	11,400,000	89,190,000	100,590,000	14,825,000	104,015,000
	228.00	0.00	228.00	228.00	4.00	232.00	228.00	232.00
Total Program Expenditures	35,554,912	0	35,554,912	42,721,064	90,034,510	132,755,574	78,275,976	168,310,486

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2013-14			FISCAL YEAR 2014-15			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
General Fund	227.00	0.00	227.00	227.00	4.00	231.00	227.00	231.00
	23,856,361	0	23,856,361	23,047,513	844,510	23,892,023	46,903,874	47,748,384
Special Funds	1.00	0.00	1.00	1.00	0.00	1.00	1.00	2.00
	7,930,290	0	7,930,290	7,930,290	0	7,930,290	15,860,580	15,860,580
Revolving Funds	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	343,261	0	343,261	343,261	0	343,261	686,522	686,522
G.O. Bond Fund	3,425,000	0	3,425,000	11,400,000	89,190,000	100,590,000	14,825,000	104,015,000
	228.00	0.00	228.00	228.00	4.00	232.00	228.00	232.00
Total Financing	35,554,912	0	35,554,912	42,721,064	90,034,510	132,755,574	78,275,976	168,310,486

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PART III



Operating Program Plan Details

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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 (in dollars)	FISCAL YEAR 2013-14			FISCAL YEAR 2014-15			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs								
	71.00	0.00	71.00	71.00	0.00	71.00	71.00	71.00
Personal Services	5,777,179	0	5,777,179	5,777,179	43,836	5,821,015	11,554,358	11,598,194
Other Current Expenses	378,280	0	378,280	378,280	0	378,280	756,560	756,560
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
	71.00	0.00	71.00	71.00	0.00	71.00	71.00	71.00
Total Operation Costs	6,155,459	0	6,155,459	6,155,459	43,836	6,199,295	12,310,918	12,354,754
Capital & Investment Costs	0	0	0	0	0	0	0	0
	71.00	0.00	71.00	71.00	0.00	71.00	71.00	71.00
Total Program Expenditures	6,155,459	0	6,155,459	6,155,459	43,836	6,199,295	12,310,918	12,354,754

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2013-14			FISCAL YEAR 2014-15			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
General Fund	71.00	0.00	71.00	71.00	0.00	71.00	71.00	71.00
	6,155,459	0	6,155,459	6,155,459	43,836	6,199,295	12,310,918	12,354,754
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 Fund	0	0	0	0	0	0	0	0
	71.00	0.00	71.00	71.00	0.00	71.00	71.00	71.00
Total Financing	6,155,459	0	6,155,459	6,155,459	43,836	6,199,295	12,310,918	12,354,754

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.

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.

B. DESCRIPTION OF REQUEST

Judges' Salary Differential: Funding of \$43,836 is requested for justices' and judges' pay increases that were recommended by the Commission on Salaries and authorized by the 2013 Legislature.

C. REASONS FOR REQUEST

Judges' Salary Differential: The Court of Appeals is requesting \$43,836 to fund justices' and judges' salaries at the legislatively mandated pay levels set by the 2013 Commission on Salaries.

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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 (in dollars)	FISCAL YEAR 2013-14			FISCAL YEAR 2014-15			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs								
	1,106.50	0.00	1,106.50	1,106.50	10.00	1,116.50	1,106.50	1,116.50
Personal Services	59,317,797	0	59,317,797	59,363,373	781,018	60,144,391	118,681,170	119,462,188
Other Current Expenses	20,251,521	0	20,251,521	19,896,521	1,972,453	21,868,974	40,148,042	42,120,495
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	0	0	0	0	657,887	657,887	0	657,887
Motor Vehicles	0	0	0	0	0	0	0	0
	1,106.50	0.00	1,106.50	1,106.50	10.00	1,116.50	1,106.50	1,116.50
Total Operation Costs	79,569,318	0	79,569,318	79,259,894	3,411,358	82,671,252	158,829,212	162,240,570
Capital & Investment Costs	0	0	0	0	0	0	0	0
	1,106.50	0.00	1,106.50	1,106.50	10.00	1,116.50	1,106.50	1,116.50
Total Program Expenditures	79,569,318	0	79,569,318	79,259,894	3,411,358	82,671,252	158,829,212	162,240,570

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2013-14			FISCAL YEAR 2014-15			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
General Fund	1,065.50	0.00	1,065.50	1,065.50	10.00	1,075.50	1,065.50	1,075.50
	75,566,698	0	75,566,698	75,257,274	3,411,358	78,668,632	150,823,972	154,235,330
Special Funds	41.00	0.00	41.00	41.00	0.00	41.00	41.00	41.00
	4,002,620	0	4,002,620	4,002,620	0	4,002,620	8,005,240	8,005,240
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 Fund	0	0	0	0	0	0	0	0
	1,106.50	0.00	1,106.50	1,106.50	10.00	1,116.50	1,106.50	1,116.50
Total Financing	79,569,318	0	79,569,318	79,259,894	3,411,358	82,671,252	158,829,212	162,240,570

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. DESCRIPTION OF REQUEST

Judges' Salary Differential: Funding of \$192,886 is requested for judges' pay increases that were recommended by the Commission on Salaries and authorized by the 2013 Legislature.

Moving and Rental Costs for the Juvenile Client Services Branch: Funding is being requested by First Circuit to lease space in Kapolei so as to allow the four Family Court programs remaining in Honolulu (i.e., Juvenile Intake Probation and Services Section, Juvenile Drug Court, Girls Court, and Family Drug Court) and their 81 employees to move to the same geographic location as the rest of Family Court. Lease, utility, and security costs are estimated at \$1,075,225 annually, as well as a one-time moving cost of \$20,000 to transport equipment and materials from Honolulu to the new leased location.

Jefferson Audio Visual System (JAVS) Hardware/Software Update: \$281,314 is included in the First Circuit's budget request to update the JAVS hardware/software in 14 courtrooms at the Ronald T.Y. Moon Judiciary Complex. On January 1, 2015, production of the current JAVS AutoLog 6 platform hardware and software will be discontinued by the manufacturer, so the update to AutoLog 7 is crucial to maintain continuous operations in these 14 courtrooms.

Purchase of Service (POS) Funding: \$658,000 is being requested for POS funds to provide essential treatment and program services to assist juvenile and adult offenders in becoming productive and responsible individuals, reduce recidivism, and keep communities safe. POS providers are necessary to provide support services and treatment for clients who have alcohol and drug problems as well as provide levels of care ranging from outpatient treatment to residential treatment.

Nurse Manager Position for the Hale Ho'omalua Juvenile Detention Facility Medical Unit: This request for \$85,248 in funding and one permanent Nurse Manager position will ensure that the Juvenile Detention Facility Medical Unit has the proper administrative support to effectively address the medical needs of its clients.

Family Court Mediator Position: One permanent Mediator position and funding totaling \$59,894 is requested for Family Court to assist with its mediation efforts in helping families and parties find lasting solutions, maintain relationships, and avoid time consuming and expensive court litigation.

Two Permanent Social Services Assistant Positions and Funding for Hawaii's Opportunity Probation with Enforcement (HOPE) Program: This request totaling \$57,672 is for two permanent Social Services Assistant positions which were initially funded through a federal grant that expired on June 30, 2013. The permanent positions will allow the HOPE program to maintain its current level of critical drug testing services, that is, some 125 offenders tested daily.

Three Temporary Probation Officer (Social Worker IV) Positions and Funding for HOPE Program: To keep pace with the growth of the HOPE program population, \$231,844 and three temporary Social Worker IV (Probation Officers) positions are being requested. Salary amounts for the three temporary Probation Officers are \$45,476 each, and \$95,116 is also included for drug testing supplies and lab analysis.

Judicial Clerk II Position for Court Interpreting Services: One permanent Judicial Clerk II position and \$30,036 in personal services funding are being requested to help support the Court Support Services Coordinator in managing the significantly increased demands in First Circuit for interpreter services, as interpreters are now required to be available to all court users with limited English proficiency for any court related business.

Positions for Cashier Sections in Circuit, District and Family Courts: Four additional permanent positions costing \$144,246 are being requested for the Cashier Sections in the three major O'ahu court locations, namely, the Honolulu Circuit and District Courts, and the Family Court at the Ronald T.Y. Moon Judiciary Complex. With the opening of the Ronald T.Y. Moon Judiciary Complex in 2010, three positions in the cashiers sections were transferred from the Honolulu courts and not replaced, leaving them shorthanded, especially in light of the increasing demands on the fiscal sections as well as the new initiatives to improve and expand fiscal reporting requirements.

Westlaw Subscription Costs: This request of \$21,000 addresses the rising cost of Westlaw database subscriptions.

Computer Equipment Replacement Plan: In order to facilitate efficient use of technology-related resources, \$355,500 in funding is being requested to implement a seven-year computer replacement plan across the First Circuit.

Temporary Social Worker IV Position and Funding for Mental Health Court (MHC): This request for one temporary Social Worker IV position and \$49,805 in funding will enable the MHC to replace a temporary Probation Officer position lost during the economic downturn and to increase the number of clients it serves and thereby better address the complex needs of offenders with severe mental illness.

Permanent Social Worker IV Position and Funding for Mea Kokua Program in Drug Court: The Hawai'i Drug Court Program is proposing to continue the services established under the Mea Kokua Grant which expires on February 28, 2014. This request for \$148,688 will fund one permanent Social Worker IV position, psychological services, medical supplies, and other program support items to help establish a permanent treatment track for offenders with co-occurring substance use and mental health disorders within the existing Hawai'i Drug Court Program.

C. REASONS FOR REQUEST

Judges' Salary Differential: First Circuit is requesting \$192,886 to fund judges' salaries at the legislatively mandated pay levels set by the 2013 Commission on Salaries.

Moving and Rental Costs for the Juvenile Client Services Branch: This request is for \$1,075,225 to lease space in Kapolei, and cover utility and security costs for four Family Court Juvenile Client Services Branch programs and their employees that were left behind in Honolulu when the rest of the Family Court moved to the new Ronald T.Y. Moon Judiciary Complex. An additional \$20,000 in one time costs is being requested to transport items from Honolulu to the new leased location in Kapolei.

In the spring of 2010, the Ronald T.Y. Moon Complex in Kapolei was completed and Family Court operations moved from Honolulu to Kapolei. Unfortunately, four Family Court programs and 81 employees in the Juvenile Client Services Branch could not be moved and had to remain in Honolulu as the desired size of the new complex had to be scaled back significantly, partly due to the large escalation in construction materials costs caused by Hurricane Katrina. These four programs include the Juvenile Intake and Probation Services Section, Juvenile Drug Court, Family Drug Court, and Girls Court. Employees in these programs must travel frequently from Honolulu to Kapolei to attend hearings and meet with youth and their families.

Probation Officers who begin their workday at 7:45 a.m. constantly worry that they will not be able to get to Kapolei in a timely fashion to attend court hearings which begin at 8:30 a.m. in the morning. Each staff member from the Juvenile Client Services Branch must first report to their Honolulu office to check the status of any cases or updates that have come up since the previous work day. Staff then drive to the Ronald T.Y. Moon Judiciary Complex for their court hearings or client meetings. This approximate 1.5 to 2 hour round trip is costly, inefficient and unproductive, and can be stress inducing as one worries about arriving on-time for meetings and/or court appearances.

During a three month test period from April 2012 to June 2012, 203 trips were made from Honolulu to Kapolei by the Juvenile Intake and Probation Services Section. During another two month test period from June 17, 2013 to August 16, 2013, 324 trips were made from Honolulu to Kapolei by Branch staff. Annualizing this and assuming two hours per trip, this equates to almost 4,000 hours of unproductive/lost time.

If all Family Court programs were in one geographic area, it would be much more efficient, improve coordination among all Family Court divisions, and improve utilization of staff time so that staff can spend more time working directly with their clients to achieve better outcomes and help prevent them from returning to the juvenile justice system.

JAVS Hardware/Software Update: This request is for \$281,314 to upgrade/update the audio and visual recording equipment at the Ronald T.Y. Moon Complex from AutoLog 6 to AutoLog 7 system hardware and software.

The Ronald T.Y. Moon Judiciary Complex currently uses JAVS AutoLog 6 hardware and software for audio and visual recording, and producing an official record of all proceedings in its 14 courtrooms. AutoLog 6 hardware and software, first released in 2006, will be discontinued and no longer supported by the manufacturer effective January 1, 2015 so updating to the AutoLog 7 platform is crucial to maintain continuous operations in these 14 courtrooms. If the AutoLog 6 systems are not upgraded and become inoperable in any courtroom, backlogs and delays in scheduling hearings may result, and would negatively impact the parties and families involved, as well as Judiciary staff. The existing JAVS repair and maintenance agreement holds the Judiciary responsible for purchase of replacement equipment if the products or parts are no longer supported by the original equipment manufacturer and deemed non-repairable.

POS Funding: In July 2010, due to the downturn in the economy of the State of Hawai'i, First Circuit reduced its funding for POS contracts by about 30% or some \$2.1 million. Funding cuts led to a decrease in the extent and types of services available to offenders, victims, youths, and other affected parties; longer wait times to receive services; and POS providers having difficulties with staff retention. Without staff stability, the providers have a hard time improving or even maintaining service levels. In the 2013 legislative session, the First Circuit received more than \$640,000 to begin restoration of funding in this area. The Judiciary is requesting another \$658,000 to continue the funding restoration process and provide for current First Circuit POS needs. Uses for POS funds are categorized in the manner listed below and are not dedicated to a particular organization or vendor at this point in time.

Family Services (e.g., Family Conferencing and Youth Circles, family based recovery support systems, communication/mediation, evening reporting centers, etc.)
Domestic Violence Services including victim impact classes
Adult Services (e.g., substance abuse assessment/treatment/rehab, residential services, mental health services, behavioral therapy, anger management, emergency shelter, communication, etc.)
Juvenile Services (e.g., substance abuse assessment/treatment/rehab, sex offender assessment/treatment, alternative education, in-community services, independent living programs, emergency shelter, etc.)

Nurse Manager Position for the Hale Ho‘omaluku Juvenile Detention Facility Medical Unit: This request of \$85,248 is for a Nurse Manager position for the Hale Ho‘omaluku Juvenile Detention Facility at Kapolei.

One of the goals of the Hale Ho‘omaluku Juvenile Detention Facility is to eventually provide 24 hour medical coverage so that youth who are brought in by the Honolulu Police Department after 9 p.m. are medically screened upon admission and provided with proper medical attention. One step toward achieving this goal would be to establish a Nurse Manager position. Among other things, this Nurse Manager would be responsible for providing oversight and direction to the current permanent and intermittent nurses who work at the facility, and for ensuring that policies and procedures are established and followed. The Nurse Manager would also work collaboratively with a part-time doctor contracted through the University of Hawai‘i Clinical Educational and Research Associates and part-time psychologists/psychiatrists provided through the University of Hawai‘i Medical School to coordinate services for the youth and make sure that their medical needs are being met. Ultimately, the Nurse Manager would play a pivotal role in the Medical Unit by planning, organizing, scheduling, and supervising the nursing case and medical services required by the youth in the Hale Ho‘omaluku Juvenile Detention Facility.

Family Court Mediator Position: First Circuit is requesting a mediator position and related funding of \$59,894 for its Family Court.

The Family Court is a specialized court of record designed to deal with family conflict and juvenile offenders. It handles such matters as divorce, separation, adoption, parental rights, domestic abuse/violence, and temporary restraining or protective orders, etc. Approximately 18,000 new cases were filed and 18,000 cases were terminated in the Family Court of the First Circuit in FY 2013.

Many of the cases that come to Family Court arise from communication problems between the parties to the case. With only 13 full-time judges working on these cases, the parties to these cases and the judges often do not have as much time as they would like to discuss voluntary resolution or to address the underlying issues in the cases. Currently, the Judiciary has a contract with the Mediation Centers of Hawai‘i, Inc., which provides mediation services at its office near Aala Park. In most cases, the Judiciary requires parties to go to mediation. Parties may choose to go to the mediation center where they pay for services on a sliding scale, or they may choose a mediator from the private sector (and they are responsible for the costs of the mediator). In addition, the Judiciary also refers some parental rights cases and paternity cases to mediators. For the paternity cases, the Judiciary has a pilot program where an on-site mediator is made available one-half day each week. Having a permanent, full-time mediator on-site would provide parties with an alternative to litigation and give them a neutral place and process for resolving pending cases in total, or alternatively, issues within the case. Through this process, parties and the mediator can explore various solutions to the issues, and cases that settle will be dismissed. Early resolution of cases benefits both the settling parties by

having a private resolution of their cases without the need for further time consuming and often expensive litigation, and the court by reducing its caseload and thereby allowing it to resolve other cases more quickly and decrease case processing time. The mediator may also help the parties simplify, clarify, and, when possible, reduce the issues in their case. This promotes speedier resolution of those cases that remain before the court.

Two Permanent Social Services Assistant Positions and Funding for HOPE Program: This request is for two Social Services Assistant positions and related funding of \$57,672 to ensure continuation of periodic and relatively frequent drug testing of offenders in the HOPE program.

The drug testing component of the HOPE program is an integral part of its success. Drug testing is the first measure used to effectively confront offenders who have violated their probation terms and conditions. Based on the offender's drug test outcome, swift and certain sanctions are applied. There is a direct relationship between drug use and the HOPE client's tendency to miss appointments with his/her probation officer or treatment providers. The more appointments that are missed leads to increased recidivism. It is important to keep these individuals consistently on track through swift action. Currently, there are more than 2,200 offenders in the HOPE program with the average number of HOPE offenders tested daily being 125. In order to sustain this random drug testing effort and reduce recidivism, there is a need to continue funding the two Social Worker Assistant positions which were initially established through a federal grant that expired on June 30, 2013. Support for these two Social Services Assistants and their drug testing duties will increase offender accountability and the overall integrity of the First Circuit adult probation system.

Three Temporary Probation Officers (Social Worker IV) Positions and Funding for the HOPE program: The First Circuit is requesting funding of \$231,844 for three temporary Probation Officer positions and other related expenses for the HOPE program.

The HOPE Project has been shepherded by First Circuit Court Judge Steven Alm in response to Hawai'i Revised Statutes (HRS), 706-605.1, enacted in 1995, which mandates the Judiciary "to implement alternative programs that place, control, supervise, and treat selected defendants in lieu of a sentence of incarceration."

Currently, there are 2,240 offenders in the program that need to be held accountable for their actions. Probation Officers need to be able to closely follow up with these clients, and HOPE allows these officers to be more effective by immediately sanctioning this segment of the population. Prior to the inception of the HOPE program, there were delays in processing probation violations and failed drug tests. Offenders who returned for modification or revocation of probation would accumulate numerous violations before being sanctioned and the consequences of non-compliant behavior became less meaningful. HOPE established the opportunity for the Probation Department to conduct a randomized drug testing program, focus on the high risk offender, and provide immediate sanctioning of violations. Offenders soon learned that there would be little

escape from the consequences of their negative behavior and that it would be in their best interest to show up for their appointments and remain drug free.

The number of Probation Officers in the HOPE program must be increased significantly to continue and enhance the activities of the program and, at the same time, lessen the workload per individual Probation Officer. It is clear from existing literature that in order to influence an offender, the Probation Officer must spend time with that offender to build a working alliance. With an inadequate number of supervising officers, the management of caseloads does not allow for optimum infusion of evidence based principles and the resulting focus on high risk offenders. Research supports the fact that focusing attention on the high risk offender produces a larger impact on the reduction of crime. While the HOPE program has grown from 34 clients in 2004 to 2,240 clients currently, resources have not increased proportionately. If the current caseload were to be divided only among the five Probation Officers working within HOPE, each Probation Officer would be carrying a caseload of well over 400 cases. Consequently, HOPE cases have been intermingled with general probation caseloads, thereby imposing on the already overburdened general supervision staff. While the addition of three temporary Social Worker IV positions will not correct the caseload management issue completely, it will definitely have a positive impact on caseload management and supervision. The addition of three temporary Probation Officers and additional funding for drug testing supplies and lab analysis will allow the HOPE program to maintain and expand its effectiveness in reducing recidivism and improving public safety.

Judicial Clerk II Position for Court Interpreting Services: Funding of \$30,036 is being requested for a Judicial Clerk II position in the First Circuit to assist in the ever expanding area of court interpreter services.

State, as well as Federal Law, requires the Judiciary to provide language access to the courts. Given Hawaii's diversity of cultures, the language access needs in the Judiciary continue to increase. U.S. censuses show that more than 25% of Hawaii's population does not speak English as its primary language. As a result, this segment's language access needs are apparent in the courts every day. Specifically, the First Circuit's court interpreter needs have increased by approximately 77% in the past nine years, that is, from 3,740 requests and 43 languages in FY 2005 to 6,600 requests and 68 languages in FY 2013.

The U.S. Department of Justice requires that state courts comply with language access mandates of Title VI of the Civil Rights Act. Hawai'i State law also prescribes that all state agencies ensure that language services are provided for limited English proficient persons. Therefore, the Judiciary requires that language access be provided for all court users with limited English proficiency for all court-related business. Not only is the Judiciary required to make available court interpreters for all court hearings, but also for all Judiciary activities where a court user with limited English proficiency would require a language interpreter such as for probation hearings or Driver Education classes. With efforts made to expand awareness of interpreter services in the courts, there has been a substantial increase in the number of requests for court interpreter services over the past

several years, as noted in the previous paragraph. While a Court Support Services Coordinator was established in 2004 to coordinate these requests, the subsequent rise in workload and complexity of obtaining appropriate language interpreters have resulted in the need for additional staff. The requested Judicial Clerk II position will greatly assist the First Circuit in meeting the increased demands for interpreter services, and in doing so, address Federal and State laws requiring that language access be provided to all court users.

Positions for Cashier Sections in Circuit, District and Family Courts: First Circuit is requesting four permanent positions and related funding of \$144,246 for its cashier sections in some of its court facilities.

To effectively maintain and operate the cashier sections in the Honolulu Circuit and District Court facilities, and the Kapolei Court Complex, it is critical that the requested positions and related funding be appropriated. Having adequate staffing will allow for efficient and effective service to the court patrons at the public counters, thorough research and review of cases prior to escheating of unclaimed bails and deposits, and accurate and timely preparation of fiscal reports on bail bond forfeitures and restitution accounts. Given the current staffing levels in each of the three fiscal offices, staffing is insufficient when even one staff member is on leave. The cashier sections are necessary and vital elements of the courts' support function as they are responsible for handling and recording all monetary transactions occurring at the courts, as well as providing services directly to the public.

Judicial Clerk II for Circuit and District Courts

The Circuit and District Court Cashier Sections are experiencing a shortage in Judicial Clerk II positions. One Judicial Clerk II position was transferred from each of these sections to the Kapolei Cashier Section to assist in staffing the new facility when it opened in March 2010. This has resulted in the Circuit and District Courts being short-staffed. Cashier sections in each location provide services to the public by collecting and disbursing a multitude of fines, filing fees, restitution, bails, witness fees, etc. In addition, they are responsible for preparing daily balancing and reconciliation reports, as well as monthly, quarterly, and annual financial statements. They must also conduct painstaking and time-consuming research on individual cases for bail forfeitures, unclaimed bails, and deposits prior to escheating or determining disposition of monies.

Account Clerk V for Circuit Court

In addition to transferring a Judicial Clerk position to the Kapolei Cashier Section, Circuit Court also transferred an Account Clerk V position. This position transfer further exacerbated the staffing situation in the Circuit Court Cashier Section. This becomes even more problematic considering that there are new initiatives which will further tax the already overburdened staff. New bail bond forfeiture procedures involving additional tasks were implemented in July 2013 and a restitution collections project requiring tracking delinquent accounts on a daily basis is soon anticipated. Establishment of the requested Account Clerk V position will allow Circuit Court to meet the demands of these new requirements.

Judicial Clerk V for Family Court at the Ronald T.Y. Moon Judiciary Complex

Two cashiers staff the public counters at the Kapolei Cashier Section, but the office lacks a supervisory Judicial Clerk V that would make the staffing configuration comparable to the Circuit and District Court Cashier Sections. This has resulted in an Accountant III having to oversee the Kapolei Cashier Section and diverting focus away from the accountant's primary duties and responsibilities. A supervisory Judicial Clerk V position would rectify this situation by providing oversight over cashier staff and allow the person filling the Accountant III position to resume duties that are more appropriate for this job classification.

Westlaw Subscription Costs: \$21,000 is being requested to cover increasing costs for Westlaw subscriptions used by judges and their staff.

Westlaw is Thomson Reuters' electronic online legal research service. This service contains more than 40,000 databases of case law, state and federal statutes, administrative codes, law journals, treatises, citators, legal forms, public records, etc. Most databases are updated every 24 hours. Judges and their staff rely heavily on this service to address their legal research needs.

As shown, Westlaw annual subscription costs have increased during the last four years, and based on contract agreement, are projected to increase about 2% to 3% during the next three years, as follows:

<u>Actual</u>	<u>Projected</u>
FY2010 - \$82,776	FY2014 - \$93,168
FY2011 - \$84,018	FY2015 - \$95,028
FY2012 - \$86,538	FY2016 - \$96,936
FY2013 - \$89,136	

Due to budget constraints and reductions that occurred in FY 2010, the annual budget for Westlaw subscription costs has been underfunded and static at \$74,000. This underfunding totaled only about \$9,000 in FY 2010, but will grow to \$21,000 in FY 2015, the amount that is being requested.

Computer Equipment Replacement Plan: This request is for \$355,500 to establish a computer replacement plan in First Circuit whereby one-seventh of its computers are replaced each year, that is, about 160 computers annually.

The use of technology as a tool to conduct our work is no longer a luxury purchase, but has become a necessary tool to our business processes, and the inability to adequately address the needs of our employees in "keeping up with technology" impacts the ability of the courts to provide the access to justice that our court users expect when doing business with the Judiciary. Historically, the First Circuit has funded replacement

computer purchases within its existing appropriations as there have been no general fund monies requested and/or budgeted for these expenditures. In better economic times, the First Circuit was able to address requests for these types of expenses, but as its and the Judiciary's overall budget have significantly decreased since FY 2009, the ability to adequately address the technology needs of this Circuit has diminished. With numerous operational requirements and limited funds, the First Circuit is currently running into problems meeting the computer needs of its programs. Computers acquired as long as nine years ago are still in operation and are in need of replacement. However, recent appropriations cannot provide for replacement of all First Circuit's computer needs. The First Circuit has taken to harvesting computers from various locations, and re-imaging and redeploying them. This is neither an efficient nor an effective use of resources as it requires the computer support technicians to assume the time-consuming task of opening computer boxes, checking hardware status (i.e., leaking batteries, etc.), and determining if the computers are worth salvaging and redeploying. This request will help to ensure that employees are afforded functioning computers to efficiently and effectively process court cases and work in a timely and productive manner. In addition, this request will enable the First Circuit to adequately plan and budget for its computer operational needs on a scheduled basis.

One Temporary Social Worker IV Position and Funding for MHC: First Circuit is requesting one temporary Social Worker IV position and related funding of \$49,805 to expand the number of clients served by MHC and at the same time, reduce individual Probation Officer workload.

More than 16% of the adults incarcerated in the U.S. have a serious mental illness (SMI), compared with 5% of the general population. It also has been estimated that up to 40% of persons with SMI will come into contact with the criminal justice system at some point in their lives. With the reduction of state mental health services, the shortage of affordable housing, and the crackdown on drug-related criminal offenses, it is said that prisons and jails have become the replacement for mental health institutions. Incarceration is an ineffective replacement as inmates with SMIs tend to further decompensate and be taken advantage of by other inmates, prolonging their stays in jail. Then when their mental illnesses are not addressed, after release, these clients tend to end up back in the criminal justice system time and time again. Thus, the criminal justice system has been referred to as the "revolving door" for persons with SMIs. Taxpayer expenditures, public safety, and myriad lives are negatively affected by this cycle.

In February 2004, the Judiciary received funding from the Byrne Memorial Grant to establish the First Circuit MHC. When the grants initially funding the MHC expired in 2008, the legislature appropriated \$250,000 in general funds to continue the program. Since its inception, MHC has had 29 graduates; and currently has 38 clients, a waitlist of nine that have been accepted but are waiting for an open slot, and nine more in the referral process and undergoing assessments. Among the graduates, there has been only one incidence of recidivism. The MHC was originally budgeted for a Coordinator, two Probation Officers, and a caseload of 60 clients (30 per Probation Officer), but lost one Probation Officer position during the economic downturn. Currently, MHC, with its one

Probation Officer and one Coordinator position, has 38 clients, the additional eight resulting from a short term grant. The goal of the court, as stated above, is to work with these clients so that they do not reenter the criminal justice system once they graduate, thus providing better outcomes for the community as a whole as well as the judicial system and client. Due to the difficulties faced with these clients, the court tries to keep the number of clients at 30 per Probation Officer. The additional Probation Officer will help to address the nine waitlisted clients, the eight clients over the target 30 case limit, and any new clients currently in referral process that may qualify for the program once the assessment process is completed. If the waitlist backlog is not addressed, the attorneys will likely stop referring clients to MHC thereby leaving no alternative other than incarceration.

One Permanent Social Worker IV Position and Funding for Mea Kokua Program in Drug Court: Funding of \$148,688 is being requested for one Social Worker IV position and other expenses related to the Mea Kokua Program in Drug Court.

It is widely known that the criminal justice system is full of dual-diagnosis individuals. In many cases, the alternative to Drug Court is prison. The Judiciary has found a cost-effective alternative to supervise some of the most challenged of these offenders. The Mea Kokua Program was established from a two-year grant as a treatment track for offenders with co-occurring mental health and substance use disorders within the existing drug court program. The \$200,000 Justice and Mental Health Collaboration Program grant from the U.S. Department of Justice, Office of Justice Programs ends on February 28, 2014. Over the past two years, the program has shown the potential to be an effective means of addressing the dual-diagnosed population with benefits to both the Judiciary and the Department of Public Safety. In order to continue the program and increase the treatment capacity of the drug court overall, the Judiciary requests a permanent Social Worker IV position, funding for the services of two masters-level therapists and one licensed psychologist, and monies for program-related supplies. The Mea Kokua Program has already admitted 55 clients, with ten more currently on the wait list. If the Drug Court is able to maintain the program, offenders with mental health and substance abuse disorders will have timely access to comprehensive treatment services which address their mental health issues, substance abuse problems, and criminal behavior.

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 (in dollars)	FISCAL YEAR 2013-14			FISCAL YEAR 2014-15			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs								
	207.00	0.00	207.00	207.00	1.00	208.00	207.00	208.00
Personal Services	11,012,667	0	11,012,667	11,012,667	66,872	11,079,539	22,025,334	22,092,206
Other Current Expenses	4,086,003	0	4,086,003	4,086,003	70,000	4,156,003	8,172,006	8,242,006
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	0	0	0	0	4,312	4,312	0	4,312
Motor Vehicles	0	0	0	0	0	0	0	0
	207.00	0.00	207.00	207.00	1.00	208.00	207.00	208.00
Total Operation Costs	15,098,670	0	15,098,670	15,098,670	141,184	15,239,854	30,197,340	30,338,524
Capital & Investment Costs	0	0	0	0	0	0	0	0
	207.00	0.00	207.00	207.00	1.00	208.00	207.00	208.00
Total Program Expenditures	15,098,670	0	15,098,670	15,098,670	141,184	15,239,854	30,197,340	30,338,524

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2013-14			FISCAL YEAR 2014-15			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
General Fund	207.00	0.00	207.00	207.00	1.00	208.00	207.00	208.00
	15,098,670	0	15,098,670	15,098,670	141,184	15,239,854	30,197,340	30,338,524
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 Fund	0	0	0	0	0	0	0	0
	207.00	0.00	207.00	207.00	1.00	208.00	207.00	208.00
Total Financing	15,098,670	0	15,098,670	15,098,670	141,184	15,239,854	30,197,340	30,338,524

JUD 320 SECOND CIRCUIT

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

A. PROGRAM OBJECTIVES

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

B. DESCRIPTION OF REQUEST

Judges' Salary Differential: Funding of \$36,836 is requested for judges' pay increases that were recommended by the Commission on Salaries and authorized by the 2013 Legislature.

Guardian Ad Litem/Legal Counsel: This request is for \$70,000 to cover increases in Guardian Ad Litem (GAL) and Legal Counsel (LC) expenses.

Position for Legal Documents Branch: The request provides the Second Circuit with \$34,348 for one Judicial Clerk II position and related equipment to assist the Legal Documents Branch.

C. REASONS FOR REQUEST

Judges' Salary Differential: Second Circuit is requesting \$36,836 to fund judges' salaries at the legislatively mandated pay levels set by the 2013 Commission on Salaries.

Guardian Ad Litem/Legal Counsel: The Second Circuit is requesting an additional \$70,000 in FY 2015 to cover increased costs relative to the appointment of GAL and LC for indigent parties in Second Circuit Family Court.

Pursuant to the federal Child Abuse Prevention and Treatment Act of 1974 (PL93-247) and HRS Chapter 587A-16, the court shall appoint a GAL for a child to serve throughout the pendency of child protective proceedings under this chapter. GALs are appointed by the court to serve as advocates for children who are victims of child abuse or neglect. The role of the GAL is to keep the court informed about the child and the progress of the rehabilitative services provided to the child's family, by serving as a fact finder, investigator, advocate, and protector to a child in need. The GAL also ensures that the court's orders are carried out and brings to the court's attention any changes in the child's or family's situation which may require changes in the court's orders. The role of the GAL is a critical one, as the GAL serves as the eyes and ears of the court and is tasked with protecting and promoting the best interests of the child.

HRS Chapter 587A-17 provides that the court may appoint an attorney to represent a legal parent who is indigent based on court established guidelines. LCs are appointed to represent the parents in cases of child abuse and neglect based upon the indigence of the parents. Many of these parents have had their children removed from their custody and placed with foster parents, or they may be faced with having their parental rights taken away on a permanent basis. In cases involving indigence, the Second Circuit pays for the cost of parent representation by court-appointed counsel.

The roles of the GAL and LC in the child protection system are critical as there are negative long-term social "costs" related to the psycho-social ramifications for children who languish in the foster care system and the far reaching societal impact when the cycle of abuse continues within the family. Expenditures for GAL/LC services have increased during the past two years. As the Second Circuit is comprised of a tri-isle county also servicing Molokai and Lanai, more cases in those two locations cause an increase in GAL/LC travel expenses incurred by the court. Overall, cases have become more complex and contentious resulting in increased applications for GAL/LC. The

costs associated with GAL/LC services have exceeded the Second Circuit's budget allocation by an average of about \$70,000 during the last two years. The additional funding would enable the Second Circuit to be in compliance with federal and state laws by fulfilling its obligation to protect the interests of children while ensuring the rights of parents in child protective proceedings.

Position for Legal Documents Branch: The workload in the Second Circuit, including the Legal Documents Branch, has been increasing due in part to a shortage in staffing and the complexity of cases. Implementation of statewide computer programs like HAJIS, JUSTIS, CJIS, and DC-CRIM has increased the workload for the Document Support Section and has created backlogs in all areas which include inputting, indexing, docketing, updating, pulling, researching, following up, and responding to cases. It is important that data is input into the computer systems in a timely manner because support agencies depend on this information. A Judicial Clerk II position is being requested to address the growing workload and the resulting backlog that has occurred due to the shortage of adequate staffing.

In 2009, as a result of the economic downturn and subsequent Legislative budget reductions, one full-time position was eliminated from the Documents Support section. In order to deal with the loss of this position, the Second Circuit has had to utilize staff overtime to keep up with the workplace demand. Between FY 2011 and FY 2013, an average of \$15,000 per year was expended in overtime to compensate for the loss of the position.

Currently, the Legal Documents Branch is one to two weeks late in processing cases and the Branch has fallen behind in the purging of case files. As a result, the Second Circuit has had to resort to sending more than 3,600 boxes of older case files to outside storage at a cost of roughly \$33,000 per year.

The requested Judicial Clerk II would enable the Second Circuit Document Section to stay more current with workload demands and eliminate the need for overtime expenditures and leased storage space.

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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 (in dollars)	FISCAL YEAR 2013-14			FISCAL YEAR 2014-15			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs								
	227.00	0.00	227.00	227.00	3.00	230.00	227.00	230.00
Personal Services	12,344,484	0	12,344,484	12,344,484	163,628	12,508,112	24,688,968	24,852,596
Other Current Expenses	5,614,300	0	5,614,300	5,614,300	147,600	5,761,900	11,228,600	11,376,200
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	0	0	0	0	17,262	17,262	0	17,262
Motor Vehicles	0	0	0	0	0	0	0	0
	227.00	0.00	227.00	227.00	3.00	230.00	227.00	230.00
Total Operation Costs	17,958,784	0	17,958,784	17,958,784	328,490	18,287,274	35,917,568	36,246,058
Capital & Investment Costs	0	0	0	0	0	0	0	0
	227.00	0.00	227.00	227.00	3.00	230.00	227.00	230.00
Total Program Expenditures	17,958,784	0	17,958,784	17,958,784	328,490	18,287,274	35,917,568	36,246,058

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2013-14			FISCAL YEAR 2014-15			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
General Fund	227.00	0.00	227.00	227.00	3.00	230.00	227.00	230.00
	17,958,784	0	17,958,784	17,958,784	328,490	18,287,274	35,917,568	36,246,058
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 Fund	0	0	0	0	0	0	0	0
	227.00	0.00	227.00	227.00	3.00	230.00	227.00	230.00
Total Financing	17,958,784	0	17,958,784	17,958,784	328,490	18,287,274	35,917,568	36,246,058

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 all civil and criminal traffic cases so as to ensure public safety and promote the general welfare of the people of the State, but with due consideration for safeguarding the constitutional rights of the accused.
- To conduct presentence and other predispositional investigations in a fair and prompt manner for the purpose of assisting the courts in rendering appropriate sentences and other dispositions with due consideration for all relevant facts and circumstances.
- To maintain accurate and complete court records as required by law and to permit immediate access to such records, where appropriate, by employing a records management system which minimizes storage and meets retention requirements.
- To supervise convicted and deferred law violators who are placed on probation or given deferments of guilty pleas by the courts to assist them toward socially acceptable behavior 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.

B. DESCRIPTION OF REQUEST

Judges' Salary Differential: Funding of \$44,804 is requested for judges' pay increases that were recommended by the Commission on Salaries and authorized by the 2013 Legislature.

Kona Family and Circuit Court Security: This request is for \$147,600 for two Special Duty Police Officers for Kona Family Court and Circuit Court.

Court Bailiff Positions for Hilo Family Court and Kohala/Hamakua Divisions: Funding of \$79,820 is requested for two Court Bailiff II positions for Hilo Family Court and Kohala/Hamakua Division.

IT Specialist for Third Circuit: This request is for \$56,266 for one IT Specialist V and related equipment to provide technical support for the Third Circuit, primarily in the West Hawai'i area.

C. REASONS FOR REQUEST

Judges' Salary Differential: Third Circuit is requesting \$44,804 to fund judges' salaries at the legislatively mandated pay levels set by the 2013 Commission on Salaries.

Kona Family and Circuit Court Security: The Department of Public Safety (PSD) is the agency statutorily required to provide security at all Judiciary facilities. However, due to PSD's own staffing and budget issues, the Third Circuit's court facilities, particularly in Kona, have repeatedly been left with no sheriff coverage. As a result, the Third Circuit is requesting \$147,600 to hire two special duty police officers to be on duty five days a week in Kona.

Though the Third Circuit contracts with an outside agency to provide general security screening at its facilities, these security attendants are unarmed and are not qualified to physically restrain or make arrests. This situation leaves staff, judges, and court users in a vulnerable position as those appearing before the court are often in the midst of contentious and emotional litigation. The Third Circuit has experienced several occasions, particularly at Kona Family Court, whereby opposing parties have engaged in verbal and physical disputes.

Due to the ongoing sheriff staffing problems, the Third Circuit has resorted to hiring special duty police officers to provide security at the Kona Family Court on Mondays and Tuesdays. These are the most vulnerable days due to the nature of the hearings being heard (contested temporary restraining orders, divorce matters, etc.). The cost to cover this totals about \$30,000 per year (\$300 per day, two days per week, 52 weeks per year less holidays) and has had to come directly out of the Third Circuit's operating budget. However, not having security coverage during the rest of the days for Family Court and Circuit Court still leaves staff and court users at risk. The Third Circuit, therefore, is

requesting one special duty officer to be present at Kona Family Court and one special duty officer for Kona Circuit Court, five days a week. At \$300 per officer, per day, for 52 weeks, less 14 holidays, the total amount requested is \$147,600 to help to provide a safe environment for judges, staff, and all who use the Courts.

Court Bailiff Positions for Hilo Family Court and Kohala/Hamakua Divisions: This Third Circuit request is for \$79,820 in FY 2015 for two Court Bailiff II positions and related equipment.

In 2008, a Court Bailiff position was authorized by the Legislature for the Kohala/Hamakua divisions but was cut due to funding restrictions. There are currently no Bailiffs assigned to the one Judge in the Kohala/Hamakua division. To compensate for the loss, the Court Clerks and Judicial Clerk Supervisor have assumed the Bailiff's duties, but this has taken them away from their duties such as disposing cases, entering court minutes, and supervising other clerks. As a result, court documents and dispositions are not being processed in a timely manner. Bailiffs from Hilo and Kona are also assisting by traveling over 50 miles from their sites to tend to certain court calendars. However, travel time for the covering Bailiffs is over two hours and additional Judiciary costs are incurred for fuel and/or mileage.

The Hilo division has only one Bailiff for its two Family Court Judges. As in Kohala/Hamakua, the lack of a Bailiff in Hilo Family Court has sometimes resulted in Court Clerks performing bailiff duties which negatively affects them from completing their own tasks.

Court security is a major concern. Bailiffs assist with courtroom safety and security by providing order in the gallery, and are even more important when sheriffs are not present, as sometimes occurs since sheriffs are not consistently assigned to the rural courthouses. Bailiffs serve an important role in the courts helping to maintain order while cases are called and summoning police or security if necessary. The requested Bailiffs will help ensure a safer environment within the courts without personnel in other positions being taken away from their duties.

IT Specialist Position for Third Circuit: This request for \$56,266 will add an IT Specialist V position to help oversee, coordinate, and assist with all technical related matters in the Third Circuit.

The Third Circuit currently has only two Technician Support staff who service approximately 230 employees, spread out over six different locations throughout the Big Island. These two positions, one in Kona and the other in Hilo, handle all hardware and software matters for the judges and staff, tackle issues with the audio-visual recording equipment, and set up web-conferences and in-court video conferences. Due to the increase in volume and the complexity of the tech-related support needed, compounded by the vast travel distance between sites, there is insufficient staffing available to service everyone on the island in a timely manner.

The additional Data Technician being requested will be stationed on the Kona side and will serve as a working supervisor, prioritizing incoming IT Helpdesk tickets and serving as a liaison with the centralized Information Technology Communications Division on O'ahu. As a working supervisor, this person will also assist the existing Data Technicians with their workloads, primarily the one in the Kona area where most of the issues occur.

Presently, having only one Data Technician to service all three Kona court locations and two Waimea locations often presents a challenge due to the travel distance. If Kona Family Court has a video conference hearing and has trouble connecting, the Kona Data Technician is called to troubleshoot. If the Data Technician happens to be working in Waimea, he would not be able to physically assist with Kona Family Court's video conferencing issues since Waimea is almost an hour's drive away. Video conferencing is often used to save time and money from having to transport prisoners from O'ahu or Hilo for hearings, however, it costs time and money to reschedule video conferences if technical difficulties are encountered. Judges will sometimes choose to have prisoners flown over if he/she is not confident that there will be a Data Technician on site or nearby to troubleshoot. Even so, if the Data Technician is standing by, on any given day, there are unexpected emergencies with so many users and locations to oversee. If the printer in the courtroom used to print notices goes down, the Data Technician is called upon to assist. Sometimes staff encounter printer or computer problems at the traffic window where people go to make payments. If the Data Technician is unable to assist, clerks resort to having to make temporary receipts while the line for service grows longer. With so many courtrooms at so many different locations, it is just unrealistic for the one technician on each side of the island to be at multiple locations at the same time, particularly if the other Data Technician is sick or on vacation.

The additional position will also enable the Third Circuit to better organize the transition from old equipment to new equipment so that it can either be recycled or disposed of. Currently, the Third Circuit is behind in recycling old, unusable equipment because the priority is to assist the "live" users. Having old, unusable equipment laying around takes up much needed work space and causes safety issues.

Finally, a third IT position would enable the Third Circuit to assist the Driver Education program, which falls under the Judiciary's Administration division, not under the Third Circuit. Presently, when Driver Education staff, who are physically located in the Third Circuit, encounter technical difficulties, a technician from O'ahu assists them either via phone or by flying over. With an additional Tech person, the Third Circuit's technician would be able to assist the Driver's Education staff.

Having an additional IT position to serve as a working supervisor will help the Third Circuit have a more coordinated "tech program" for the entire island, will help to better utilize equipment such as video conferencing, and will provide additional resources to cover the everyday existing needs. The Third Circuit will be able to more effectively use technology resources in achieving its overall mission to administer justice in an efficient and effective manner.

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

	FISCAL YEAR 2013-14			FISCAL YEAR 2014-15			BIENNIUM TOTALS	
PROGRAM EXPENDITURES (in dollars)	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs								
	99.00	0.00	99.00	99.00	0.00	99.00	99.00	99.00
Personal Services	5,058,314	0	5,058,314	5,058,314	16,426	5,074,740	10,116,628	10,133,054
Other Current Expenses	1,836,591	0	1,836,591	1,836,591	0	1,836,591	3,673,182	3,673,182
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
	99.00	0.00	99.00	99.00	0.00	99.00	99.00	99.00
Total Operation Costs	6,894,905	0	6,894,905	6,894,905	16,426	6,911,331	13,789,810	13,806,236
Capital & Investment Costs	0	0	0	0	0	0	0	0
	99.00	0.00	99.00	99.00	0.00	99.00	99.00	99.00
Total Program Expenditures	6,894,905	0	6,894,905	6,894,905	16,426	6,911,331	13,789,810	13,806,236

	FISCAL YEAR 2013-14			FISCAL YEAR 2014-15			BIENNIUM TOTALS	
REQUIREMENTS BY MEANS OF FINANCING	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
General Fund	99.00	0.00	99.00	99.00	0.00	99.00	99.00	99.00
	6,894,905	0	6,894,905	6,894,905	16,426	6,911,331	13,789,810	13,806,236
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 Fund	0	0	0	0	0	0	0	0
	99.00	0.00	99.00	99.00	0.00	99.00	99.00	99.00
Total Financing	6,894,905	0	6,894,905	6,894,905	16,426	6,911,331	13,789,810	13,806,236

JUD350 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 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.

B. DESCRIPTION OF REQUEST

Judges' Salary Differential: Funding of \$16,426 is requested for judges' pay increases that were recommended by the Commission on Salaries and authorized by the 2013 Legislature.

C. REASONS FOR REQUEST

Judges' Salary Differential: Fifth Circuit is requesting \$16,426 to fund judges' salaries at the legislatively mandated pay levels set by the 2013 Commission on Salaries.

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 (in dollars)	FISCAL YEAR 2013-14			FISCAL YEAR 2014-15			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs	1.00	0.00	1.00	1.00	0.00	1.00	1.00	1.00
Personal Services	60,726	0	60,726	60,726	0	60,726	121,452	121,452
Other Current Expenses	28,131	0	28,131	28,131	0	28,131	56,262	56,262
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	88,857	0	88,857	88,857	0	88,857	177,714	177,714
Capital & Investment Costs	0	0	0	0	0	0	0	0
Total Program Expenditures	88,857	0	88,857	88,857	0	88,857	177,714	177,714

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2013-14			FISCAL YEAR 2014-15			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
General Fund	88,857	0	88,857	88,857	0	88,857	177,714	177,714
Special Funds	0	0	0	0	0	0	0	0
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Fund	0	0	0	0	0	0	0	0
Total Financing	88,857	0	88,857	88,857	0	88,857	177,714	177,714

JUD 501 JUDICIAL SELECTION COMMISSION

A. PROGRAM OBJECTIVES

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

B. DESCRIPTION OF REQUEST

None.

C. REASONS FOR REQUEST

N/A

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 (in dollars)	FISCAL YEAR 2013-14			FISCAL YEAR 2014-15			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs	227.00	0.00	227.00	227.00	4.00	231.00	227.00	231.00
Personal Services	14,241,675	0	14,241,675	14,332,827	232,154	14,564,981	28,574,502	28,806,656
Other Current Expenses	16,899,434	0	16,899,434	15,999,434	83,393	16,082,827	32,898,868	32,982,261
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	899,946	0	899,946	899,946	528,963	1,428,909	1,799,892	2,328,855
Motor Vehicles	0	0	0	0	0	0	0	0
	227.00	0.00	227.00	227.00	4.00	231.00	227.00	231.00
Total Operation Costs	32,041,055	0	32,041,055	31,232,207	844,510	32,076,717	63,273,262	64,117,772
Capital & Investment Costs	3,425,000	0	3,425,000	11,400,000	89,190,000	100,590,000	14,825,000	104,015,000
	227.00	0.00	227.00	227.00	4.00	231.00	227.00	231.00
Total Program Expenditures	35,466,055	0	35,466,055	42,632,207	90,034,510	132,666,717	78,098,262	168,132,772

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2013-14			FISCAL YEAR 2014-15			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
General Fund	226.00	0.00	226.00	226.00	4.00	230.00	226.00	230.00
	23,767,504	0	23,767,504	22,958,656	844,510	23,803,166	46,726,160	47,570,670
Special Funds	1.00	0.00	1.00	1.00	0.00	1.00	1.00	1.00
	7,930,290	0	7,930,290	7,930,290	0	7,930,290	15,860,580	15,860,580
Revolving Funds	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	343,261	0	343,261	343,261	0	343,261	686,522	686,522
G.O. Bond Fund	3,425,000	0	3,425,000	11,400,000	89,190,000	100,590,000	14,825,000	104,015,000
	227.00	0.00	227.00	227.00	4.00	231.00	227.00	231.00
Total Financing	35,466,055	0	35,466,055	42,632,207	90,034,510	132,666,717	78,098,262	168,132,772

JUD 601 ADMINISTRATION

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

A. PROGRAM OBJECTIVES

Overall Program Objective

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

Policy and Planning

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

- To provide a fair and expeditious administrative process for revoking the driver licenses and motor vehicle registrations of alcohol or drug impaired offenders who have shown themselves to be safety hazards by driving or boating under the influence of intoxicants or who refused chemical testing.

Support Services

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

Intergovernmental and Community Relations

- To promote public awareness and understanding of the Judiciary by disseminating information through various print, broadcast, and electronic means; the news media; and direct dealings with the general public and other audiences concerning the role of the Judiciary and the services that it provides.
- To acquaint the Legislature with the program and policies of the Judiciary in order to convey the ongoing needs and importance of its role as an independent branch of government.
- To advise Judiciary officials on public perception of particular issues relating to the Judiciary.
- To design and implement projects that promote access to the courts for all persons, including those with special needs.

- To promote, through research and educational programs, fair treatment in adjudication of cases and provision of services to the public.
- To inform and provide learning opportunities to the public about the judicial process and Hawaii's legal history from precontact 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.
- To provide for the centralized and standardized selection and purchase of legal research materials and services which meet the needs of those who utilize these resources. The Law Library collects, organizes, and disseminates information and materials relating to legal research and judicial administration in order to enhance the effectiveness of the judicial process.

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. DESCRIPTION OF REQUEST

Administrative Director and Deputy Administrative Director Salary Differential: Funding of \$26,906 is requested to establish an equitable salary base for the Judiciary's Administrative Director and Deputy Administrative Director positions.

Replacement of Interview Recording Equipment at the Children's Justice Center (CJC) Locations Statewide: This request is for \$94,900 to replace interview recording systems that are in disrepair at CJC locations statewide.

Capital Improvement Program (CIP) Specialist Position: Administration requests \$54,884 for a CIP Specialist position to support CIP projects for existing buildings and new projects, including the Kona Judiciary Complex.

Judicial Training & Staff Development: This request is for \$63,393 to coordinate training for judges and Judiciary staff.

Position for Judicial Education Office (JEO): Funding of \$55,389 is requested for a Judicial Education Specialist position to expand judicial and staff training initiatives across the Judiciary.

IT Specialist Position for Applications Services Branch: Administration requests \$55,861 for

an IT Specialist V position which will provide technical assistance and support for the various computer applications used in the Judiciary.

Supervisory Position for the Office of the Public Guardian: This request is for \$55,177 to establish a new supervisor position to oversee eight O‘ahu guardians.

Multi-Point Control Unit (MCU) for Video Conferencing: Administration requests \$438,000 to procure a MCU that will expand internal and external video conferencing opportunities for the Judiciary.

C. REASONS FOR REQUEST

Administrative Director and Deputy Administrative Director Salary Differential: Prior to 2006, the Judicial Salary Commission reviewed and made recommendations to the Legislature regarding salaries for justices, judges, and appointed Judiciary officers, that is, the Administrative Director and Administrative Deputy Director of the Courts. Act 299, SLH 2006 repealed the Judicial Salary Commission and established, in conjunction with a constitutional amendment, a Commission on Salaries (Commission) “to review and recommend salaries for the governor, lieutenant governor, legislators, justices and judges of all state courts, the administrative director of the State, and department heads or executive officers of the executive departments and their deputies or assistants.” However neither the Act nor the constitutional amendment provided the Commission with the authority to review and recommend salaries for the Judiciary’s Administrative Director and Deputy Administrative Director. Consequently, without any mechanism to provide salary increases and maintain appropriate compensation levels relative to other government employees of similar classifications, their salaries are frozen and will continue to be frozen at the last level established by the Judicial Salary Commission, a level that was effective July 1, 2010.

In order to rectify this situation and provide fair and equitable means of adjusting the Administrative Director and Deputy Administrative Director’s salaries, the Judiciary is submitting legislation during the 2014 Session which will establish a mechanism to set the salaries of these positions. In conjunction with this legislation and in anticipation of legislative approval, the Judiciary is submitting a supplemental budget request for \$26,906 which would allow compliance with the July 1, 2014 effective date in the bill for salary compensation at levels comparable to other state officials whose pay have been adjusted over the years.

Replacement of Interview Recording Equipment at the Children’s Justice Center (CJC) Locations Statewide: The Hawai‘i CJC, formerly known as the Hawai‘i Children’s Advocacy Center, was established in 1986 by the Legislature, and currently operates five centers statewide (on O‘ahu, East Hawai‘i, West Hawai‘i, Maui and Kaua‘i). One of CJC’s primary purposes is to provide a fair and neutral facility to interview alleged child victims of abuse and witnesses to crime. Specialized forensic interviews of these children are recorded at the various CJC locations and are made available in DVD format to law enforcement and child welfare services’ investigators for use as evidence in civil and criminal court proceedings.

Since its inception, the CJC Program has interviewed over 25,000 children statewide in response to allegations of abuse and as witnesses to crime, primarily sexual abuse/assault. The majority

are felony type cases, with a focus on sexual abuse/assault. Other cases involve serious physical abuse and children who are witnesses to violent crimes including domestic violence and homicides.

The current recording system used by the CJs was obtained with grant funding and was installed five years ago, and is now experiencing significant problems, especially on O'ahu with its higher volume of cases. This includes intermittent failure to record child interviews, which has required CJs to conduct re-interviews, thereby increasing the trauma the children are experiencing as victims of abuse or witnesses to a crime.

At the end of December 2013, the vendor will no longer support the recording system. It is imperative for CJs to have reliable equipment to record these types of interviews. If the CJC's recording equipment is not working, an option is to interview children at the police stations, which was the practice prior to CJC's establishment. However, interviewing children in the same room(s) that suspects are interrogated is not really a suitable option. This environment and practice can be intimidating, especially if children have been threatened not to tell about the abuse or harm.

While the CJC has explored alternative funding sources (federal and private grants) for a replacement system, these efforts have not been successful.

As such, CJC is submitting this request for \$94,900 to replace the existing recording systems, broken out as follows:

Island	No. of Recording Systems	Total Cost
O'ahu	2	\$19,800
Hawai'i (East)	1	11,100
Hawai'i (West)	1	11,100
Kaua'i	1	12,700
Maui	1	11,100
Moloka'i	1	9,100
Total Equipment	7	\$74,900
Installation & Training		\$20,000
Grand Total		\$94,900

The Moloka'i installation will be a new location to alleviate additional trauma to the children who need to travel to Maui to be interviewed.

Capital Improvement Program (CIP) Specialist Position: The Judiciary CIP Branch currently oversees the CIP-related activities for nearly 40 buildings and office space on six islands. In addition, the Judiciary is in the design phase for the Kona Judiciary Complex (Kona Complex) on the Big Island, with construction likely to soon follow. In light of these responsibilities and growing CIP demands, funds of \$54,884 are requested to establish an additional CIP Specialist position for the CIP Branch.

Current staffing in the CIP Branch is comprised of a CIP Coordinator and an Architect. The proposed CIP Specialist position would have a wide range of duties, including but not limited to providing technical expertise in engineering and architectural matters; reviewing and preparing recommendations for planning studies, designs, construction plans, timetables and cost estimates; serving as the Judiciary's liaison with the Department of Accounting and General Services (DAGS) and other public agencies, design professionals, and contractors; coordinating work activities of private consultants in conjunction with DAGS and other public agencies on planning projects or in the preparation of construction plans; and monitoring project construction.

In addition to these duties, the CIP Specialist would provide support to Judiciary programs on office space lease issues by identifying potential lease locations, determining space requirements, generating layouts, projecting costs, and coordinating lease negotiations or any other lease-related responsibilities.

Along with a number of smaller projects, the CIP Branch is currently working on ten major projects, including the Kona Judiciary Complex. These projects range from constructing the new courthouse in Kona, to exterior renovations to Aliiolani Hale, to several remedial improvements at Hoapili Hale on Maui, and to the redevelopment of the Alder Street property to house the Juvenile Detention Alternatives to Incarceration program on O'ahu. While the sheer number of projects currently managed by the Judiciary CIP Branch clearly shows that it is understaffed, the extended time frames and complexity associated with certain projects compound the problem. Specifically, as the Kona Complex project progresses, there may be significant periods of time when the CIP Specialist overseeing the construction of the project is required to be on-site in Kona. This may necessitate a reassignment in duties, and could ultimately cause delays in other projects due to the lack of sufficient staffing.

Although the smaller scaled remedial projects may not carry the same weight as the construction of the new Judiciary facilities, oftentimes they have significant impact on the health and safety on both Judiciary employees and the public. Any delays or deferment of these projects could potentially interrupt normal court operations or expose the Judiciary to liability issues.

Judicial Training & Staff Development: The Judicial Education Office (JEO) was established in 1994 to meet the training needs of 81 judges and approximately 1,900 Judiciary employees. Administratively attached to the Human Resources Department, JEO receives guidance from the Judicial Education Committee regarding judicial education and substantive legal training for judicial branch employees.

During the development of the Judiciary's strategic plan (Hawai'i Judiciary 20/20: Our Vision) in 2012, the strategic planning committee received significant support for maintaining a stable and well-trained workforce from Judiciary's judges and staff.

The community has high expectations of the judges as well as Judiciary staff to properly and efficiently administer justice. Judicial training furthers the Judiciary's mission to "administer justice in an impartial, efficient, and accessible manner in accordance with the Law." In administering justice, it is imperative that judges receive ongoing and up-to-date training on changes in laws; federal and state court decisions that may impact the Hawai'i State Judiciary;

amendments to court rules; courtroom practices; and trends in criminal, civil, and family law.

Judiciary staff must also have the opportunity to develop the skills and knowledge necessary to effectively perform their job duties. Court employees who perform different tasks, from probation officers to document clerks, need to keep abreast of changes in laws, court rules, and courtroom practices. Limited resources and diverse subject matter continue to constrain JEO training initiatives.

It is imperative that court staff receive substantive and procedural knowledge specific to their job duties, including instruction in relevant legal terminology, concepts, and court procedures. Funding for judicial education and employee training will further assist the Judiciary in the development of a professional, efficient, and competent workforce.

This request is made to support the following training initiatives:

One-day Judicial Conference	\$36,130
Vendor Staff Training	<u>\$27,263</u>
	<u>\$63,393</u>

The Judicial Conference will bring together all judges for a one-day interactive forum on important subject matters such as: 1) Bias and cultural awareness; and 2) Barriers to access to justice and other current issues unique to the judicial system. Through this venue, judges will be kept abreast of new and revised laws, amended court rules, sentencing/treatment options, and innovative courtroom practices that may reduce recidivism and better serve the public than traditional case management and adjudication methods.

The Judiciary staff training will be expanded with this funding, providing much needed continuing education programs to enhance supervisory, relational, and leadership skills and foster positive working environments.

Position for Judicial Education Office (JEO): Two full-time Judiciary employees are currently assigned to the JEO; a Judicial Education Officer and a Judicial Education Specialist. Together they develop and offer training sessions and staff development programs based on the philosophy of providing Judiciary employees opportunities to maintain the knowledge, skills, and education necessary to ensure the highest standards of professional conduct and performance.

This request for \$55,389 is to establish another Judicial Education Specialist position to assist current JEO staff in the creation and development of staff training programs. The position will include, but not be limited to the following tasks:

- Research and develop education programs for staff.
- Assist in the development of comprehensive education, training, and resource development plans for judges and judicial branch employees.
- Evaluate and recommend changes to training programs.
- Conduct needs assessments to determine training needs.
- Review materials and curricula from outside sources.

In addition, the individual will assist with administrative tasks, including judicial education credit monitoring and recordation, office file management, and information dissemination to judges, administration, and Judiciary staff.

As the sole coordinator of statewide judicial education training, JEO has researched, developed, coordinated and conducted semi-annual judicial conferences, symposia, and monthly specialized training sessions for judges.

JEO is also the sole source of editorial and technical support for the Hawai'i State Benchbook (HSB). The HSB allows judges to obtain immediate and practical guidance on how to proceed in certain courtroom situations. The HSB was last revised in 2007 and an update is long overdue. The anticipated completion of an HSB update will necessitate JEO staff conducting numerous proofreads, technical reviews, and software conversions.

The coordination of staff education curricula designed to assist Judiciary staff in developing the skills and knowledge needed to effectively perform their job duties, and ensure that the courts employ competent, technologically literate, professional personnel is another component of JEO's responsibilities. Court staff who perform different tasks, from Probation Officers to document clerks, need to keep abreast of changes in laws, court rules, and courtroom practices. It is imperative that court staff receive substantive and procedural knowledge specific to their job duties, including instruction in relevant legal terminology, concepts, and court procedures.

IT Specialist Position for Applications Services Branch: The Applications Services Branch (ASB-IT) in the Information Technology and Communications Division provides technical expertise and support for computer software applications and supporting utilities, operating systems, and the custom application software and hardware infrastructure that service the courts, associated court programs, and administrative programs of the Judiciary.

Many of the applications are custom built to support the Judiciary's unique business needs. Custom applications are in many cases critical to the Judiciary's day-to-day operations. These applications require an adequate number of experienced IT staff to run, maintain and enhance them.

For custom applications, IT staff cannot be hired and immediately be effective. It may take many months and in some instances years to become acquainted with the custom applications. At present, two custom applications essential for the Judiciary's day-to-day operations are supported by only one senior staff person. Planned and unplanned leaves of absence have led to unsupported applications.

In order to provide support to the various Judiciary programs, \$55,861 is being requested for one full-time IT Specialist V position. This individual will be trained to support existing key custom applications as a priority.

Supervisory Position for the Office of the Public Guardian (OPG): The OPG serves as court-appointed guardians for approximately 700 statewide incapacitated clients, and is responsible for the personal finances of about 230 clients.

The overwhelming major of guardianship cases are ordered as full, unlimited guardianship due to the nature and extent of the incapacity. More than half of all cases are developmentally disabled; 35% are elderly and frail; 10% are diagnosed with severe mental illness; and a small percentage are incapacitated due to brain injury, substance abuse, or non-elderly dementia.

Each year, approximately 75 new petitions are filed for OPG guardianship. New referrals are brought to court by Adult Protective Services, Department of Human Services, and involve cases of self-neglect or abuse or financial exploitation of the elderly, or are cases petitioned by acute care facilities for incapacitated patients with no family or friends willing and able to serve in matters of health care decisions, finances or discharge planning. OPG cases at times present very difficult and challenging situations where family members are alienated or, in some instances, OPG is appointed despite the protests of family members. For clients with behavior problems, much needed services are limited.

OPG guardians are comprised of 10 full-time and 2 part-time social workers state-wide who provide guardianship duties and responsibilities which entail all decision making for the client's support, care, education, health and welfare under the guidance of the director. OPG's support staff includes an accountant, an account clerk, a clerk, and a social service assistant.

On O'ahu, one guardian serves as an intake worker; the seven other guardians have assigned cases. Hawai'i maintains a full-time guardian, while Maui and Kaua'i are staffed with part-time guardians. The director serves as the supervisor for all staff and manages all personnel matters, office operations, and oversight for the care of all clients.

Although there is no designated standard for an ideal caseload by the National Guardianship Association, standards purport that a caseload should allow a minimum of one visit per month for each ward and regular contacts with all service providers.

At present, O'ahu guardians average 80 clients each; which makes monthly visits impossible. With such high caseloads, and the complex nature of new referrals, guardians require more direct support for consultation, fact gathering, and direction before decisions can be made. A supervisor position to directly work with the eight O'ahu guardians is critically needed at this time.

This request totaling \$55,177 will enable the establishment of one full-time permanent Social Worker V position to serve as a supervisor for the O'ahu guardians and in their absence, will manage or reassign their caseloads. The director will continue to supervise the neighbor island guardians and support staff.

Many of these volatile and complex cases require lengthy discussions between the guardian and the director. Grave medical decision making, controversial, ethical and legal matters arise oftentimes without precedence. When faced with such difficult predicaments, the guardian and director are tasked to review multiple sources to determine a course of action. The responsibility to manage the lives of each and every client by assigned guardians is daunting especially when caseloads are high. The current situation is untenable and the need for a supervisor to provide direct support and problem resolution guidance for guardians on O'ahu is critical.

Multi-Point Control Unit (MCU) for Video Conferencing: This request of \$438,000 will fund the purchase of a replacement system for two existing aging MCU systems.

One of the MCU systems currently in use by the Judiciary is nearing its end-of-life cycle, while the other system is unable to support traditional video conferencing systems (i.e., Polycom, Tandberg, etc.), smartphones, and tablets.

The capability to hold "multi-point" conferences is essential to facilitating proceedings involving participants from multiple locations to reduce travel time and cost. Besides reducing travel and personnel costs, these venues can increase the timeliness and effectiveness of events and enhance the public's access to the Judiciary.

In 2008, the Third Circuit conducted a non-consensual video conference pilot project to study the potential cost savings relating to video conferencing various court proceedings. Results from the 2008 and 2009 proceedings indicated an opportunity for substantial cost savings to the Judiciary, other state and county agencies, and legal counsel.

Year	No. of In- Custody Video Conferences	Est. Cost Savings
2008	433	\$503,820
2009	353	\$472,304

In July 2013, the Supreme Court issued an order that would temporarily allow for the appearance of parties by telephone or video conferencing for civil matters and another order that would temporarily allow for the appearance of counsel by telephone or video conferencing for criminal matters. Both orders shall be effective January 1, 2014 through December 31, 2014.

The Second Circuit is currently working with the Maui Correctional Facility staff to coordinate video conferencing between the two facilities.

In addition, other programs in the Judiciary are exploring expanded video conferencing opportunities to support the public's access to the courts services, including, but not limited to the:

- Office on Equality and Access to the Courts - video remote interpreting services for persons who have limited English proficiency or require American Sign Language interpreting. These services support the Judiciary's federal mandate to provide all participants meaningful access to court services.
- CJC – Coordinates with various government and private agencies to assist abused children and their families.
- HOPE Program

The Judiciary's IT Department has noted that a single, more enhanced MCU system is needed to support an expanded base of internal and external users. The proposed MCU system will also support a wider array of applications including tablet and smartphone applications and will operate with increased user ports to enable more users to participate in events.

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PART IV



Capital Improvements Appropriations and Details

JUDICIARY
STATE OF HAWAII

**REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS**

PROGRAM PLAN TITLE: Judiciary
PROGRAM STRUCTURE NO: 01

DESCRIPTION	Cost Element	Project Total	Prior Years Total	FY 2013-14	Fiscal Year 2014-15		Recommended Appropriation	2015-16	2016-17	2017-18	2018-19
					Current Appropriation	Adjustment					
JUDICIARY TOTAL	Plans	4,470	2,690	250	0	1,280	1,280	250	0	0	0
	Land	10,929	10,929	0	0	0	0	0	0	0	0
	Design	36,699	22,494	3,175	220	1,710	1,930	3,600	0	5,500	0
	Constr	264,502	125,862	0	11,180	86,200	97,380	1,760	0	39,500	0
	Equip	27,500	18,550	0	0	0	0	0	0	8,950	0
	Total	344,100	180,525	3,425	11,400	89,190	100,590	5,610	0	53,950	0
	G.O. Bonds	344,100	180,525	3,425	11,400	89,190	100,590	5,610	0	53,950	0

REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS

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

DESCRIPTION	Cost Element	Project Total	Prior Years Total	Fiscal Year 2014-15							
				Current		Recommended		2015-16	2016-17	2017-18	2018-19
				FY2014	Appropriation	Adjustment	Appropriation				
Kapolei Judiciary Complex, O'ahu (includes future Admin. Services Office Annex Bldg.)	Plans	1,340	1,090				0	250			
	Land	6,139	6,139				0				
	Design	11,915	6,915				0			5,000	
	Constr	108,900	108,900				0				
	Equip	18,050	18,050				0				
	Total	146,344	141,094	0	0	0	0	250	0	5,000	0
	G.O. Bonds	146,344	141,094	0	0	0	0	250	0	5,000	0
Kona Judiciary Complex, Hawai'i	Plans	600	600				0				
	Land	4,550	4,550	0			0				
	Design	8,500	7,500			1,000	1,000				
	Constr	89,000			9,000	80,000	89,000			0	
	Equip	8,950					0			8,950	
	Total	111,600	12,650	0	9,000	81,000	90,000	0	0	8,950	0
	G.O. Bonds	111,600	12,650	0	9,000	81,000	90,000	0	0	8,950	0
Wahiawā District Court, O'ahu	Plans	101	101				0				
	Land	0					0				
	Design	6,099	1,999				0	3,600		500	
	Constr	39,500					0			39,500	
	Equip	0					0				
	Total	45,700	2,100	0	0	0	0	3,600	0	40,000	0
	G.O. Bonds	45,700	2,100	0	0	0	0	3,600	0	40,000	0
Kapuāiwa Building Window Replacement and Upgrade, O'ahu	Plans	0					0				
	Land	0					0				
	Design	185	185				0				
	Constr	1,850	1,850				0				
	Equip	0					0				
	Total	2,035	2,035	0	0	0	0	0	0	0	0
	G.O. Bonds	2,035	2,035	0	0	0	0	0	0	0	0
Kauikeaouli Hale Cellblock Upgrade and Improvements, O'ahu	Plans	65	65				0				
	Land	240	240				0				
	Design	0					0				
	Constr	0					0				
	Equip	0					0				
	Total	305	305	0	0	0	0	0	0	0	0
	G.O. Bonds	305	305	0	0	0	0	0	0	0	0
Kauikeaouli Hale Domestic Water Booster and Fire Pump Replacement, O'ahu	Plans	0					0				
	Land	0					0				
	Design	115	115				0				
	Constr	285	285				0				
	Equip	0					0				
	Total	400	400	0	0	0	0	0	0	0	0
	G.O. Bonds	400	400	0	0	0	0	0	0	0	0

JUDICIARY
STATE OF HAWAII

REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS

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

DESCRIPTION	Cost Element	Project Total	Prior Years Total	Fiscal Year 2014-15								
				FY2014	Current		Recommended		2015-16	2016-17	2017-18	2018-19
					Appropriation	Adjustment	Appropriation					
Ka'ahumanu Hale Interior Space Utilization Redevelopment, O'ahu	Plans	0					0					
	Land	0					0					
	Design	2,800		2,800			0					
	Constr	0					0					
	Equip	0					0					
	Total	2,800	0	2,800	0	0	0	0	0	0	0	
	G.O. Bonds	2,800	0	2,800	0	0	0	0	0	0	0	
Ka'ahumanu Hale Roof and Lanai Upgrades and Improvements, O'ahu	Plans	80	80				0					
	Land	0					0					
	Design	360	360				0					
	Constr	4,205	4,205				0					
	Equip	0					0					
	Total	4,645	4,645	0	0	0	0	0	0	0	0	
	G.O. Bonds	4,645	4,645	0	0	0	0	0	0	0	0	
Ka'ahumanu Hale Fire Alarm System Upgrade and Improvements, O'ahu	Plans	7	7				0					
	Land	0					0					
	Design	140	140				0					
	Constr	0					0					
	Equip	0					0					
	Total	147	147	0	0	0	0	0	0	0	0	
	G.O. Bonds	147	147	0	0	0	0	0	0	0	0	
Ka'ahumanu Hale Elevator System Upgrade and Modernization, O'ahu	Plans	22	22				0					
	Land	0					0					
	Design	270	270				0					
	Constr	6,200				6,200	6,200					
	Equip	0					0					
	Total	6,492	292	0	0	6,200	6,200	0	0	0	0	
	G.O. Bonds	6,492	292	0	0	6,200	6,200	0	0	0	0	
Lump Sum CIP for Judiciary Facilities, Statewide (from FB 2011-2013 only)	Plans	500	500				0					
	Land	0					0					
	Design	4,500	4,500				0					
	Constr	4,500	4,500				0					
	Equip	500	500				0					
	Total	10,000	10,000	0	0	0	0	0	0	0	0	
	G.O. Bonds	10,000	10,000	0	0	0	0	0	0	0	0	
Ali'iōlani Hale Building Exterior Improvements, O'ahu	Plans	0					0					
	Land	0					0					
	Design	40	40				0					
	Constr	3,000	3,000				0					
	Equip	0					0					
	Total	3,040	3,040	0	0	0	0	0	0	0	0	
	G.O. Bonds	3,040	3,040	0	0	0	0	0	0	0	0	

REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS

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

DESCRIPTION	Cost Element	Project Total	Prior Years Total	Fiscal Year 2014-15							
				FY2014	Current		Recommended				
					Appropriation	Adjustment	Appropriation	2015-16	2016-17	2017-18	2018-19
Kauiekaouli Hale Air Conditioning System Controls Equipment Upgrade, O'ahu	Plans	0					0				
	Land	0					0				
	Design	70	70				0				
	Constr	157	157				0				
	Equip	0					0				
	Total	227	227	0	0	0	0	0	0	0	0
	G.O. Bonds	227	227	0	0	0	0	0	0	0	0
Hoapili Hale Interior Air Handling and Supply System Improvements, Maui	Plans	0					0				
	Land	0					0				
	Design	165	165				0				
	Constr	1,200	1,200				0				
	Equip	0					0				
	Total	1,365	1,365	0	0	0	0	0	0	0	0
	G.O. Bonds	1,365	1,365	0	0	0	0	0	0	0	0
Hoapili Hale Air Conditioning Energy Management System Upgrade, Maui	Plans	0					0				
	Land	0					0				
	Design	135	135				0				
	Constr	975	975				0				
	Equip	0					0				
	Total	1,110	1,110	0	0	0	0	0	0	0	0
	G.O. Bonds	1,110	1,110	0	0	0	0	0	0	0	0
Status Offender Shelter and Juvenile Services Center, O'ahu	Plans	475	225	250			0				
	Land	0					0				
	Design	0					0				
	Constr	0					0				
	Equip	0					0				
	Total	475	225	250	0	0	0	0	0	0	0
	G.O. Bonds	475	225	250	0	0	0	0	0	0	0
Hoapili Hale Air Conditioning Cooling Tower Building Improvements, Maui	Plans	0					0				
	Land	0					0				
	Design	100	100				0				
	Constr	790	790				0				
	Equip	0					0				
	Total	890	890	0	0	0	0	0	0	0	0
	G.O. Bonds	890	890	0	0	0	0	0	0	0	0
Hoapili Hale Building Exterior Remedial Improvements, Maui	Plans	0					0				
	Land	0					0				
	Design	470		300	170		170				
	Constr	1,630			1,630		1,630				
	Equip	0					0				
	Total	2,100	0	300	1,800	0	1,800	0	0	0	0
	G.O. Bonds	2,100	0	300	1,800	0	1,800	0	0	0	0

REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS

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

DESCRIPTION	Cost Element	Project Total	Prior Years Total	Fiscal Year 2014-15								
				FY2014	Current		Recommended		2015-16	2016-17	2017-18	2018-19
					Appropriation	Adjustment	Appropriation					
Hoapili Hale Exhaust Monitoring and Ventilation Systems Upgrade, Maui	Plans	0					0					
	Land	0					0					
	Design	125		75	50		50					
	Constr	550			550		550					
	Equip	0					0					
	Total	675	0	75	600	0	600	0	0	0	0	
	G.O. Bonds	675	0	75	600	0	600	0	0	0	0	
Ka‘ahumanu Hale Cellblock Upgrade, O‘ahu	Plans	80				80	80					
	Land	0					0					
	Design	220				220	220					
	Constr	0					0					
	Equip	0					0					
	Total	300	0	0	0	300	300	0	0	0	0	
	G.O. Bonds	300	0	0	0	300	300	0	0	0	0	
Kauiekaouli Hale Air Conditioning System Improvements, O‘ahu	Plans	100				100	100					
	Land	0					0					
	Design	250				250	250					
	Constr	0					0					
	Equip	0					0					
	Total	350	0	0	0	350	350	0	0	0	0	
	G.O. Bonds	350	0	0	0	350	350	0	0	0	0	
Hoapili Hale Fire Alarm Systems Upgrade, Maui	Plans	500				500	500					
	Land	0					0					
	Design	0					0					
	Constr	0					0					
	Equip	0					0					
	Total	500	0	0	0	500	500	0	0	0	0	
	G.O. Bonds	500	0	0	0	500	500	0	0	0	0	
Hoapili Hale Parking Structure Fire Sprinkler, Sewer, Storm Drainage, and Air Conditioning Chilled Water Systems Assessment, Maui	Plans	600				600	600					
	Land	0					0					
	Design	0					0					
	Constr	0					0					
	Equip	0					0					
	Total	600	0	0	0	600	600	0	0	0	0	
	G.O. Bonds	600	0	0	0	600	600	0	0	0	0	
Lahaina District Court Air Conditioning Air Distribution System Upgrade, Maui	Plans	0					0					
	Land	0					0					
	Design	240				240	240					
	Constr	1,760					0	1,760				
	Equip	0					0					
	Total	2,000	0	0	0	240	240	1,760	0	0	0	
	G.O. Bonds	2,000	0	0	0	240	240	1,760	0	0	0	

REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS

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

DESCRIPTION	Cost Element	Project Total	Prior Years Total	FY2014	Fiscal Year 2014-15							
					Current		Recommended		2015-16	2016-17	2017-18	2018-19
					Appropriation	Adjustment	Appropriation					
Judiciary	Plans	4,470	2,690	250	0	1,280	1,280	250	0	0	0	
Total	Land	10,929	10,929	0	0	0	0	0	0	0	0	
(Active Projects within FB 2013-2015)	Design	36,699	22,494	3,175	220	1,710	1,930	3,600	0	5,500	0	
	Constr	264,502	125,862	0	11,180	86,200	97,380	1,760	0	39,500	0	
	Equip	27,500	18,550	0	0	0	0	0	0	8,950	0	
	Total	344,100	180,525	3,425	11,400	89,190	100,590	5,610	0	53,950	0	
	G.O. Bonds	344,100	180,525	3,425	11,400	89,190	100,590	5,610	0	53,950	0	

PART V



Variance Report

VARIANCE REPORT

INTRODUCTION

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

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.

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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JUDICIARY

STATE OF HAWAII

PROGRAM TITLE: Courts of Appeal

Program Plan ID: JUD 101

VARIANCE DETAILS

Program Structure No. 01 01 01

PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

		Fiscal Year 2013									
COST (Expenditures in \$1,000's)		A	B	Change From A TO B							
		Budgeted	Actual	Amount	+/-	%					
Research and Development	Positions										
	Expenditures										
Operating	Positions	71.0	71.0	0.0	+	0					
	Expenditures	5,373	5,361	12	-	0					
Totals	Positions	71.0	71.0	0.0	+	0					
	Expenditures	5,373	5,361	12	-	0					
		Three Months Ended 9-30-13					Nine Months Ended 6-30-14				
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	71.0	71.0	0.0	+	0	71.0	71.0	0.0	+	0
	Expenditures	1,539	1,392	147	-	10	4,616	4,847	231	+	5
Totals	Positions	71.0	71.0	0.0	+	0	71.0	71.0	0.0	+	0
	Expenditures	1,539	1,392	147	-	10	4,616	4,847	231	+	5

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

		Fiscal Year 2013					Fiscal Year 2014				
Item No.	MEASURES OF EFFECTIVENESS	A	B	Change From A TO B			A	B	Change From A TO B		
		Estimated	Actual	Amount	+/-	%	Planned	Estimated	Amount	+/-	%
1.	Median Time to Decision, Criminal Appeal (Mo)*	12	11	1	-	8	5	11	6	+	120
2.	Median Time to Decision, Civil Appeal (Mo)*	11	11	0	+	0	10	10	0	+	0
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)

		Fiscal Year 2013					Fiscal Year 2014				
Item No.	PROGRAM SIZE INDICATORS	A	B	Change From A TO B			A	B	Change From A TO B		
		Estimated	Actual	Amount	+/-	%	Planned	Estimated	Amount	+/-	%
1.	A01 Criminal Appeals Filed	216	235	19	+	9	280	217	63	-	23
2.	A02 Civil Appeals Filed	402	410	8	+	2	220	401	181	+	82
3.	A03 Original Proceedings Filed	134	166	32	+	24	100	135	35	+	35
4.	A04 Appeals Disposed	715	648	67	-	9	670	714	44	+	7
5.	A05 Motions Filed	2,944	3,336	392	+	13	2,600	2,928	328	+	13
6.	A06 Motions Terminated	2,939	3,319	380	+	13	2,600	2,921	321	+	12

JUD 101 COURTS OF APPEAL

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

No position variances for FY 2013 as the Courts of Appeal were fully staffed.

In the first quarter of FY 2014, the Courts of Appeal showed no position vacancies as they continue to be fully staffed. Expenditure variances in the first quarter are largely due to normal procurement and operational practices. For the balance of FY 2014, the estimated expenditures are expected to reflect the combined effect of payments made for court purchased items and collective bargaining augmentation.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Item 3, Original Proceedings Filed, was 24% over the estimated level in FY 2013 due to an under projection based on the actual number filed in FY 2012.

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 2013									
		A	B	Change From A TO B			A	B	Change From A TO B		
		Budgeted	Actual	Amount	+/-				Amount	+/-	
Research and Development	Positions										
	Expenditures										
Operating	Positions	1104.5	1044.5	60.0	-	5					
	Expenditures	73,472	72,846	626	-	1					
Totals	Positions	1104.5	1044.5	60.0	-	5					
	Expenditures	73,472	72,846	626	-	1					

COST (Expenditures in \$1,000's)		Three Months Ended 9-30-13					Nine Months Ended 6-30-14				
		A	B	Change From A TO B			A	B	Change From A TO B		
		Budgeted	Actual	Amount	+/-				Amount	+/-	
Research and Development	Positions										
	Expenditures										
Operating	Positions	1106.5	1055.5	51.0	-	5	1106.5	1051.5	55.0	-	5
	Expenditures	19,892	18,171	1,721	-	9	59,677	62,383	2,706	+	5
Totals	Positions	1106.5	1055.5	51.0	-	5	1106.5	1051.5	55.0	-	5
	Expenditures	19,892	18,171	1,721	-	9	59,677	62,383	2,706	+	5

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

Item No. MEASURES OF EFFECTIVENESS		Fiscal Year 2013					Fiscal Year 2014				
		A	B	Change From A TO B			A	B	Change From A TO B		
		Estimated	Actual	Amount	+/-				Amount	+/-	
1.	Med. Time to Dispo., Circt. Ct. Crim. Act. (Days)	288	281	7	-	2	288	289	1	+	0
2.	Med. Time to Dispo., Circt. Ct. Civil Act. (Days)	392	388	4	-	1	415	392	23	-	6

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

Item No. PROGRAM SIZE INDICATORS		Fiscal Year 2013					Fiscal Year 2014				
		A	B	Change From A TO B			A	B	Change From A TO B		
		Estimated	Actual	Amount	+/-				Amount	+/-	
1.	T01 Civil Actions; Circuit Court	7,923	10,268	2,345	+	30	8,000	7,934	66	-	1
2.	T02 Marital Actions	7,516	7,201	315	-	4	8,000	7,527	473	-	6
3.	T03 Adoption Proceedings	642	508	134	-	21	700	651	49	-	7
4.	T04 Parental Proceedings	1,845	2,207	362	+	20	2,000	1,855	145	-	7
5.	A01 Civil Actions Filed, Circuit Court	2,654	3,277	623	+	23	3,000	2,706	294	-	10
6.	A02 Criminal Actions Filed, Circuit Court	2,105	2,036	69	-	3	2,500	2,107	393	-	16
7.	A03 Marital Actions Filed	4,111	4,119	8	+	0	4,500	4,116	384	-	9
8.	A04 Traffic - New Filings (thousands)	310	285	25	-	8	350	317	33	-	9
9.	A05 Traffic - Entry of Judgement (thousands)	336	268	68	-	20	380	338	42	-	11

JUD 310 FIRST CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2013, position variances were the result of employee turnover and conservative hiring practices that recognized the seriousness of the State's 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 2013 First Circuit expenditures were slightly lower than those reflected as "planned" largely due to special fund expenditures that were less than authorized ceiling levels.

In the first quarter of FY 2014, 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 the timing of actual payroll disbursements, conservative hiring practices, and normal procurement and operational practices.

For the balance of FY 2014, estimated expenditures are expected to reflect the combined effect of additional payroll expenses (as essential position vacancies are filled and payroll earned in FY 2014 by newer employees subject to a 20-day pay-lag is disbursed), the liquidation of first quarter billings as they are received in later quarters, and payments made for court purchased services. 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. Estimated expenditures are also expected to increase due to collective bargaining augmentation.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

No significant variance to report.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Item 1, Civil Actions, was 30% over the estimated level in FY 2013. This was primarily due to the carryover of over 3,000 pending foreclosure cases from FY 2012.

FY 2013 variances in Item 3, Adoption Proceedings, and Item 9, Entry of Judgements for Traffic cases, are due to an overestimation of the actual count while those for Item 4, Parental Proceedings, and Item 5, Civil Actions Filed, Circuit Court are mainly due to an underestimation of actual cases in these two categories.

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 2013									
COST (Expenditures in \$1,000's)		A	B	Change From A TO B			A	B	Change From A TO B		
		Budgeted	Actual	Amount	+/-	%			Amount	+/-	%
Research and Development	Positions										
	Expenditures										
Operating	Positions	207.0	201.0	6.0	-	3					
	Expenditures	14,163	13,988	175	-	1					
Totals	Positions	207.0	201.0	6.0	-	3					
	Expenditures	14,163	13,988	175	-	1					

		Three Months Ended 9-30-13					Nine Months Ended 6-30-14				
COST (Expenditures in \$1,000's)		A	B	Change From A TO B			A	B	Change From A TO B		
		Budgeted	Actual	Amount	+/-	%			Amount	+/-	%
Research and Development	Positions										
	Expenditures										
Operating	Positions	207.0	200.0	7.0	-	3	207.0	201.0	6.0	-	3
	Expenditures	3,775	3,480	295	-	8	11,324	11,801	477	+	4
Totals	Positions	207.0	200.0	7.0	-	3	207.0	201.0	6.0	-	3
	Expenditures	3,775	3,480	295	-	8	11,324	11,801	477	+	4

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

		Fiscal Year 2013					Fiscal Year 2014				
Item No.	MEASURES OF EFFECTIVENESS	A	B	Change From A TO B			A	B	Change From A TO B		
		Estimated	Actual	Amount	+/-	%			Amount	+/-	%
1.	Med. Time to Dispo., Circ. Ct. Crim. Act. (Days)	267	239	28	-	10	277	272	5	-	2
2.	Med. Time to Dispo., Circ. Ct. Civil Act. (Days)	287	350	63	+	22	330	294	36	-	11

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

		Fiscal Year 2013					Fiscal Year 2014				
Item No.	PROGRAM SIZE INDICATORS	A	B	Change From A TO B			A	B	Change From A TO B		
		Estimated	Actual	Amount	+/-	%			Amount	+/-	%
1.	T01 Civil Actions, Circuit Court	2,198	3,183	985	+	45	2,500	2,302	198	-	8
2.	T02 Marital Actions	1,116	894	222	-	20	1,100	1,130	30	+	3
3.	T03 Adoption Proceedings	88	83	5	-	6	70	90	20	+	29
4.	T04 Parental Proceedings	511	576	65	+	13	450	522	72	+	16
5.	A01 Civil Actions Filed, Circuit Court	876	1,092	216	+	25	950	935	15	-	2
6.	A02 Criminal Actions Filed, Circuit Court	785	856	71	+	9	730	789	59	+	8
7.	A03 Marital Actions Filed	645	549	96	-	15	650	648	2	-	0
8.	A04 Traffic - New Filings (thousands)	36	36	0	+	0	33	37	4	+	12
9.	A05 Traffic - Entry of Judgement (thousands)	36	34	2	-	6	39	37	2	-	5

JUD 320 SECOND CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2013, position variances were the result of normal employee turnover and recruitment time factors. The expenditure variances were slightly lower than those reflected as “planned” largely due to the number of vacant positions.

In the first quarter of FY 2014, the variance in the number of filled authorized positions is again reflective of employee turnover and recruitment time factors. Expenditure variances in the first quarter are largely due to position vacancies.

For the balance of FY 2014, 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, and payments made for court purchased services. Estimated expenditures are also expected to increase due to collective bargaining increases that were appropriated in a separate bill. 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

Item 2, Median Time to Disposition, Circuit Court Civil Actions, was 22% over the estimated level in FY 2013 due to an increase in the amount of foreclosures filed. This resulted in a heavier court caseload, which in turn caused some delay in the time to dispose of the cases.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Item 1, Civil Actions – Circuit Court, was 45% over the estimated level in FY 2013, primarily due to a backlog in foreclosure case filings due to a change in legislation.

Item 2, Marital Actions, was 20% below the estimated level in FY 2013 due to a decrease in filings which may be a result of parties attempting to resolve cases on their own.

Item 5, Civil Actions Filed, Circuit Court, was 25% over the estimated level in FY 2013 due to an increase in the number of foreclosure filings.

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

		Fiscal Year 2013											
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	227.0	217.0	10.0	-	4							
	Expenditures	16,795	16,746	49	-	0							
Totals	Positions	227.0	217.0	10.0	-	4							
	Expenditures	16,795	16,746	49	-	0							

		Three Months Ended 9-30-13						Nine Months Ended 6-30-14					
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	227.0	224.0	3.0	-	1		227.0	220.0	7.0	-	3	
	Expenditures	4,490	7,755	3,265	+	73		13,469	10,415	3,054	-	23	
Totals	Positions	227.0	224.0	3.0	-	1		227.0	220.0	7.0	-	3	
	Expenditures	4,490	7,755	3,265	+	73		13,469	10,415	3,054	-	23	

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

		Fiscal Year 2013						Fiscal Year 2014					
Item No.	MEASURES OF EFFECTIVENESS	A	B	Change From A TO B				A	B	Change From A TO B			
		Estimated	Actual	Amount	+/-	%		Planned	Estimated	Amount	+/-	%	
1.	Med. Time to Dispo., Circ. Ct. Crim. Act. (Days)	270	229	41	-	15		263	267	4	+	2	
2.	Med. Time to Dispo., Circ. Ct. Civil Act. (Days)	326	333	7	+	2		427	325	102	-	24	

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

		Fiscal Year 2013						Fiscal Year 2014					
Item No.	PROGRAM SIZE INDICATORS	A	B	Change From A TO B				A	B	Change From A TO B			
		Estimated	Actual	Amount	+/-	%		Planned	Estimated	Amount	+/-	%	
1.	T01 Civil Actions, Circuit Court	3,314	3,811	497	+	15		3,400	3,361	39	-	1	
2.	T02 Marital Actions	1,556	1,571	15	+	1		1,700	1,576	124	-	7	
3.	T03 Adoption Proceedings	93	67	26	-	28		110	98	12	-	11	
4.	T04 Parental Proceedings	1,071	1,102	31	+	3		950	1,091	141	+	15	
5.	A01 Civil Actions Filed, Circuit Court	834	1,328	494	+	59		900	885	15	-	2	
6.	A02 Criminal Actions Filed, Circuit Court	878	888	10	+	1		950	880	70	-	7	
7.	A03 Marital Actions Filed	641	622	19	-	3		700	643	57	-	8	
8.	A04 Traffic - New Filings (thousands)	43	40	3	-	7		47	46	1	-	2	
9.	A05 Traffic - Entry of Judgement (thousands)	39	43	4	+	10		44	42	2	-	5	

JUD 330 THIRD CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2013, position variances were the result of employee turnover and recruitment time factors. The expenditure variances were slightly lower than those reflected as “planned” largely due to the number of vacant positions.

In the first quarter of FY 2014, the variance in the number of filled authorized positions is again reflective of employee turnover and recruitment time factors. Expenditures are greater than budgeted in the first quarter due to the majority of recurring expenses (utilities, contracts, rentals, service on a fee, purchase of service) being encumbered up front for the fiscal year. Estimated expenditures are expected to be lower than budgeted amounts for the balance of FY 2014 because of this. 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 to report.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Item 3, Adoption Proceedings, was 28% below the estimated level in FY 2013 due to an over projection and a significant drop in proceedings from 89 in FY 2012 to 67 in FY 2013.

Item 5, Civil Actions Filed, Circuit Court, was 59% over the estimated level in FY 2013 due to foreclosures still at a record high.

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 2013									
COST (Expenditures in \$1,000's)		A	B	Change From A TO B			A	B	Change From A TO B		
		Budgeted	Actual	Amount	+/-	%			Amount	+/-	%
Research and Development	Positions										
	Expenditures										
Operating	Positions	99.0	92.0	7.0	-	7					
	Expenditures	6,475	6,650	175	+	3					
Totals	Positions	99.0	92.0	7.0	-	7					
	Expenditures	6,475	6,650	175	+	3					

		Three Months Ended 9-30-13					Nine Months Ended 6-30-14				
COST (Expenditures in \$1,000's)		A	B	Change From A TO B			A	B	Change From A TO B		
		Budgeted	Actual	Amount	+/-	%			Amount	+/-	%
Research and Development	Positions										
	Expenditures										
Operating	Positions	99.0	94.0	5.0	-	5	99.0	95.0	4.0	-	4
	Expenditures	1,724	1,688	36	-	2	5,171	5,290	119	+	2
Totals	Positions	99.0	94.0	5.0	-	5	99.0	95.0	4.0	-	4
	Expenditures	1,724	1,688	36	-	2	5,171	5,290	119	+	2

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

		Fiscal Year 2013					Fiscal Year 2014				
Item No.	MEASURES OF EFFECTIVENESS	A	B	Change From A TO B			A	B	Change From A TO B		
		Estimated	Actual	Amount	+/-	%			Amount	+/-	%
1.	Med. Time to Dispo., Circt. Ct. Crim. Act. (Days)	306	324	18	+	6	362	308	54	-	15
2.	Med. Time to Dispo., Circt. Ct. Civil Act. (Days)	347	279	68	-	20	347	349	2	+	1

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

		Fiscal Year 2013					Fiscal Year 2014				
Item No.	PROGRAM SIZE INDICATORS	A	B	Change From A TO B			A	B	Change From A TO B		
		Estimated	Actual	Amount	+/-	%			Amount	+/-	%
1.	TO1 Civil Actions, Circuit Court	1,216	1,406	190	+	16	1,100	1,246	146	+	13
2.	TO2 Marital Actions	793	787	6	-	1	700	801	101	+	14
3.	TO3 Adoption Proceedings	109	110	1	+	1	110	112	2	+	2
4.	TO4 Parental Proceedings	509	498	11	-	2	500	517	17	+	3
5.	A01 Civil Actions Filed, Circuit Court	296	305	9	+	3	320	303	17	-	5
6.	A02 Criminal Actions Filed, Circuit Court	576	533	43	-	7	380	581	201	+	53
7.	A03 Marital Actions Filed	253	177	76	-	30	270	255	15	-	6
8.	A04 Traffic - New Filings (thousands)	14	12	2	-	14	16	14	2	-	13
9.	A05 Traffic - Entry of Judgment (thousands)	14	13	1	-	7	15	14	1	-	7

JUD 350 FIFTH CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2013, the variance in positions was due to general employee turnover and standard delays in filling vacancies relating to the recruitment and selection process. The corresponding variance in expenditures was primarily due to replacement of aging equipment.

In the first quarter of FY 2014, the variance in positions was attributable to normal employee turnover and standard recruitment delays. The expenditure variances in the first quarter were largely due to payroll savings, and normal procurement and operational practices. For the balance of FY 2014, estimated expenditures are expected to reflect the combined effect of payments made for court purchased items, anticipated filling of positions, and collective bargaining augmentation.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

Item 2, Medium Time to Disposition, Circuit Court Civil Actions - 279 days in FY 2013, was 20% under the estimated level due to an over projection and shows a marked improvement from FY 2012 when foreclosure filings were primarily responsible for the median time to disposition of 399 days.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Item 7, Marital Actions Filed, was 30% under the estimated level in FY 2013 due to an over projection based on the actual number filed in FY 2012.

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 2013									
		A	B	Change From A TO B							
		Budgeted	Actual	Amount	+/-	%					
Research and Development	Positions										
	Expenditures										
Operating	Positions	1.0	1.0	0.0	+	0					
	Expenditures	86	70	16	-	19					
Totals	Positions	1.0	1.0	0.0	+	0					
	Expenditures	86	70	16	-	19					
COST (Expenditures in \$1,000's)		Three Months Ended 9-30-13					Nine Months Ended 6-30-14				
		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	1.0	1.0	0.0	+	0	1.0	1.0	0.0	+	0
	Expenditures	22	21	1	-	5	67	70	3	+	5
Totals	Positions	1.0	1.0	0.0	+	0	1.0	1.0	0.0	+	0
	Expenditures	22	21	1	-	5	67	70	3	+	5

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

		Fiscal Year 2013					Fiscal Year 2014				
Item No.	MEASURES OF EFFECTIVENESS	A	B	Change From A TO B			A	B	Change From A TO B		
		Estimated	Actual	Amount	+/-	%	Planned	Estimated	Amount	+/-	%
N/A											

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

Item No.		PROGRAM SIZE INDICATORS		Fiscal Year 2013					Fiscal Year 2014								
				A		B		Change From A TO B			A		B		Change From A TO B		
				Estimated		Actual		Amount	+/-	%	Planned		Estimated		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 2013 as the sole position was filled throughout the year. The corresponding expenditure variance for the fiscal year is attributed to continued conservative spending practices employed by the Judicial Selection Commission.

The first quarter of FY 2014 remains consistent with FY 2013's cautious spending strategy and is expected to continue through the remaining three quarters.

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

		Fiscal Year 2013											
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	223.0	211.0	12.0	-	5							
	Expenditures	29,427	27,852	1,575	-	5							
Totals	Positions	223.0	211.0	12.0	-	5							
	Expenditures	29,427	27,852	1,575	-	5							

		Three Months Ended 9-30-13						Nine Months Ended 6-30-14					
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	227.0	213.0	14.0	-	6		227.0	227.0	0.0	+	0	
	Expenditures	8,010	14,763	6,753	+	84		24,031	17,515	6,516	-	27	
Totals	Positions	227.0	213.0	14.0	-	6		227.0	227.0	0.0	+	0	
	Expenditures	8,010	14,763	6,753	+	84		24,031	17,515	6,516	-	27	

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

		Fiscal Year 2013						Fiscal Year 2014					
Item No.	MEASURES OF EFFECTIVENESS	A	B	Change From A TO B				A	B	Change From A TO B			
		Estimated	Actual	Amount	+/-	%		Planned	Estimated	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)

		Fiscal Year 2013						Fiscal Year 2014					
Item No.	PROGRAM SIZE INDICATORS	A	B	Change From A TO B				A	B	Change From A TO B			
		Estimated	Actual	Amount	+/-	%		Planned	Estimated	Amount	+/-	%	
1.	A01 Number of Payment Documents Processed	28,664	28,995	331	+	1		28,664	28,995	331	+	1	
2.	A02 Number of Recruitment Announcements	780	760	20	-	3		780	760	20	-	3	
3.	A03 Number of JUDHR001 Forms Processed	6,938	6,905	33	-	0		2,700	2,700	0	+	0	
4.	A04 Library - Size of Collections (000's)*	389	390	1	+	0		391	390	1	-	0	
5.	A05 Library - Circulation, Transaction & Ref Use*	36,000	22,830	13,170	-	37		36,500	36,000	500	-	1	
6.	A06 Library - Patrons Served*	13,500	12,540	960	-	7		13,500	12,540	960	-	7	

* Law Library transferred from JUD101 to JUD 601 in FY 2012-2013.

JUD 601 ADMINISTRATION

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2013, the variance in positions was due primarily to normal employee turnover and recruitment delays combined with an increased number of employee retirements. The corresponding expenditure variance for the fiscal year is attributed to continued conservative spending practices and special and revolving fund expenditures that were lower than authorized ceiling levels.

In the first quarter of FY 2014, the variance in positions remained relatively stable as the programs continued their recruiting efforts.

Expenditures reported for the first quarter of FY 2014 reflected full-year funding encumbered to support various contracts and operating expenses. In particular, \$2.4 million in utility expenditures and nearly \$1.8 million for IT-related support contracts were encumbered in the first quarter. This fiscal practice results in the proportionately lower level of operating expenses projected for the remaining three quarters of FY 2014 which are offset somewhat by collective bargaining augmentation.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

There are no variances identified.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

The variance reflected in the Library – Circulation, Transaction and Reference Use was 37% less than the estimated level in FY 2013, partly due to staff shortages at several circuits which reduced service levels in their respective libraries.

