

## NC JUDICIAL BRANCH BUDGET TALKING POINTS

### Context

- The NC Judicial Branch receives less than 3% of the overall state budget.
- NC ranks 2<sup>nd</sup> to last in the number of judges per capita.\*
- NC ranks 50<sup>th</sup> in percentage of justice and public safety funding spent on courts.\*\*
- While some agencies within Justice and Public Safety gained positions under the revised appropriation figures for FY 2010-11, the Judicial Branch **lost** 57 positions.

\**Examining the Work of State Courts: An Analysis of 2008 State Court Caseloads (NCSC 2010), "Full-time Judges in Unified and General Jurisdiction Courts, 2008, p. 21.*

\*\**Bureau of Justice Statistics, "Criminal Justice Expenditures and Employment Extracts Program (CJEE)," 2007.*

### Recent FY 2011-12 and FY 2012-13 Budget Activity

- The Governor has recommended an approximately \$16 million reduction to the Judicial Branch budget including 170 positions for FY 2011-12. In FY 2012-13 that reduction increases to over \$18 million.
- The Joint JPS Appropriations Committee has been instructed by the leadership that they must reduce their budget by \$230 million or approximately 10%. If the Judicial Branch is required to reduce its budget allocation by a corresponding percentage, the cut would be approximately \$45 million.
- A little more than 90% of the Judicial Branch budget is personnel. A \$45 million reduction would raise the number of positions that have to be eliminated to over 700.
- Many of the Judicial Branch positions are constitutionally authorized and cannot be eliminated. The loss of 700 positions would cripple the Judicial Branch. It would mean the disproportionate and extraordinary elimination of prosecutors, clerks, judicial support staff and constructive courts like Family Courts, Drug Treatment Courts and alternative dispute resolution programs like mediation and arbitration, which reduce costs, save time and produce agreements that are longer lasting.

### Advocacy

- The Judicial Branch is willing to do its share in these difficult economic times. However, budget cuts must not compromise public safety and access to justice.
- The Judicial Branch is prepared to absorb a reduction in funding at levels proposed by the Governor. However, given the level of cuts that have already been made during the current fiscal year (\$13.4 million), it cannot absorb a reduction in funding beyond 5% without serious consequences.
- The Judicial Branch needs to be given the discretion and management flexibility on how to bring about the reductions in money and staff so that smart and effective programs and services consistent with the core functions of the court and the Justice Reinvestment Initiative are not lost.
- The Judicial Branch should be allowed to offset any reduction in funding with the imposition of a uniform filing fee equal to the Superior Court level of \$145. Institution of this fee would generate approximately \$30 million in additional annual revenue.