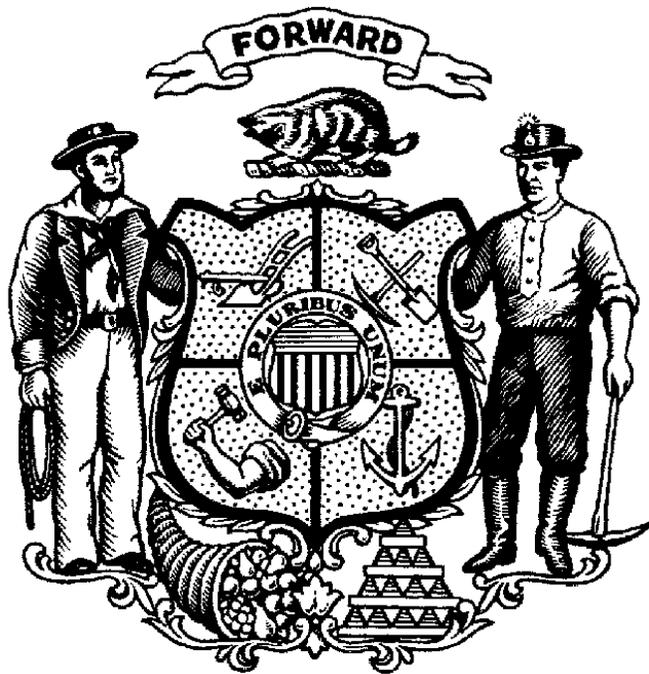


State of Wisconsin

Circuit Courts



Agency Budget Request

2013 – 2015 Biennium

September 17, 2012

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AGENCY DESCRIPTION

The Circuit Courts are Wisconsin's courts of general jurisdiction and consist of 249 judicial positions in 69 judicial circuits. Each county in the state is a circuit, with the exception of Pepin and Buffalo, Menominee and Shawano, and Forest and Florence, which are paired to form three circuits. Where the volume of litigation warrants, a circuit consists of more than one branch (judge). Of the 69 circuits, 41 contain multiple branches.

The Circuit Courts have original jurisdiction in all criminal, civil, juvenile, family and probate cases unless exclusive jurisdiction has been given to another court. The courts have appellate jurisdiction over orders and judgments of the municipal courts and the responsibility to review decisions and orders of state administrative agencies.

For purposes of management, the Circuit Courts are divided into ten administrative districts. Each district has a chief judge appointed by the Supreme Court and a district court administrator who administer the business of the judicial branch in that district in cooperation with the director of state courts at the direction of the chief justice. The first judicial district (Milwaukee County) also has an assistant district court administrator.

Agency Total by Fund Source

Circuit Courts

1315 Biennial Budget

		ANNUAL SUMMARY					BIENNIAL SUMMARY				
Source of Funds		Prior Year Total	Adjusted Base	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE	Base Year Doubled (BYD)	Biennial Request	Change From (BYD)	Change From BYD %
GPR	L	\$21,895,230	\$24,676,800	\$29,683,500	\$29,683,500	0.00	0.00	\$49,353,600	\$59,367,000	\$10,013,400	20.3%
GPR	S	\$69,687,316	\$71,671,700	\$71,939,100	\$72,131,400	527.00	527.00	\$143,343,400	\$144,070,500	\$727,100	0.5%
Total		\$91,582,546	\$96,348,500	\$101,622,600	\$101,814,900	527.00	527.00	\$192,697,000	\$203,437,500	\$10,740,500	5.6%
PR	L	\$134,000	\$232,700	\$232,700	\$232,700	0.00	0.00	\$465,400	\$465,400	\$0	0.0%
Total		\$134,000	\$232,700	\$232,700	\$232,700	0.00	0.00	\$465,400	\$465,400	\$0	0.0%
Grand Total		\$91,716,546	\$96,581,200	\$101,855,300	\$102,047,600	527.00	527.00	\$193,162,400	\$203,902,900	\$10,740,500	5.6%

Agency Total by Program

625 Circuit Courts

1315 Biennial Budget

Source of Funds	ANNUAL SUMMARY						BIENNIAL SUMMARY			
	Prior Year Actual	Adjusted Base	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE	Base Year Doubled (BYD)	Biennial Request	Change From (BYD)	Change From BYD %
01 COURT OPERATIONS										
Non Federal										
GPR	\$91,582,546	\$96,348,500	\$101,622,600	\$101,814,900	527.00	527.00	\$192,697,000	\$203,437,500	\$10,740,500	5.57%
L	\$21,895,230	\$24,676,800	\$29,683,500	\$29,683,500	0.00	0.00	\$49,353,600	\$59,367,000	\$10,013,400	20.29%
S	\$69,687,316	\$71,671,700	\$71,939,100	\$72,131,400	527.00	527.00	\$143,343,400	\$144,070,500	\$727,100	0.51%
PR	\$134,000	\$232,700	\$232,700	\$232,700	0.00	0.00	\$465,400	\$465,400	\$0	0.00%
L	\$134,000	\$232,700	\$232,700	\$232,700	0.00	0.00	\$465,400	\$465,400	\$0	0.00%
Total - Non Federal	\$91,716,546	\$96,581,200	\$101,855,300	\$102,047,600	527.00	527.00	\$193,162,400	\$203,902,900	\$10,740,500	5.56%
L	\$22,029,230	\$24,909,500	\$29,916,200	\$29,916,200	0.00	0.00	\$49,819,000	\$59,832,400	\$10,013,400	20.10%
S	\$69,687,316	\$71,671,700	\$71,939,100	\$72,131,400	527.00	527.00	\$143,343,400	\$144,070,500	\$727,100	0.51%

Agency Total by Program

625 Circuit Courts

1315 Biennial Budget

PGM 01 Total	\$91,716,546	\$96,581,200	\$101,855,300	\$102,047,600	527.00	527.00	\$193,162,400	\$203,902,900	\$10,740,500	5.56%
GPR	\$91,582,546	\$96,348,500	\$101,622,600	\$101,814,900	527.00	527.00	\$192,697,000	\$203,437,500	\$10,740,500	5.57%
L	\$21,895,230	\$24,676,800	\$29,683,500	\$29,683,500	0.00	0.00	\$49,353,600	\$59,367,000	\$10,013,400	20.29%
S	\$69,687,316	\$71,671,700	\$71,939,100	\$72,131,400	527.00	527.00	\$143,343,400	\$144,070,500	\$727,100	0.51%
PR	\$134,000	\$232,700	\$232,700	\$232,700	0.00	0.00	\$465,400	\$465,400	\$0	0.00%
L	\$134,000	\$232,700	\$232,700	\$232,700	0.00	0.00	\$465,400	\$465,400	\$0	0.00%
TOTAL 01	\$91,716,546	\$96,581,200	\$101,855,300	\$102,047,600	527.00	527.00	\$193,162,400	\$203,902,900	\$10,740,500	5.56%
L	\$22,029,230	\$24,909,500	\$29,916,200	\$29,916,200	0.00	0.00	\$49,819,000	\$59,832,400	\$10,013,400	20.10%
S	\$69,687,316	\$71,671,700	\$71,939,100	\$72,131,400	527.00	527.00	\$143,343,400	\$144,070,500	\$727,100	0.51%

Agency Total by Program

625 Circuit Courts

1315 Biennial Budget

Agency Total	\$91,716,546	\$96,581,200	\$101,855,300	\$102,047,600	527.00	527.00	\$193,162,400	\$203,902,900	\$10,740,500	5.56%
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Agency Total by Decision Item

Circuit Courts

1315 Biennial Budget

Decision Item	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
2000 Adjusted Base Funding Level	\$96,581,200	\$96,581,200	527.00	527.00
3003 Full Funding of Continuing Position Salaries and Fringe Benefits	(\$1,846,500)	(\$1,846,500)	0.00	0.00
3010 Full Funding of Lease and Directed Moves Costs	(\$1,000)	(\$1,000)	0.00	0.00
4803 Financial Assistance Programs	\$5,006,700	\$5,006,700	0.00	0.00
6214 Judicial Compensation	\$2,114,900	\$2,307,200	0.00	0.00
TOTAL	\$101,855,300	\$102,047,600	527.00	527.00

GPR Earned

1315 Biennial Budget

	CODES	TITLES
DEPARTMENT	625	Circuit Courts
PROGRAM	01	Court operations
DATE	September 17, 2012	

Revenue	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	\$0	\$0	\$0	\$0
	\$46,397,100	\$45,700,000	\$45,200,000	\$44,000,000
Total	\$46,397,100	\$45,700,000	\$45,200,000	\$44,000,000

Decision Item (DIN) - 2000

Decision Item (DIN) Title - Adjusted Base Funding Level

NARRATIVE

Adjusted Base Funding Level

Decision Item by Line

1315 Biennial Budget

	CODES	TITLES
DEPARTMENT	625	Circuit Courts
	CODES	TITLES
DECISION ITEM	2000	Adjusted Base Funding Level

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$47,408,400	\$47,408,400
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$1,151,500	\$1,151,500
05	Fringe Benefits	\$21,423,600	\$21,423,600
06	Supplies and Services	\$1,680,600	\$1,680,600
07	Permanent Property	\$7,600	\$7,600
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$24,909,500	\$24,909,500
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0

16		\$0	\$0
17	Total Cost	\$96,581,200	\$96,581,200
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	527.00	527.00

Decision Item by Numeric

Circuit Courts

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	2000	Adjusted Base Funding Level			
01	Court operations				
	01 Circuit courts	\$71,671,700	\$71,671,700	527.00	527.00
	06 Court interpreter fees	\$1,433,500	\$1,433,500	0.00	0.00
	07 Circuit court support payments	\$18,552,200	\$18,552,200	0.00	0.00
	08 Guardian ad litem fees	\$4,691,100	\$4,691,100	0.00	0.00
	09 Circuit court financial support	\$0	\$0	0.00	0.00
	21 Court interpreters	\$232,700	\$232,700	0.00	0.00
	Court operations SubTotal	\$96,581,200	\$96,581,200	527.00	527.00
	Adjusted Base Funding Level SubTotal	\$96,581,200	\$96,581,200	527.00	527.00
	Agency Total	\$96,581,200	\$96,581,200	527.00	527.00

Decision Item by Fund Source

Circuit Courts

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
Decision Item	2000	Adjusted Base Funding Level				
	GPR	L	\$24,676,800	\$24,676,800	0.00	0.00
	GPR	S	\$71,671,700	\$71,671,700	527.00	527.00
	PR	L	\$232,700	\$232,700	0.00	0.00
	Total		\$96,581,200	\$96,581,200	527.00	527.00
Agency Total			\$96,581,200	\$96,581,200	527.00	527.00

Decision Item (DIN) - 3003

Decision Item (DIN) Title - Full Funding of Continuing Position Salaries and Fringe Benefits

NARRATIVE

Standard Budget Adjustment - Full Funding of Continuing Position Salaries and Fringe Benefits

Decision Item by Line

1315 Biennial Budget

	CODES	TITLES
DEPARTMENT	625	Circuit Courts
	CODES	TITLES
DECISION ITEM	3003	Full Funding of Continuing Position Salaries and Fringe Benefits

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	(\$24,500)	(\$24,500)
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	(\$1,822,000)	(\$1,822,000)
06	Supplies and Services	\$0	\$0
07	Permanent Property	\$0	\$0
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0

16		\$0	\$0
17	Total Cost	(\$1,846,500)	(\$1,846,500)
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Circuit Courts

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	3003	Full Funding of Continuing Position Salaries and Fringe Benefits			
01	Court operations				
	01 Circuit courts	(\$1,846,500)	(\$1,846,500)	0.00	0.00
	Court operations SubTotal	(\$1,846,500)	(\$1,846,500)	0.00	0.00
	Full Funding of Continuing Position Salaries and Fringe Benefits SubTotal	(\$1,846,500)	(\$1,846,500)	0.00	0.00
	Agency Total	(\$1,846,500)	(\$1,846,500)	0.00	0.00

Decision Item by Fund Source

Circuit Courts

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
Decision Item	3003	Full Funding of Continuing Position Salaries and Fringe Benefits				
	GPR	S	(\$1,846,500)	(\$1,846,500)	0.00	0.00
	Total		(\$1,846,500)	(\$1,846,500)	0.00	0.00
Agency Total			(\$1,846,500)	(\$1,846,500)	0.00	0.00

Decision Item (DIN) - 3010

Decision Item (DIN) Title - Full Funding of Lease and Directed Moves Costs

NARRATIVE

Standard Budget Adjustment - Full Funding of Lease and Directed Moves Costs

Decision Item by Line

1315 Biennial Budget

	CODES	TITLES
DEPARTMENT	625	Circuit Courts
	CODES	TITLES
DECISION ITEM	3010	Full Funding of Lease and Directed Moves Costs

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$0	\$0
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	\$0	\$0
06	Supplies and Services	(\$1,000)	(\$1,000)
07	Permanent Property	\$0	\$0
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0

16		\$0	\$0
17	Total Cost	(\$1,000)	(\$1,000)
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Circuit Courts

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	3010	Full Funding of Lease and Directed Moves Costs			
01	Court operations				
	01 Circuit courts	(\$1,000)	(\$1,000)	0.00	0.00
	Court operations SubTotal	(\$1,000)	(\$1,000)	0.00	0.00
	Full Funding of Lease and Directed Moves Costs SubTotal	(\$1,000)	(\$1,000)	0.00	0.00
	Agency Total	(\$1,000)	(\$1,000)	0.00	0.00

Decision Item by Fund Source

Circuit Courts

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
Decision Item	3010	Full Funding of Lease and Directed Moves Costs				
	GPR	S	(\$1,000)	(\$1,000)	0.00	0.00
	Total		(\$1,000)	(\$1,000)	0.00	0.00
Agency Total			(\$1,000)	(\$1,000)	0.00	0.00

Decision Item (DIN) - 4801

Decision Item (DIN) Title - Bifurcated Small Claims Clerk of Circuit Court Fee

NARRATIVE

The Circuit Courts request to modify the small claims clerk of circuit courts fee for retention by counties from \$10.20 to \$30 for those cases whose claims are between \$5,000 and \$9,999. The threshold for small claims actions changed in 2011 Act 32, effective with actions commenced on July 1, 2011, from less than \$5,000 to less than \$10,000 for most actions. (There are exceptions - personal injury, tort or third party complaints remain at less than \$5,000.) Under previous law, the fee for commencement of actions greater than \$5,000 was \$75, with \$30 going to the county. So, for each case whose jurisdictional limit has been changed under Act 32, the clerk receives \$19.80 less than under previous law. This applies to an estimated 12,300 cases annually, for a total loss to the clerk's offices of \$243,500 annually. Clerks of Circuit Court are responsible for overseeing the court's administration, managing the flow of cases through the court and maintaining court records. Collecting court fines, forfeitures, fees and surcharges is an important function of the Clerk's Office. Since 1977, a plethora of surcharges applied to fines, forfeitures and/or court fees have been created. Most of these fund state programs or provide revenues to the General Fund. Of 35 separate surcharges, counties receive revenues from only three – the driver improvement, county jail and ignition interlock device surcharges. Although counties are wholly responsible for collection efforts, they retain only a small part of the proceeds. In 2010-11, counties retained \$8.2 million, or 35.6%, of the \$23.0 million in court fee revenues. They retained an even smaller share of the surcharge revenues: \$8.3 million, or 8.7%, of the \$95.6 million collected. In total, counties retained \$37.5 million, or 23.3%, of the \$161.1 million collected by the Clerks of Court in 2010-11. This proposal would create a bifurcated small claims fee, with a fee of \$41.80 on small claims cases whose jurisdictional limit is \$5,000 to \$9,999, with the \$19.80 increase going to the county. Including surcharges, currently the total large claim filing cost is \$265.50 while the total small claim filing cost is \$94.50. Under this proposal, the total cost of filing a claim whose jurisdictional limit is \$5,000 to \$9,999 would be \$114.30 or \$151.20 less than the cost of filing such a claim prior to July 1, 2011. It is estimated that this fee increase would generate an additional \$243,500 in revenue state-wide for counties. This proposal has no fiscal effect to the State.

2013–2015 ISSUE PAPER

Department/Program: Circuit Courts

Issue Name: Statutory Language Change: Bifurcated Small Claims Clerk of Circuit Courts Fee

DIN: 4801

NARRATIVE

The Circuit Courts request to modify the small claims clerk of circuit courts fee for retention by counties from \$10.20 to \$30 for those cases whose claims are between \$5,000 and \$9,999.

Background

Wisconsin's circuit courts are funded with state and county funds, along with some limited federal dollars. State dollars pay the salaries and fringe benefits for judges and their court reporters, and a limited amount of supplies and services costs, such as travel, DOA chargebacks and insurance. As required by s. 753.19, Wis. Stats., counties are responsible for all other costs for operating the circuit courts not covered by federal grants.

Court fees have long been applied in Wisconsin to provide state and county funding. Chapter 440, Laws of 1977, the Court Reorganization Act, mandated a Legislative Council study of court-related fees and costs. In its study, the Council's Committee on Courts determined that most of the existing court-related user fees had been established by law "many years ago" and the levels of fees had remained unchanged despite the rapidly increasing costs of operating the court system. The study found the average county's percentage of court-related expenditures covered by revenues from statutory user fees decreased from approximately 22.5% in 1972 to 16.4% in 1979. During the same period, the state's expenditure recovery ratio from user fees remained relatively

constant at approximately 30%. The proposals from the Legislative Council study were enacted, with a few exceptions, as part of Chapter 317, Laws of 1981, which streamlined and simplified the court fee structure. Many fees were increased to better reflect increased costs of operating the court system.

Wisconsin's Clerks of Circuit Court (Clerks of Court) are county elected officials who are responsible for overseeing the court's administration, managing the flow of cases through the court and maintaining court records. Their duties include receiving, filing, keeping and safeguarding court records; maintaining court calendars; collecting and sending payments to the county treasurer for the state and county's portion of fines, forfeitures, court fees and surcharges; juror management; and other duties as necessary to assist with court needs. Clerks of Court and their staffs are county employees fully paid by the county.

Collecting court fines, forfeitures, fees and surcharges is an important function of the Clerk's Office. Since 1977, a plethora of surcharges applied to fines, forfeitures and/or court fees have been created. Most of these surcharges fund state programs or provide revenues to the General Fund. Of the 35 separate surcharges listed under Chapter 814, Wis. Stats., counties receive revenues from only three – the driver improvement surcharge, the county jail surcharge and the ignition interlock device surcharge.

Although counties are wholly responsible for collection efforts, they retain only a small part of the proceeds. In 2010-11, counties retained \$8.2 million, or 35.6%, of the \$23.0 million in court fee revenues. They retained an even smaller share of the surcharge revenues: \$8.3 million, or 8.7%, of the \$95.6 million collected. In total, counties retained \$37.5 million, or 23.3%, of the \$161.1 million collected by the Clerks of Court in 2010-11.

Proposed Fee Adjustment

County revenue decreases coupled with statutory limitations on levy increases have resulted in court budget cuts throughout the state. Increases in the amount of court-ordered assessments have been driven by surcharge increases, with those revenues largely going to the state. Several clerks of court suggested increases in a variety of county-retained fees. Due to long-standing court concerns about access to justice, only one change is being requested: in response to a law change last year that reduced clerk of court revenues, it is requested that the small claims fee be raised for those claims that are between \$5,000 and \$9,999.

Under s. 814.62(3), Wis. Stats., clerks of court collect a \$22 fee from the plaintiff at the commencement of a small claims action. Of that amount, the county retains \$10.20 and the state (CCAP) receives \$11.80. The fee was set at \$10 in 1982 under Chapter 317, Laws of 1981, with \$5 going to the state and \$5 to the county. The fee was increased to \$12 in 1983, \$15 in 1987, \$17 in 1991 and to the current fee of \$22 in 1995.

The threshold for small claims actions changed in 2011 Act 32, effective with actions commenced on July 1, 2011, from less than \$5,000 to less than \$10,000 for most actions. (There are exceptions - personal injury, tort or third party complaints remain at less than \$5,000.) Under previous law, the fee for commencement of actions greater than \$5,000 was \$75, with \$30 going to the county. Therefore, for each case whose jurisdictional limit has been changed from a large claim to a small claim, the clerk receives \$19.80 less than under the previous law. It is estimated that this applies to approximately 12,300 cases annually, for a total loss to the clerk's offices of \$243,500 annually.

This proposal would create a bifurcated small claims fee, with a fee of \$41.80 on small claims cases whose jurisdictional limit is \$5,000 to \$9,999, with the \$19.80 increase going to the county. Including surcharges, currently the total large claim filing cost is \$265.50 while the total small claim filing cost is \$94.50. Under this proposal, the total cost of filing a claim whose jurisdictional limit is \$5,000 to \$9,999 would be \$114.30 or \$151.20 less than the cost of filing such a claim prior to July 1, 2011. It is estimated that this fee increase would generate an additional \$243,500 in revenue state-wide for counties. This proposal has no fiscal effect to the State.

The requested clerk fee of \$30 would be the same as that for large claims, and comes from 2011 Assembly Bill 106, which would have increased the jurisdictional limit in small claims actions from \$5,000 to \$10,000 and would have also increased the filing fee for these new small claims actions from \$22 to \$44, with the county retaining \$31.20. This bill did not pass.

Statutory Language Request

Bifurcated Small Claims Clerk of Circuit Court Fee

A statutory change is requested to authorize reimbursement of court interpreter out-of-state mileage for up to 100 miles from their residence to the Wisconsin state line and upon return a maximum of 100 miles from the state line to their residence under s. 814.67 (1)(c). Currently mileage reimbursement begins upon crossing the state line.

Decision Item (DIN) - 4802

Decision Item (DIN) Title - Out-of-State Interpreter Travel

NARRATIVE

The Circuit Courts request statutory language modifications to provide that court interpreters may be reimbursed up to a maximum of 100 miles for their out-of-state travel from their residence to the Wisconsin state border and upon return a maximum of 100 miles from the state's border to their residence, in addition to their reimbursement for miles traveled within the state border. It is not unusual for a county to request the services of certified interpreters located outside of the state. This is especially true for court interpreters of rare languages. Some counties rely on experienced interpreters from neighboring states (e.g., Illinois, Minnesota) for court interpreter services. These out-of-state interpreters reasonably charge mileage from their home base to the courthouse. However, s. 814.67(1)(c), Wis. Stats., limits what an interpreter can claim as mileage: the state mileage reimbursement rate ". . . from the point where he or she crosses the state boundary to the place of attendance, and returning by the usually traveled route between such points . . ." Because of these mileage limitations, some counties have experienced difficulties in procuring scarce interpreter services and some counties are reluctant to appoint out-of-state certified interpreters, choosing instead to appoint non-certified in-state interpreters. No additional funding is requested. It is assumed that the impact to interpreter reimbursement funding will be minimal and can be absorbed within current funding levels.

2013 – 2015 ISSUE PAPER

Department/Program: Circuit Courts/Court Interpreter Reimbursement

Issue Name: Statutory Language Change: Out-of-State Interpreter Travel

DIN: 4802

NARRATIVE

The Circuit Court requests the following statutory language modifications in order to eliminate the in-state only restrictions placed on travel reimbursed to out-of-state interpreters.

Background

It is not unusual for a county to request the services of certified interpreters located outside of the state. This is especially true for court interpreters of rare languages. Some counties rely on experienced interpreters from neighboring states (e.g. Illinois, Iowa, Minneapolis) for court interpreter services. These out-of-state interpreters reasonably charge mileage from their home base to the courthouse. However, s. 814.67(1)(c), Wis. Stats., limits what an interpreter can claim as mileage: the state mileage reimbursement rate “. . . from the point where he or she crosses the state boundary to the place of attendance, and returning by the usually traveled route between such points . . .” Because of these mileage limitations, some counties have experienced difficulties in procuring scarce interpreter services and some counties are reluctant to appoint out-of-state certified interpreters, choosing instead to appoint non-certified in-state interpreters.

Statute Modification

The Circuit Courts requests the following statutory change to s. 814.67(1)(c), Wis. Stats., which would allow court interpreters to be reimbursed up to a maximum of 100 miles for their out-of-state mileage from their residence to the state's border and upon return a maximum of 100 miles from the state's border to their residence. Mileage reimbursement within the state border would not change.

814.67(1) (c) ~~For traveling, going and returning from his or her residence if within the state; or, if without the state, from the point where he or she crosses the state boundary to the place of attendance, and returning by the usually traveled route between such points:~~

1. ~~For witnesses, the rate of 20 cents per mile for going and returning from his or her residence if within the state; or, if without the state, from the point where he or she crosses the state boundary to the place of attendance, and returning by the usually traveled route between such points,.~~
2. ~~For interpreters, the mileage rate set under s. 20.916 (8) for going and returning from his or her residence, following the usually traveled route between such points, except that for travel outside the state, out-of-state mileage reimbursement is limited to a maximum of 100 miles from his or her residence to the point where he or she crosses the state boundary on route to the place of attendance and on return a maximum of 100 miles from the point where he or she crosses the state boundary to his or her residence, following the usually traveled route between such points.~~

If no statutory changes are made, some counties will continue to use non-certified interpreters rather than using out-of-state certified interpreters. Notwithstanding s. 814.67(1)(c), Wis. Stats., some counties will continue to pay mileage to out-of-state interpreters when necessary with no reimbursement from the State.

Resources Needed

This proposal requests only statutory language change; no additional reimbursement funding is being requested. It is assumed that the impact to interpreter reimbursement funding will be minimal and can be absorbed within current funding levels.

Statutory Language Request

Out-of-State Interpreter Travel Reimbursement

A statutory change is requested to authorize reimbursement of court interpreter out-of-state mileage for up to 100 miles from their residence to the Wisconsin state line and upon return a maximum of 100 miles from the state line to their residence under s. 814.67 (1)(c). Currently mileage reimbursement begins upon crossing the state line.

Decision Item (DIN) - 4803

Decision Item (DIN) Title - Financial Assistance Programs

NARRATIVE

The Circuit Courts request \$5,006,700 GPR annually, the elimination of the annual lapses of \$2,324,300 budgeted for these programs in the 2013-2015 biennium, and statutory change to consolidate the Circuit Court Support (CCSP) and Guardian ad Litem (GAL) payment programs. These statutory county financial assistance programs, created in 1993-94, provide funding to counties for support of circuit court operations. Additional funding has not been provided to offset increasing county costs or with the addition of 26 judgeships since the programs' inception. When the programs were created, there were 223 circuit branches. When funding for the CCSP program was last increased in 1999-00, there were 240 circuit branches. Now there are 249. Since distribution formulas for both programs include in part number of circuit branches, payments for many counties have been additionally diminished as a result of increased number of judgeships. Instead of increases, funding for both programs has been reduced, by the 1% across-the-board cuts to state appropriations in the 2009-11 biennium and, in the 2011-13 biennial budget, by a 10% annual lapse in effect through the end of the 2013-2015 biennium. The GAL payment program was appropriated \$4.7 million in 1993-94, and reduced down to \$4.69 million in 2009-10 and \$4.22 million in 2011-12. CCSP program funding increased intermittently with the last increase in 1999; with funding of \$18.7 million in 2008-09, down to \$18.5 million in 2009-10 and \$16.7 million in 2011-12. A new Circuit Court Financial Support (CCFS) Program is proposed so that the financial assistance provided to counties better reflects circuit court activity. Using the current GAL payment program's formula as a model [which was developed by a Legislative Council committee], an equally weighted formula prorating each county's proportion to the state total on three criteria - circuit court branches, judicial need as measured by the Court's weighted caseload methodology, and court fine, forfeiture and surcharge collections - would determine each county's annual CCFS payment. Because of the proposed formula changes, at current funding levels some counties would receive more funding and some would receive less than under current law. The additional funding would hold counties harmless under the new program and would provide most counties with an increase in funding.

2013-2015 ISSUE PAPER

Department/Program: Circuit Courts

Issue Name: Consolidation and Formula Revision of the County Circuit Courts' Financial Assistance Programs

APPN: 625-107, 108, 109

DIN: 4803

NARRATIVE

	<u>2013-2014</u>	<u>2014-2015</u>
Local Assistance	\$5,006,700	\$5,006,700
GPR-Lapse	-\$2,324,300	-\$2,324,300
TOTAL	\$7,331,000	\$7,331,000

The Circuit Courts request \$5,006,700 GPR annually and statutory change to consolidate the Circuit Court Support (CCSP) and Guardian ad Litem (GAL) payment programs. In addition, the Circuit Courts request the elimination of the annual lapses of \$2,324,300 budgeted for these programs in the 2013-2015 biennium.

Under these statutory county financial assistance programs administered by the Director of State Courts Office, monies are passed through the Circuit Courts' appropriations and distributed to counties for the support of circuit court operations. This request would provide a more equitable formula for allocation of funds and would provide increased funding to counties for their circuit court operations that could serve to reduce the property tax burden.

History of the State Circuit Court Payment Programs

In the 1993-1995 budget, 1993 Wisconsin Act 16, the State created the GPR-funded CCSP and GAL payment programs. As part of these programs, counties were required to report annually to the Director of State Courts their actual costs for these court services.

Other legislative actions followed to revise the CCSP and GAL payment programs:

- 1995 Wisconsin Act 27 (the 1995-1997 biennial budget act) provided additional CCSP funds to the counties, for an appropriation totaling \$11.7 million in 1995-96 and \$16.5 million in 1996-97, and the formula was revised to include the number of judgeships and population figures. The Act also widened the court costs allowable under the CCSP to include all court costs except for those costs related to “court room security, including security personnel, and costs related to rent, utilities, maintenance, rehabilitation and/or construction of court facilities.”
- 1999 Wisconsin Act 9 (the 1999-2001 biennial budget act) increased the CCSP by \$2,250,000 annually (to \$18.7 million) and increased the base payment per branch (judge).
- 2009 Wisconsin Act 28 (2009-2011 biennial budget act) included a one percent across-the-board permanent reduction to both the CCSP and the GAL payment programs’ appropriations effectively reducing the amount of financial assistance provided to counties under both of these programs. The CCSP payment program was reduced by \$187,400 and the GAL payment program by \$47,400 annually.
- 2011 Wisconsin Act 32 (2011-2013 biennial budget act) further reduced the funding available for these two payment programs. The court system’s biennial lapse requirement includes a 10 percent annual lapse from each program during the 2011-2013 and the 2013-2015 biennia. This amounts to a reduction in the CCSP Program by \$1,855,200 annually and a reduction to the GAL Payment Program by \$469,100 annually over the four-year period.

Need for Additional Circuit Court Funding

Since 2008, the Supreme Court's Planning and Policy Advisory Committee (PPAC) has identified improvement of the court system funding structure as the highest priority issue facing the Wisconsin court system. Improvement of the court system funding structure was ranked as the highest priority by clerks of circuit court and circuit court commissioners (both groups are county funded), and by other court stakeholders, including chief judges, district court administrators and PPAC members.

More and more the circuit courts are not provided sufficient resources from the county to adequately perform their jobs. Over the last decade, county budgets have been suffering and in many instances the circuit courts have faced significant cost-cutting measures, including salary freezes, furloughs, staff layoffs and court program funding reductions, to address the budget crisis at the local court level.

When the CCSP and the GAL programs were introduced in 1993-94, counties had hoped these state financial assistance programs would shift an equitable portion of the funding of the circuit courts from property taxes to the State. While this was the original intent of these programs, over the years additional funding was not added to the programs' appropriations to offset increasing costs at the county level even as the number of circuit court branches increased. Instead, funding for both these programs has been reduced, by the one percent across-the-board cuts applied to all the State's appropriations in the 2009-2011 biennial budget and, in the 2011-2013 biennial budget, by a 10 percent annual lapse requirement in effect through the end of the 2013-2015 biennium. Funding for the GAL payment program in 1993-94 was \$4.7 million, the same amount appropriated 15 years later in 2008-09 and reduced down to \$4.69 million in 2009-10 and to \$4.22 million in 2011-12. While the funding for the CCSP program increased only intermittently throughout the years (with the last increase in 1999), funding for this program totaled \$18.5 million in 2009-10 and totaled only \$16.7 million in 2011-12.

In addition, funding for the CCSP and GAL programs was not proportionally increased with the addition of 26 judgeships since the inception of these programs. When these two payment programs were created in 1993-94, there were 223 circuit court branches. In 1999-00, the last year there was an increase in CCSP program funding, there were 240 circuit court branches. Now there are 249. Since the formulas for distribution of both the CCSP and GAL payment programs in part include number of circuit court branches in a county, payments for many counties have been additionally diminished as a result of increased number of judgeships.

Proposal

Since the 2007-2009 biennial budget, the court system has submitted proposals

requesting to consolidate the CCSP and the GAL payment programs. Under a consolidation, there would be one payment program referred to as the Circuit Court Financial Support (CCFS) Program. By consolidating these two payment programs, the CCFS program would ensure that the financial assistance provided to counties reflects activity of the circuit courts.

Using the current GAL payment program's formula as a model [the GAL formula was developed by a Legislative Council committee when the GAL payment program was created], under the proposal a county's annual CCFS payment would be the sum of the following:

1. The amount determined by dividing the number of circuit court branches in the county by the total number of circuit court branches in the state and multiplying that result by one-third of the total amount to be paid.
2. The amount determined by dividing the judicial need for the county as measured by the Court's weighted caseload methodology for the previous calendar year by the total judicial need for all counties and multiplying the result by one-third of the total amount to be paid.
3. The amount determined by dividing the amount of court fines, forfeitures and surcharges collected in the county in the previous calendar year by the total amount of court fines, forfeitures and surcharges collected in the state in the previous calendar year and multiplying that result by one-third of the total amount to be paid.

The Director of State Courts Office believes this proposed formula would provide a better measure of circuit court activity than the current formulas, and would provide incentive for counties to continue to make fee, fine, forfeiture and surcharge collections a priority. The current CCSP formula provides an annual fixed amount, \$52,275, for counties with one branch (judge), which does not take into account varying circuit court caseload activities in one-branch counties. For multiple branch counties, each county receives a fixed amount, \$42,275, with the remaining funds allocated based on county population. While population was intended to serve as a proxy for circuit court activity, weighted caseload is a better measure.

The current GAL payment formula uses each county's number of branches, judicial need as measured by the weighted caseload formula and the amount of court support services surcharge collections. This formula does a better job than the CCSP formula of equitably distributing money among counties. However, distributing funding through two separate payment programs results in the two programs being construed too narrowly and, ultimately, not sufficiently meeting the courts' needs. For example, from year-to-year court activity such as GAL expenditures can vary greatly. A single program can better encompass the annual variations in court operations.

The funding passed through to counties would continue to be used to offset circuit court costs as specified under s. 758.19(5), Wis. Stats. (All county court expenditures except court costs related to courtroom security, including security personnel and costs related to rent, utilities, maintenance, rehabilitation and construction of court facilities are eligible to be offset by the for state payment received under the current CCSP program.)

Because of the proposed changes in formula distribution, at current funding levels some counties would receive more and some counties would receive less than they would under current law. To hold counties harmless in transitioning to this new program and provide most counties with an increase in the amount they receive, an additional \$7,331,000 GPR would be needed annually.

Summary

This request would provide additional State support to counties as part of the state/county partnership in funding circuit courts at a time counties are struggling to keep under their levy limits and hold down property taxes, and would provide a more equitable formula for allocation of funds. Counties would continue to need to document their circuit court expenditures to receive payment and would never receive more CCFS funds than they expend on circuit courts. Circuit courts would not necessarily receive dollar for dollar increases in their county budgets. However, it is expected circuit courts would benefit indirectly as a means to fend off county budget cuts or to justify increased court expenditures.

Statutory and Non-Statutory Language Request

Circuit Court Financial Support Program

A statutory change is requested to eliminate the Circuit Court Support Payment Program under s. 758.19 (5)(b) through (d) and the Guardian ad Litem Payment Program under s. 758.19(6)(a) through (c) and (e). In their place, create a new payment program under s. 758.19 called the Circuit Court Financial Support Program. Provide that the program funding be distributed to counties on July 1 of each year based on the sum of the following: (1) The amount determined by dividing the number of circuit court branches in the county by the total number of circuit court branches in the state and multiplying that result by one-third of the total amount to be paid; (2) the amount determined by dividing the judicial need for the county as measured by the Court's weighted caseload methodology for the previous calendar year by the total judicial need for all counties and multiplying the result by one-third of the total amount to be paid; and (3) the amount determined by dividing the amount of court fines, forfeitures and surcharges collected in the county in the previous calendar year by the total amount of court fines, forfeitures and surcharges collected in the state in the previous calendar year and multiplying that result by one-third of the total amount to be paid. Delete appropriations 625(1)(d) and (f), and create an annual appropriation 625(1)(f): *Circuit court financial support payments. The amounts in the schedule to make payments to counties under s. 759.19().*

As part of this request it is also requested to eliminate the portion of the court system's 2013-15 biennial lapse requirement under s. 9245(2f) of 2011 Act 32 attributed to 10 percent reductions to the Circuit Court Support Payment and Guardian ad Litem payment programs (\$4,648,600).

Decision Item by Line

1315 Biennial Budget

	CODES	TITLES
DEPARTMENT	625	Circuit Courts
	CODES	TITLES
DECISION ITEM	4803	Financial Assistance Programs

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$0	\$0
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	\$0	\$0
06	Supplies and Services	\$0	\$0
07	Permanent Property	\$0	\$0
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	(\$4,691,100)	(\$4,691,100)
10	Local Assistance	\$9,697,800	\$9,697,800
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0

16		\$0	\$0
17	Total Cost	\$5,006,700	\$5,006,700
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Circuit Courts

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	4803	Financial Assistance Programs			
01	Court operations				
	07 Circuit court support payments	(\$18,552,200)	(\$18,552,200)	0.00	0.00
	08 Guardian ad litem fees	(\$4,691,100)	(\$4,691,100)	0.00	0.00
	09 Circuit court financial suppor	\$28,250,000	\$28,250,000	0.00	0.00
	Court operations SubTotal	\$5,006,700	\$5,006,700	0.00	0.00
	Financial Assistance Programs SubTotal	\$5,006,700	\$5,006,700	0.00	0.00
	Agency Total	\$5,006,700	\$5,006,700	0.00	0.00

Decision Item by Fund Source

Circuit Courts

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
Decision Item	4803	Financial Assistance Programs				
	GPR	L	\$5,006,700	\$5,006,700	0.00	0.00
	Total		\$5,006,700	\$5,006,700	0.00	0.00
Agency Total			\$5,006,700	\$5,006,700	0.00	0.00

Decision Item (DIN) - 6214

Decision Item (DIN) Title - Judicial Compensation

NARRATIVE

A nonstatutory provision is requested to require that judicial salaries under the 2013-15 compensation plan be set at a level comparable to the national average as of January 1, 2012 for trial court salaries. This represents a 6.54% increase for all three courts. Funding increases (\$2.1 million GPR in 2013-14 and \$2.3 million GPR in 2014-15 for the Circuit Courts) is also requested. Wisconsin's judicial salaries have lost ground when compared with other Wisconsin state government officials, the State's top law school professors, local government officials and employees who may appear before judges, federal judges and judges in other states. The Council of State Governments 2012 rankings show Wisconsin's governor's salary ranks 19th nationally and 4th among the seven Midwest states, while Wisconsin's attorney general's salary ranks 12th and 2nd respectively. As of January 2012, the National Center for State Courts (NCSC) ranked Wisconsin's trial court judicial salaries 32nd among the 50 states. The Court of Appeals salaries were 25th of the 39 state appellate courts nation-wide and the Supreme Court salaries were 31st of 50 courts. In contrast, the October 2001 NCSC survey showed that Wisconsin's circuit court judges' salaries ranked 24th nationwide while the Court of Appeals salaries ranked 22nd, and Supreme Court salaries ranked 23rd. Even with the requested increase, Wisconsin judicial salaries would remain below the Midwest States' average. At some point, inadequate salaries will outweigh the intangible rewards of a judge's job, discouraging talented lawyers from seeking or accepting judgeships. Substantial salary increases are needed to continue to attract high quality people. Without such increases, there is concern that only independently wealthy or relatively inexperienced attorneys will choose judicial service. The judiciary's level of influence and decision-making has a direct impact on Wisconsin's citizens and communities. Quality people must be attracted and retained for the difficult role of a judge. The importance of retaining the valuable skills and insights offered by the State's experienced judges cannot be stressed enough.

2013 – 2015 ISSUE PAPER

Department/Program: Supreme Court, Court of Appeals, Circuit Courts

Issue Name: Judicial Compensation

APPNS: 680-101, 660-101, 625-101

DIN: 6214

SUPREME COURT

APPN: 680-101

	<u>2013-2014</u>	<u>2014-2015</u>
Permanent Salary	\$60,700	\$66,200
Fringe Benefits	\$ 5,000	\$ 5,400
TOTAL	\$65,700	\$71,600

COURT OF APPEALS

APPN: 660-101

	<u>2013-2014</u>	<u>2014-2015</u>
Permanent Salary	\$130,700	\$142,600
Fringe Benefits	\$ 10,600	\$ 11,600
TOTAL	\$141,300	\$154,200

CIRCUIT COURTS

APPN: 625-101

	<u>2013-2014</u>	<u>2014-2015</u>
Permanent Salary	\$1,920,200	\$2,094,800
LTE Salary (Reserve Judges)	\$ 36,400	\$ 39,700
Fringe Benefits	\$ 158,300	\$ 172,700
TOTAL	\$2,114,900	\$2,307,200

NARRATIVE

The Supreme Court requests a nonstatutory provision requiring judicial salaries under the 2013-2015 state compensation plan be set at a level comparable to the national average as of January 1, 2012 for trial court judicial salaries. Needed funding of \$2,321,900 GPR in 2013-14 and \$2,533,000 GPR in 2014-15 is also requested.

Background

Judicial compensation has been a long-standing concern – since 1978, the salaries of Wisconsin justices and judges have declined by 12% when adjusted for inflation. Their salaries will continue to experience a decline for two reasons: (1) the judicial rate of office has remained unchanged for over three years (the last increase was granted in February 2009); and (2) the passage of 2011 Wisconsin Acts 10 and 32 require judges to pay more to their health insurance and retirement. Despite the real decline in judicial salaries, with the onset of the 2008 recession the Supreme Court requested the Legislature’s Joint Committee on Employment Relations (JCOER) to rescind a previously approved 2% general wage adjustment for the judiciary that was to take effect on or after June 7, 2009. JCOER complied with the request; however, most executive branch attorneys received the 2% increase, which exacerbated the compression problems between government attorney and judicial salaries.

During the 2011-2013 biennial budget process, at the request of the Wisconsin Trial Judges Association (WTJA), the Wisconsin Court System submitted a request to create a Wisconsin

Judicial Compensation Commission. Under the proposal the Commission would have made written recommendations to the Governor and JCOER on judicial salaries every two years – in effect, replacing OSER in the development of recommending judicial compensation. Judicial salaries would have been increased based on the general wage increases awarded to all state employees or the salary increases recommended by the Commission and approved by JCOER, whichever was greater. The Governor denied the court system’s biennial budget request. The Legislature subsequently included in its biennial budget bill a provision to create a Wisconsin Judicial Compensation Commission. The Governor, however, vetoed the Legislature’s proposal.

Need for Request

For more than a decade, Wisconsin’s judicial salaries have been falling far behind the labor market and it is imperative that the necessary funding be included in the 2013-2015 biennial budget to begin to re-establish judicial pay at an equitable level that properly compensates the work of the judiciary.

Wisconsin’s judicial compensation is low compared to other Midwest states and other Wisconsin elected officials. Wisconsin has no systematic way for salary adjustments to be made based on analyses tied specifically to the judiciary. Raises for judges are recommended by the Office of State Employment Relations (OSER), on behalf of the Governor, to the Legislature’s JCOER as part of a larger proposal for unrepresented state employees and other elected officials. JCOER’s action is final, subject to veto by the Governor. Once approved, any compensation adjustment becomes effective when a new judge or justice takes office after the effective date of the approved plan. While approval of judicial compensation changes is not included in the biennial budget, the approval process coincides with the biennial budget process in that funding for compensation changes must be included in the biennial budget act, appropriated under Program Supplements.

A number of benchmarks are used to assess the adequacy of Wisconsin’s judicial salaries: (1) comparison with other Wisconsin state government officials; (2) comparison with the State’s top law school professors; (3) comparison with local government officials and employees who may appear before judges; (4) comparison with federal judges; and (5) comparison with judges in other states. Wisconsin’s judicial salaries have lost ground under all of these measurements.

Wisconsin's judicial salaries are not as equitable when compared with counterparts in other states, unlike that enjoyed by Wisconsin's governor and the attorney general. The Council of State Governments 2012 rankings show the salary for Wisconsin's governor ranks 19th nationally and 4th among the seven Midwest states. Likewise, Wisconsin's attorney general's salary ranks 12th nationwide and 2nd among the seven Midwest states. As of January 2012, the National Center for State Courts (NCSC) ranked Wisconsin's trial court judicial salaries 32nd among the 50 states. The Court of Appeals salaries were 25th of the 39 state appellate courts throughout the nation and the Supreme Court salaries were 31st of 50 courts.

It is easy to show how Wisconsin's judicial salaries have lost ground using these annual national rankings by taking a look back ten years. The October 2001 NCSC survey showed that Wisconsin's circuit court judges' salaries ranked 24th nationwide while the Court of Appeals salaries ranked 22nd, and Supreme Court salaries ranked 23rd. NCSC rankings are considered a sound measurement for assessing the adequacy of judicial salaries.

Request

Non-statutory language is requested to require Wisconsin's trial court judicial salaries to be set at the national average salary for trial court judges, based on the NCSC survey as of January 2012.

As the following table shows, to set Wisconsin's trial court judicial salaries at the national average would require a 6.54 percent increase. This 6.54 percent increase would then be applied to appellate court salaries. Even with these increases, Wisconsin judicial salaries would remain below the Midwest States' average.

**Requested Increase To Judicial Compensation To
General Jurisdiction Trial Court Salaries National Average
Most Current Rankings – January 2012**

Court	Current Rate of Office	National Average	Midwest States' Average²	Requested Increase To National Average³	Percentage Increase Being Requested
Circuit Court	\$128,600	\$137,013	\$137,592	\$137,013	6.54%
Court of Appeals ¹	\$136,316	\$146,887	\$149,906	\$145,231	6.54%
Supreme Court	\$144,495	\$152,459	\$160,080	\$153,945	6.54%

¹Only 39 states have comparable intermediate appellate courts

²Midwest states include Illinois, Indiana, Iowa, Michigan, Minnesota, Ohio and Wisconsin

³As of January 2012, the National Center of State Courts calculated the general jurisdiction trial court salaries national average to be \$137,013 annually

GPR funding totaling \$2,321,900 in 2013-14 (\$2,148,000 for salaries and \$173,900 for fringe benefits) and \$2,533,000 in 2014-15 (\$2,343,300 for salaries and \$189,700 for fringe benefits) is needed to set the judicial rates of office so they are comparable to NCSC's calculated national average for general jurisdiction trial court judicial salaries as of January 2012. This funding would reset Wisconsin's Circuit Court judges' salaries so they are more competitive with the current labor market and would similarly reset the salaries for Supreme Court justices, Court of Appeals judges and reserve judges.

Conclusion

Wisconsin's judicial salaries continue to lag behind comparable counterparts. At some point, inadequate salaries will outweigh the intangible rewards of a judge's job, discouraging talented lawyers from seeking or accepting judgeships. To continue to attract high quality people, substantial salary increases are needed. Without meaningful increases, there is concern that only independently wealthy or relatively inexperienced attorneys will choose judicial service. For Wisconsin's adversarial justice system to work, decision-makers must be competent and compensated in some way comparable to the advocates who appear before them.

The judiciary's level of influence and decision-making has a direct impact on Wisconsin's citizens and the quality of life in our communities. Talented, experienced people must be attracted to and retained for the difficult role of a judge. The importance of retaining the valuable skills and insights offered by the State's experienced judges cannot be stressed enough.

Non-Statutory Language Request

Judicial Compensation

Require circuit court judicial salaries under the 2013-2015 state compensation plan be set at a level comparable to the national average as of January 1, 2012 for trial court judicial salaries, with corresponding increases in Court of Appeals judge and Supreme Court justice salaries. This would result in wage increases of 6.54% for each of the courts.

Decision Item by Line

1315 Biennial Budget

	CODES	TITLES
DEPARTMENT	625	Circuit Courts
	CODES	TITLES
DECISION ITEM	6214	Judicial Compensation

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$1,920,200	\$2,094,800
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$36,400	\$39,700
05	Fringe Benefits	\$158,300	\$172,700
06	Supplies and Services	\$0	\$0
07	Permanent Property	\$0	\$0
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0

16		\$0	\$0
17	Total Cost	\$2,114,900	\$2,307,200
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Circuit Courts

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	6214	Judicial Compensation			
01	Court operations				
	01 Circuit courts	\$2,114,900	\$2,307,200	0.00	0.00
	Court operations SubTotal	\$2,114,900	\$2,307,200	0.00	0.00
	Judicial Compensation SubTotal	\$2,114,900	\$2,307,200	0.00	0.00
	Agency Total	\$2,114,900	\$2,307,200	0.00	0.00

Decision Item by Fund Source

Circuit Courts

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
Decision Item	6214	Judicial Compensation				
	GPR	S	\$2,114,900	\$2,307,200	0.00	0.00
	Total		\$2,114,900	\$2,307,200	0.00	0.00
Agency Total			\$2,114,900	\$2,307,200	0.00	0.00