



MINNESOTA  
JUDICIAL  
BRANCH

# MINNESOTA JUDICIAL BRANCH FY2020-21 BUDGET REQUEST

## OVERVIEW

Over the past decade, the Minnesota Judicial Branch has embarked on an ambitious redesign agenda aimed at improving the efficiency and effectiveness of Minnesota’s justice system.

This includes the eCourtMN transformation, Minnesota’s historic transition to an electronic case record. The eCourtMN initiative has made it easier for Minnesotans to interact with and access their court system, and enhanced information sharing between the courts and justice partners.

We have also overseen a significant expansion of drug courts and other treatment court programs in the state. These programs have been proven to reduce recidivism among offenders facing chemical and mental health issues, and reduce costs in the justice system.

The Judicial Branch FY2020-21 budget request is focused on positioning the Judicial Branch to continue building on this decade of innovation, while also addressing some of the growing challenges facing the state’s courts: a retirement wave among judges and employees, rising trial court caseloads, increasing costs of providing psychological services, and the growing threat of cybercrime to our public institutions.

Budget Request Items	FY20-21 Request
Judge/Staff Compensation & Benefit Costs	\$35.251 M
Two Additional Trial Court Judge Units	\$1.758 M
Treatment Court Funding Stabilization	\$0.612 M
Mandated Psychological Exams	\$2.140 M
Cybersecurity Enhancements	\$5.000 M
<b>Total Request</b>	<b>\$44.761 M</b>

*The Judicial Branch is seeking an increase of 6.38% over the Branch’s biennial base budget in FY2020-21.*

## ADDRESSING THE JUDICIAL BRANCH WORKFORCE CHALLENGES

In order to continue driving innovation in the state’s justice system, the Judicial Branch needs to retain and attract skilled employees and judges that can maintain and operate a modern, efficient, and technology-based court system.

However, the Judicial Branch is facing a significant retirement wave among judges and staff. **By 2022, almost 40% of all judges that were on the Bench in 2017 will have either retired or will have turned 65 years old. One-third of current Judicial Branch staff reach retirement age in the next 10 years.**

To prepare for this retirement wave, the Judicial Branch—with the support of the Governor and Legislature—has made concerted efforts to improve the competitiveness of the Judicial Branch salary structure, following a multi-year salary freeze in the late-2000s. To ensure the salary structure supports a highly-skilled workforce, the Judicial Branch must continue to keep pace with public-sector market competitors.

Minnesota also needs to ensure that judge salaries remain competitive with other public sector legal positions. **Today, judges in some counties make less than the county attorneys who appear before them, and, in some cases, even less than the assistant county attorneys.**

### Request: \$35.251 M

The Judicial Branch FY2020-21 budget request seeks funding to:

- Increase judge compensation by 3.5%/year
- Provide a 3.5% compensation pool each year for court employees
- Fund the employer share of unavoidable health insurance premium increases

### NEW JUDGESHIPS TO HELP MANAGE A RISING CASELOAD

Since FY2014, the Judicial Branch has seen an increase in the number of complex cases brought to the trial courts.

- **Children in need of protection or services (CHIPS) cases increased by 42% and permanency cases increased by 69%.**
- **Felony and gross misdemeanor drug possession case filings increased by 36%;**
- **Felony domestic assault filings increased by 24% ; and**
- **Gross misdemeanor DWI cases increased by 23%.**

The Minnesota Judicial Weighted Caseload Analysis, used since 1980 to assess judge need, indicates a need for two additional trial court judges to continue processing cases in an efficient and effective manner.

#### **Request: \$1.758 M**

The Judicial Branch FY2020-21 budget request seeks funding to add two new trial court judge units.

A judge unit consists of a judge and two staff. This would increase the number of trial court judgeships in the state from 294 to 296.

### SUSTAINING MINNESOTA'S TREATMENT COURT PROGRAMS

The number of drug courts, DWI courts, veterans courts, and other treatment court programs in Minnesota has grown tremendously in recent years, as has the number of Minnesotans served by these programs. **Minnesota now has 61 operational treatment courts, including 11 multi-county programs, providing services in over 70% of Minnesota's counties.**

While this expansion has served to combat recidivism, improve public safety, and save costs throughout the justice system, many of these programs are relying on short-term and uncertain funding sources to remain operational.

#### **Request: \$0.612 M**

The Judicial Branch FY2020-21 budget request seeks funding for five existing treatment courts that were launched with federal grant funding. This new funding will allow the Judicial Branch to add those five courts to the statewide treatment court funding formula, ensuring their continued operation after the expiration of their federal grants. The five affected treatment courts are: Anoka County Drug Court, Anoka County Veterans Court, Olmsted County Drug Court, Scott County Drug Court, and Wright County Drug Court.

### ADDRESSING THE RISING COST OF PROVIDING MANDATED SERVICES

The Judicial Branch is experiencing significant increases in the **court-related cost of providing psychological examinations in criminal and civil commitment cases. These costs grew by 48% from FY14 to FY18.**

The increase is due primarily to the increase in examinations ordered in criminal cases. From FY17 to FY18, Criminal Rule 20 examinations increased by 11.5%.

#### **Request: \$2.14 M**

The Judicial Branch FY2020-21 budget request seeks funding to provide the court-related costs of examinations under Rule 20 of the Criminal Rules of Procedure and under Minnesota Statutes Chapter 253B, civil commitments, including commitments of persons who are mentally ill and dangerous, persons with sexual psychopathic personalities, and sexually dangerous persons.

### IMPROVING THE CYBERSECURITY OF MINNESOTA'S COURTS

The Judicial Branch launched its cyber security program in FY17. As the Judicial Branch operates in an electronic record environment, the strength and security of the court's electronic tools, technology infrastructure, and private data is critically important. The Judicial Branch is working to expand its efforts to mitigate the risk of data breaches, data corruption, system outages, document/data loss, and cyber-attacks.

#### **Request: \$5 M**

The Judicial Branch FY2020-21 budget request seeks funding to enhance its information security and risk management program. The request addresses necessary staff, training, hardware, and software needs for this effort.