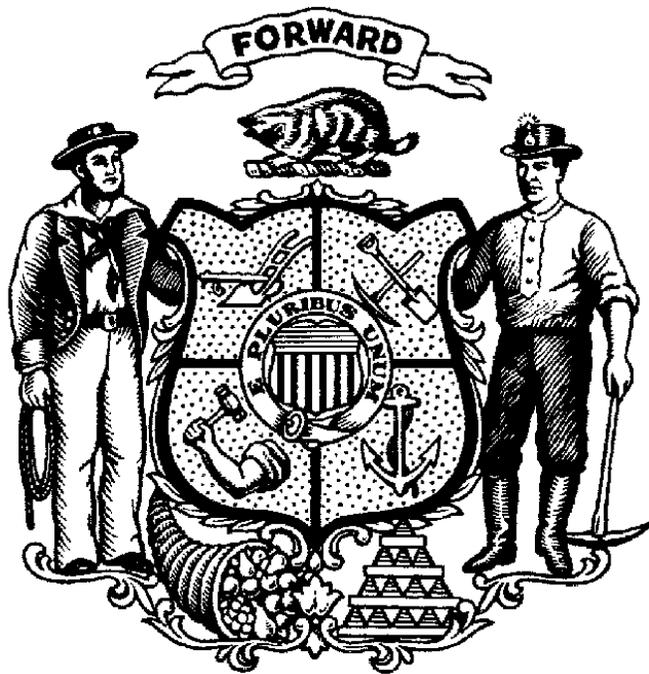


State of Wisconsin

Supreme Court



Agency Budget Request

2013 – 2015 Biennium

September 17, 2012

Table of Contents

Cover Letter	3
Description	6
Agency Total by Fund Source	7
Agency Total Pay Program	9
Agency Total by Decision Item (DIN)	17
General Purpose Revenue (GPR) – Earned	18
Program Revenue and Balances Statement	19
Segregated Revenue and Balances Statement.....	36
Decision Items	38



Shirley S. Abrahamson
Chief Justice

Supreme Court of Wisconsin

DIRECTOR OF STATE COURTS

P.O. BOX 1688

MADISON, WISCONSIN 53701-1688

16 East State Capitol
Telephone 608-266-6828
Fax 608-267-0980

A. John Voelker
Director of State Courts

October 1, 2012

Mike Huebsch, Secretary
Department of Administration
101 E. Wilson Street, 10th Floor
Madison, WI 53707

Dear Secretary Huebsch:

I submit to you the proposed 2013-2015 biennial budgets of the Circuit Courts, Court of Appeals and Supreme Court of Wisconsin. The combined budgets advance our commitment to provide judges and courts with the resources they need to meet the constitutional responsibilities of the court system through partnerships with other justice stakeholders. Our request represents less than 1 percent of the total state GPR budget.

The centerpiece of this partnership budget is an improved financial assistance program for counties that would provide additional state support of the circuit courts at a time when counties are struggling to keep under their levy limits and hold down property taxes. Under this proposal, the current circuit court support and guardian ad litem payment programs would be eliminated and replaced with a new simplified circuit court financial support payment program, designed so that no county loses funding as a result of this formula change.

Another long-standing concern is judicial compensation. Wisconsin's judicial salaries continue to lag behind comparable counterparts, dropping to 32nd in the country. The judiciary has a direct impact on Wisconsin's citizens and the quality of life in local communities. We need to attract and retain quality and experienced people for the crucial role of judge. Our proposal would set the judicial rate of office for circuit court judges in the 2013-2015 compensation plan to be comparable to the national average for trial court judges' salaries, and would similarly reset the salaries for the Supreme Court justices, Court of Appeals judges, and reserve judges.

The following additional requests, while modest, address pressing needs of the court system:

- An additional staff attorney is requested for the Court of Appeals to help with a workload that has increased substantially since 1991, the last year a staff attorney position was approved by the Legislature.

- A bifurcated small claims clerk of circuit court fee is requested to be created for those cases whose claims are between \$5,000 and \$9,999 to offset county revenue losses resulting from the threshold change for small claims actions, from \$5,000 to \$10,000, in 2011 Act 32.
- A statutory change is requested to allow court interpreters to be reimbursed for out-of-state travel for up to a maximum of 200 miles round trip from their residence to the state's border and return. Currently mileage reimbursement begins upon crossing the state line. This will assist border counties in finding certified and qualified court interpreters. No additional funding is requested for this change.
- An appropriation change is requested to modify the Director of State Courts appropriation from annual to biennial to provide additional flexibility in administering the court system. The request does not have a fiscal cost.
- A statutory change is requested to remove the State Law Librarian from the Executive Salary Group classification and allow the Supreme Court to set the Librarian's salary, similar to all other court staff positions.
- A reduction in the court system's 2013-2015 biennial lapse is needed to reduce the lapse amount relating to employee fringe benefit savings because these savings are removed through the standard budget adjustments.
- Statutory language is requested that ensures the Wisconsin Court System receives its prorated share of compensation reserves through the biennial compensation and biennial budget processes.

The court system is part of a larger, interrelated justice system. Our courts become backlogged when other justice partners, particularly the district attorney and public defender offices, lack resources. To that end, the court system encourages you to support the district attorney and public defender offices' requests to be properly staffed and funded. Further, while indigent defense is a state executive, not judicial, branch function, the efficient delivery of this constitutional right impacts the fairness and efficiency of the entire court system. While we strongly supported the enactment of 2009 Act 164 to update the State Public Defender indigency guidelines, the impact of this change on district attorney offices should not be ignored.

The justice system cannot properly meet the constitutional requirement for competent indigent counsel without experienced assistant district attorneys, assistant state public defenders and appointed counsel. With the statutory \$40 per hour payment rate for private counsel appointed by the State Public Defender and the shortage of prosecutor positions in district attorney offices, the availability of competent, experienced attorneys to represent both the State and the defendant is of increasing concern. We urge you to address these issues so that the criminal courts can efficiently and effectively provide justice to those who come before the court.

As you know, the court system's responsibilities extend beyond the criminal justice system to the civil legal system. The court system remains concerned over the elimination of \$2 million in funding for civil legal services to indigent persons in the last biennial budget. These programs provide needed legal assistance in certain cases involving child welfare, child support, domestic abuse, supplemental security benefits, reintegration of mentally ill inmates and juvenile

offenders. Fair and timely justice for the poor can be just as important in civil cases as in criminal cases. At the behest of the State Bar of Wisconsin, the Supreme Court has created a Wisconsin Access to Justice Commission, whose mission is to aid the courts in improving the administration of justice and to develop and encourage means of expanding access to the civil justice system for unrepresented low income Wisconsin residents. Wisconsin is one of only four states that do not provide some level of funding for civil legal services for the poor. Wisconsin's Access to Justice Commission is working on a variety of projects, including efforts to increase legal funding for civil legal services at both the state and federal levels. We support the Commission's efforts, and urge you to reinstate funding for civil legal services in the 2013-2015 budget.

Finally, we urge you to accept the Judicial Council's budget proposal to restore its funding for a full-time GPR staff attorney position. The Judicial Council advises the Supreme Court, the Legislature and the Governor on issues affecting the administration of justice. The Council's independence, neutrality and impartiality are crucial to its effectiveness in advising all three branches of government. Likewise, it should be funded as an independent agency.

In summary, we are confident that these budget requests reflect our shared goal of fair and effective delivery of justice to the people of Wisconsin. We look forward to working with you and your staff in the coming months in meeting this goal.

Sincerely,



A. John Voelker
Director of State Courts

cc: Supreme Court Justices
Kelli Thompson, State Public Defender
Adam Y. Gerol, President of the Wisconsin District Attorneys Association
Gregg Moore, President of the Wisconsin Access to Justice Commission
Thomas W. Bertz, Chair of the Wisconsin Judicial Council

AGENCY DESCRIPTION

The Wisconsin Supreme Court, consisting of seven justices elected to ten-year terms, has original jurisdiction in certain cases of statewide concern and, since August 1978, discretionary appellate jurisdiction on all other issues arising under Wisconsin law. The court considers petitions to review decisions of the Court of Appeals, petitions to bypass the Court of Appeals and certifications from that court. It is the highest tribunal for actions commenced in state courts, except where a federal question allowing an appeal to the U.S. Supreme Court is raised. It is the final authority on the state constitution.

The constitution provides that the Wisconsin Supreme Court has the superintending and administrative authority over all courts in the state. The chief justice is the administrative head of the state judicial system and exercises this authority both directly and through the director of state courts pursuant to rules adopted by the Supreme Court.

Agency Total by Fund Source

Supreme Court

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	S	\$14,431,073	\$15,275,300	\$14,841,100	\$14,873,800	114.50	114.50	\$30,550,600	\$29,714,900	(\$835,700)	-2.7%
Total		\$14,431,073	\$15,275,300	\$14,841,100	\$14,873,800	114.50	114.50	\$30,550,600	\$29,714,900	(\$835,700)	-2.7%
PR	S	\$14,024,760	\$15,040,900	\$14,749,400	\$14,765,400	95.25	95.25	\$30,081,800	\$29,514,800	(\$567,000)	-1.9%
Total		\$14,024,760	\$15,040,900	\$14,749,400	\$14,765,400	95.25	95.25	\$30,081,800	\$29,514,800	(\$567,000)	-1.9%
PR Federal	S	\$689,714	\$914,600	\$894,600	\$894,600	5.00	5.00	\$1,829,200	\$1,789,200	(\$40,000)	-2.2%
Total		\$689,714	\$914,600	\$894,600	\$894,600	5.00	5.00	\$1,829,200	\$1,789,200	(\$40,000)	-2.2%
SEG	S	\$246,798	\$766,700	\$713,100	\$713,800	5.00	5.00	\$1,533,400	\$1,426,900	(\$106,500)	-6.9%
Total		\$246,798	\$766,700	\$713,100	\$713,800	5.00	5.00	\$1,533,400	\$1,426,900	(\$106,500)	-6.9%
Grand Total		\$29,392,345	\$31,997,500	\$31,198,200	\$31,247,600	219.75	219.75	\$63,995,000	\$62,445,800	(\$1,549,200)	-2.4%

Agency Total by Program

680 Supreme Court

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 SUPREME COURT PROCEEDINGS										
Non Federal										
GPR	\$4,943,339	\$5,236,100	\$5,112,400	\$5,122,200	38.50	38.50	\$10,472,200	\$10,234,600	(\$237,600)	-2.27%
S	\$4,943,339	\$5,236,100	\$5,112,400	\$5,122,200	38.50	38.50	\$10,472,200	\$10,234,600	(\$237,600)	-2.27%
Total - Non Federal	\$4,943,339	\$5,236,100	\$5,112,400	\$5,122,200	38.50	38.50	\$10,472,200	\$10,234,600	(\$237,600)	-2.27%
S	\$4,943,339	\$5,236,100	\$5,112,400	\$5,122,200	38.50	38.50	\$10,472,200	\$10,234,600	(\$237,600)	-2.27%
PGM 01 Total	\$4,943,339	\$5,236,100	\$5,112,400	\$5,122,200	38.50	38.50	\$10,472,200	\$10,234,600	(\$237,600)	-2.27%
GPR	\$4,943,339	\$5,236,100	\$5,112,400	\$5,122,200	38.50	38.50	\$10,472,200	\$10,234,600	(\$237,600)	-2.27%

Agency Total by Program

680 Supreme Court

1315 Biennial Budget

S	\$4,943,339	\$5,236,100	\$5,112,400	\$5,122,200	38.50	38.50	\$10,472,200	\$10,234,600	(\$237,600)	-2.27%
---	-------------	-------------	-------------	-------------	-------	-------	--------------	--------------	-------------	--------

TOTAL 01	\$4,943,339	\$5,236,100	\$5,112,400	\$5,122,200	38.50	38.50	\$10,472,200	\$10,234,600	(\$237,600)	-2.27%
-----------------	--------------------	--------------------	--------------------	--------------------	--------------	--------------	---------------------	---------------------	--------------------	---------------

S	\$4,943,339	\$5,236,100	\$5,112,400	\$5,122,200	38.50	38.50	\$10,472,200	\$10,234,600	(\$237,600)	-2.27%
---	-------------	-------------	-------------	-------------	-------	-------	--------------	--------------	-------------	--------

Agency Total by Program

680 Supreme Court

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 %
02 DIRECTOR OF STATE COURTS										
Non Federal										
GPR	\$7,410,826	\$7,807,500	\$7,544,000	\$7,552,000	66.00	66.00	\$15,615,000	\$15,096,000	(\$519,000)	-3.32%
S	\$7,410,826	\$7,807,500	\$7,544,000	\$7,552,000	66.00	66.00	\$15,615,000	\$15,096,000	(\$519,000)	-3.32%
PR	\$9,648,572	\$10,664,500	\$10,468,000	\$10,468,200	53.25	53.25	\$21,329,000	\$20,936,200	(\$392,800)	-1.84%
S	\$9,648,572	\$10,664,500	\$10,468,000	\$10,468,200	53.25	53.25	\$21,329,000	\$20,936,200	(\$392,800)	-1.84%
SEG	\$246,798	\$766,700	\$713,100	\$713,800	5.00	5.00	\$1,533,400	\$1,426,900	(\$106,500)	-6.95%
S	\$246,798	\$766,700	\$713,100	\$713,800	5.00	5.00	\$1,533,400	\$1,426,900	(\$106,500)	-6.95%
Total - Non Federal	\$17,306,196	\$19,238,700	\$18,725,100	\$18,734,000	124.25	124.25	\$38,477,400	\$37,459,100	(\$1,018,300)	-2.65%
S	\$17,306,196	\$19,238,700	\$18,725,100	\$18,734,000	124.25	124.25	\$38,477,400	\$37,459,100	(\$1,018,300)	-2.65%
Federal										

Agency Total by Program

680 Supreme Court

1315 Biennial Budget

PR	\$689,714	\$914,600	\$894,600	\$894,600	5.00	5.00	\$1,829,200	\$1,789,200	(\$40,000)	-2.19%
S	\$689,714	\$914,600	\$894,600	\$894,600	5.00	5.00	\$1,829,200	\$1,789,200	(\$40,000)	-2.19%
Total - Federal	\$689,714	\$914,600	\$894,600	\$894,600	5.00	5.00	\$1,829,200	\$1,789,200	(\$40,000)	-2.19%
S	\$689,714	\$914,600	\$894,600	\$894,600	5.00	5.00	\$1,829,200	\$1,789,200	(\$40,000)	-2.19%
PGM 02 Total	\$17,995,910	\$20,153,300	\$19,619,700	\$19,628,600	129.25	129.25	\$40,306,600	\$39,248,300	(\$1,058,300)	-2.63%
GPR	\$7,410,826	\$7,807,500	\$7,544,000	\$7,552,000	66.00	66.00	\$15,615,000	\$15,096,000	(\$519,000)	-3.32%
S	\$7,410,826	\$7,807,500	\$7,544,000	\$7,552,000	66.00	66.00	\$15,615,000	\$15,096,000	(\$519,000)	-3.32%
PR	\$10,338,286	\$11,579,100	\$11,362,600	\$11,362,800	58.25	58.25	\$23,158,200	\$22,725,400	(\$432,800)	-1.87%
S	\$10,338,286	\$11,579,100	\$11,362,600	\$11,362,800	58.25	58.25	\$23,158,200	\$22,725,400	(\$432,800)	-1.87%
SEG	\$246,798	\$766,700	\$713,100	\$713,800	5.00	5.00	\$1,533,400	\$1,426,900	(\$106,500)	-6.95%

Agency Total by Program

680 Supreme Court

1315 Biennial Budget

S	\$246,798	\$766,700	\$713,100	\$713,800	5.00	5.00	\$1,533,400	\$1,426,900	(\$106,500)	-6.95%
TOTAL 02	\$17,995,910	\$20,153,300	\$19,619,700	\$19,628,600	129.25	129.25	\$40,306,600	\$39,248,300	(\$1,058,300)	-2.63%
S	\$17,995,910	\$20,153,300	\$19,619,700	\$19,628,600	129.25	129.25	\$40,306,600	\$39,248,300	(\$1,058,300)	-2.63%

Agency Total by Program

680 Supreme Court

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 %
03 BAR EXAMINERS AND RESPONSIBILITY										
Non Federal										
PR	\$3,990,551	\$3,617,300	\$3,551,300	\$3,567,100	35.50	35.50	\$7,234,600	\$7,118,400	(\$116,200)	-1.61%
S	\$3,990,551	\$3,617,300	\$3,551,300	\$3,567,100	35.50	35.50	\$7,234,600	\$7,118,400	(\$116,200)	-1.61%
Total - Non Federal	\$3,990,551	\$3,617,300	\$3,551,300	\$3,567,100	35.50	35.50	\$7,234,600	\$7,118,400	(\$116,200)	-1.61%
S	\$3,990,551	\$3,617,300	\$3,551,300	\$3,567,100	35.50	35.50	\$7,234,600	\$7,118,400	(\$116,200)	-1.61%
PGM 03 Total	\$3,990,551	\$3,617,300	\$3,551,300	\$3,567,100	35.50	35.50	\$7,234,600	\$7,118,400	(\$116,200)	-1.61%

Agency Total by Program

680 Supreme Court

1315 Biennial Budget

PR	\$3,990,551	\$3,617,300	\$3,551,300	\$3,567,100	35.50	35.50	\$7,234,600	\$7,118,400	(\$116,200)	-1.61%
S	\$3,990,551	\$3,617,300	\$3,551,300	\$3,567,100	35.50	35.50	\$7,234,600	\$7,118,400	(\$116,200)	-1.61%
TOTAL 03	\$3,990,551	\$3,617,300	\$3,551,300	\$3,567,100	35.50	35.50	\$7,234,600	\$7,118,400	(\$116,200)	-1.61%
S	\$3,990,551	\$3,617,300	\$3,551,300	\$3,567,100	35.50	35.50	\$7,234,600	\$7,118,400	(\$116,200)	-1.61%

Agency Total by Program

680 Supreme Court

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 %
04 LAW LIBRARY										
Non Federal										
GPR	\$2,076,908	\$2,231,700	\$2,184,700	\$2,199,600	10.00	10.00	\$4,463,400	\$4,384,300	(\$79,100)	-1.77%
S	\$2,076,908	\$2,231,700	\$2,184,700	\$2,199,600	10.00	10.00	\$4,463,400	\$4,384,300	(\$79,100)	-1.77%
PR	\$385,637	\$759,100	\$730,100	\$730,100	6.50	6.50	\$1,518,200	\$1,460,200	(\$58,000)	-3.82%
S	\$385,637	\$759,100	\$730,100	\$730,100	6.50	6.50	\$1,518,200	\$1,460,200	(\$58,000)	-3.82%
Total - Non Federal	\$2,462,545	\$2,990,800	\$2,914,800	\$2,929,700	16.50	16.50	\$5,981,600	\$5,844,500	(\$137,100)	-2.29%
S	\$2,462,545	\$2,990,800	\$2,914,800	\$2,929,700	16.50	16.50	\$5,981,600	\$5,844,500	(\$137,100)	-2.29%
PGM 04 Total	\$2,462,545	\$2,990,800	\$2,914,800	\$2,929,700	16.50	16.50	\$5,981,600	\$5,844,500	(\$137,100)	-2.29%

Agency Total by Program

680 Supreme Court

1315 Biennial Budget

GPR	\$2,076,908	\$2,231,700	\$2,184,700	\$2,199,600	10.00	10.00	\$4,463,400	\$4,384,300	(\$79,100)	-1.77%
S	\$2,076,908	\$2,231,700	\$2,184,700	\$2,199,600	10.00	10.00	\$4,463,400	\$4,384,300	(\$79,100)	-1.77%
PR	\$385,637	\$759,100	\$730,100	\$730,100	6.50	6.50	\$1,518,200	\$1,460,200	(\$58,000)	-3.82%
S	\$385,637	\$759,100	\$730,100	\$730,100	6.50	6.50	\$1,518,200	\$1,460,200	(\$58,000)	-3.82%
TOTAL 04	\$2,462,545	\$2,990,800	\$2,914,800	\$2,929,700	16.50	16.50	\$5,981,600	\$5,844,500	(\$137,100)	-2.29%
S	\$2,462,545	\$2,990,800	\$2,914,800	\$2,929,700	16.50	16.50	\$5,981,600	\$5,844,500	(\$137,100)	-2.29%
Agency Total	\$29,392,345	\$31,997,500	\$31,198,200	\$31,247,600	219.75	219.75	\$63,995,000	\$62,445,800	(\$1,549,200)	-2.42%

Agency Total by Decision Item

Supreme Court

1315 Biennial Budget

Decision Item	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
2000 Adjusted Base Funding Level	\$31,997,500	\$31,997,500	219.75	219.75
3003 Full Funding of Continuing Position Salaries and Fringe Benefits	(\$918,500)	(\$918,500)	0.00	0.00
3010 Full Funding of Lease and Directed Moves Costs	\$53,500	\$97,000	0.00	0.00
6214 Judicial Compensation	\$65,700	\$71,600	0.00	0.00
TOTAL	\$31,198,200	\$31,247,600	219.75	219.75

GPR Earned

1315 Biennial Budget

	CODES	TITLES
DEPARTMENT	680	Supreme Court
PROGRAM	01	Supreme court proceedings
DATE	September 17, 2012	

Revenue	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	\$0	\$0	\$0	\$0
GPR-Earned	\$65,800	\$61,000	\$61,000	\$61,000
	\$0	\$0	\$0	\$0
	\$0	\$0	\$0	\$0
	\$0	\$0	\$0	\$0
Total	\$65,800	\$61,000	\$61,000	\$61,000

Program Revenue

1315 Biennial Budget

	CODES	TITLES
DEPARTMENT	680	Supreme Court
PROGRAM	02	Director of state courts
SUBPROGRAM		
NUMERIC APPROPRIATION	22	Materials and services

Revenue and Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	\$214,400	\$259,400	\$259,100	\$258,800
Program Revenue	\$115,600	\$60,000	\$60,000	\$60,000
Total Revenue	\$330,000	\$319,400	\$319,100	\$318,800
Expenditures	\$70,600	\$60,300	\$0	\$0
2000 Adjusted Base Funding Level	\$0	\$0	\$60,300	\$60,300
Total Expenditures	\$70,600	\$60,300	\$60,300	\$60,300
Closing Balance	\$259,400	\$259,100	\$258,800	\$258,500

Program Revenue

1315 Biennial Budget

	CODES	TITLES
DEPARTMENT	680	Supreme Court
PROGRAM	02	Director of state courts
SUBPROGRAM		
NUMERIC APPROPRIATION	23	Municipal judge training

Revenue and Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	\$36,800	\$34,500	\$40,400	\$43,300
Municipality Assessments	\$156,300	\$157,000	\$157,000	\$157,000
Miscellaneous	\$4,600	\$4,800	\$4,800	\$4,800
Total Revenue	\$197,700	\$196,300	\$202,200	\$205,100
Expenditures	\$163,200	\$155,900	\$0	\$0
Compensation Reserve	\$0	\$0	\$1,600	\$3,200
Wisconsin Retirement System	\$0	\$0	\$0	\$0

Health Insurance Reserves	\$0	\$0	\$1,400	\$2,700
3003 Full Funding of Continuing Position Salaries and Fringe Benefits	\$0	\$0	(\$1,400)	(\$1,400)
2000 Adjusted Base Funding Level	\$0	\$0	\$157,300	\$157,300
Total Expenditures	\$163,200	\$155,900	\$158,900	\$161,800
<u>Closing Balance</u>	\$34,500	\$40,400	\$43,300	\$43,300

Program Revenue

1315 Biennial Budget

	CODES	TITLES
DEPARTMENT	680	Supreme Court
PROGRAM	02	Director of state courts
SUBPROGRAM		
NUMERIC APPROPRIATION	24	Court commissioner training

Revenue and Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	\$0	\$0	\$0	\$700
County Assessments	\$0	\$0	\$64,000	\$64,000
Total Revenue	\$0	\$0	\$64,000	\$64,700
Expenditures	\$0	\$0	\$0	\$0
Compensation Reserve	\$0	\$0	\$700	\$1,300
2000 Adjusted Base Funding Level	\$0	\$0	\$62,600	\$62,600
Total Expenditures	\$0	\$0	\$63,300	\$63,900

Closing Balance

\$0

\$0

\$700

\$800

Program Revenue

1315 Biennial Budget

	CODES	TITLES
DEPARTMENT	680	Supreme Court
PROGRAM	02	Director of state courts
SUBPROGRAM		
NUMERIC APPROPRIATION	25	Court information systems

Revenue and Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	\$866,800	\$734,100	\$1,260,100	\$740,600
CCAP Fee	\$5,095,800	\$5,300,000	\$5,300,000	\$5,300,000
Justice Info System Surcharge	\$3,858,500	\$4,100,000	\$4,100,000	\$4,100,000
General Sale of Goods	\$10,100	\$26,000	\$26,000	\$26,000
Miscellaneous	\$83,600	\$100,000	\$100,000	\$100,000
Total Revenue	\$9,914,800	\$10,260,100	\$10,786,100	\$10,266,600
Expenditures	\$9,180,700	\$9,000,000	\$0	\$0

Compensation Reserve	\$0	\$0	\$75,200	\$151,900
Health Insurance Reserves	\$0	\$0	\$44,100	\$86,000
Wisconsin Retirement System	\$0	\$0	\$600	\$1,000
3003 Full Funding of Continuing Position Salaries and Fringe Benefits	\$0	\$0	(\$177,600)	(\$177,600)
2000 Adjusted Base Funding Level	\$0	\$0	\$10,103,200	\$10,103,200
Total Expenditures	\$9,180,700	\$9,000,000	\$10,045,500	\$10,164,500
<u>Closing Balance</u>	\$734,100	\$1,260,100	\$740,600	\$102,100

Program Revenue

1315 Biennial Budget

	CODES	TITLES
DEPARTMENT	680	Supreme Court
PROGRAM	02	Director of state courts
SUBPROGRAM		
NUMERIC APPROPRIATION	26	Central services

Revenue and Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	\$0	\$0	\$0	\$0
Internal Chargebacks	\$144,700	\$180,000	\$224,400	\$229,100
Total Revenue	\$144,700	\$180,000	\$224,400	\$229,100
Expenditures	\$144,700	\$180,000	\$0	\$0
Compensation Reserve	\$0	\$0	\$2,700	\$5,400
Health Insurance Reserves	\$0	\$0	\$1,900	\$3,700
Wisconsin Retirement System	\$0	\$0	\$0	\$0

3003 Full Funding of Continuing Position Salaries and Fringe Benefits	\$0	\$0	(\$16,400)	(\$16,400)
3010 Full Funding of Lease and Directed Moves Costs	\$0	\$0	\$200	\$400
2000 Adjusted Base Funding Level	\$0	\$0	\$236,000	\$236,000
Total Expenditures	\$144,700	\$180,000	\$224,400	\$229,100
<u>Closing Balance</u>	\$0	\$0	\$0	\$0

Program Revenue

1315 Biennial Budget

	CODES	TITLES
DEPARTMENT	680	Supreme Court
PROGRAM	02	Director of state courts
SUBPROGRAM		
NUMERIC APPROPRIATION	30	Court interpreter training and certification

Revenue and Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	\$17,400	\$14,000	\$8,900	\$5,800
Training and Exam Fees	\$28,300	\$40,000	\$42,000	\$42,000
Total Revenue	\$45,700	\$54,000	\$50,900	\$47,800
Expenditures	\$31,700	\$45,100	\$0	\$0
2000 Adjusted Base Funding Level	\$0	\$0	\$45,100	\$45,100
Total Expenditures	\$31,700	\$45,100	\$45,100	\$45,100
<u>Closing Balance</u>	\$14,000	\$8,900	\$5,800	\$2,700

Program Revenue

1315 Biennial Budget

	CODES	TITLES
DEPARTMENT	680	Supreme Court
PROGRAM	03	Bar examiners and responsibility
SUBPROGRAM		
NUMERIC APPROPRIATION	31	Board of bar examiners

Revenue and Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	\$943,900	\$1,125,800	\$973,000	\$1,029,800
Bar Admissions & Licensing	\$547,200	\$525,000	\$525,000	\$525,000
Continuing Legal Education	\$355,900	\$300,000	\$300,000	\$300,000
Total Revenue	\$1,847,000	\$1,950,800	\$1,798,000	\$1,854,800
Expenditures	\$721,200	\$977,800	\$0	\$0
Compensation Reserve	\$0	\$0	\$9,000	\$18,200
Health Insurance Reserves	\$0	\$0	\$6,100	\$11,900

Wisconsin Retirement System	\$0	\$0	\$100	\$100
3003 Full Funding of Continuing Position Salaries and Fringe Benefits	\$0	\$0	(\$47,200)	(\$47,200)
3010 Full Funding of Lease and Directed Moves Costs	\$0	\$0	\$7,000	\$11,100
2000 Adjusted Base Funding Level	\$0	\$0	\$793,200	\$793,200
Total Expenditures	\$721,200	\$977,800	\$768,200	\$787,300
<u>Closing Balance</u>	\$1,125,800	\$973,000	\$1,029,800	\$1,067,500

Program Revenue

1315 Biennial Budget

	CODES	TITLES
DEPARTMENT	680	Supreme Court
PROGRAM	03	Bar examiners and responsibility
SUBPROGRAM		
NUMERIC APPROPRIATION	33	Office of lawyer regulation

Revenue and Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	\$680,200	\$761,400	\$497,900	\$757,300
Bar Assessments	\$3,024,100	\$3,025,000	\$3,025,000	\$3,025,000
Miscellaneous	\$326,400	\$100,000	\$100,000	\$100,000
Total Revenue	\$4,030,700	\$3,886,400	\$3,622,900	\$3,882,300
Expenditures	\$3,269,300	\$3,388,500	\$0	\$0
Compensation Reserve	\$0	\$0	\$35,700	\$72,000
Health Insurance Reserves	\$0	\$0	\$31,500	\$61,400

Wisconsin Retirement System	\$0	\$0	\$100	\$100
3003 Full Funding of Continuing Position Salaries and Fringe Benefits	\$0	\$0	(\$45,600)	(\$45,600)
3010 Full Funding of Lease and Directed Moves Costs	\$0	\$0	\$19,800	\$31,500
2000 Adjusted Base Funding Level	\$0	\$0	\$2,824,100	\$2,824,100
Total Expenditures	\$3,269,300	\$3,388,500	\$2,865,600	\$2,943,500
<u>Closing Balance</u>	\$761,400	\$497,900	\$757,300	\$938,800

Program Revenue

1315 Biennial Budget

	CODES	TITLES
DEPARTMENT	680	Supreme Court
PROGRAM	04	Law library
SUBPROGRAM		
NUMERIC APPROPRIATION	21	Library collections and services

Revenue and Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	\$149,500	\$208,700	\$208,700	\$207,700
Law Library Revenues	\$22,600	\$25,000	\$25,000	\$25,000
MCLRC & DCLRC Revenues	\$105,700	\$110,000	\$110,000	\$110,000
Total Revenue	\$277,800	\$343,700	\$343,700	\$342,700
Expenditures	\$69,100	\$135,000	\$0	\$0
Compensation Reserve	\$0	\$0	\$900	\$1,800
3003 Full Funding of Continuing Position Salaries and Fringe Benefits	\$0	\$0	(\$1,700)	(\$1,700)

2000 Adjusted Base Funding Level	\$0	\$0	\$136,800	\$136,800
Total Expenditures	\$69,100	\$135,000	\$136,000	\$136,900
<u>Closing Balance</u>	\$208,700	\$208,700	\$207,700	\$205,800

Program Revenue

1315 Biennial Budget

	CODES	TITLES
DEPARTMENT	680	Supreme Court
PROGRAM	04	Law library
SUBPROGRAM		
NUMERIC APPROPRIATION	22	Gifts and grants

Revenue and Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	\$121,200	\$62,800	\$47,800	\$54,200
Grant Revenues	\$258,200	\$300,000	\$300,000	\$300,000
Total Revenue	\$379,400	\$362,800	\$347,800	\$354,200
Expenditures	\$316,600	\$315,000	\$0	\$0
Compensation Reserve	\$0	\$0	\$2,800	\$5,600
Health Insurance Reserves	\$0	\$0	\$3,100	\$6,000
3003 Full Funding of Continuing Position Salaries and Fringe Benefits	\$0	\$0	(\$27,300)	(\$27,300)

2000 Adjusted Base Funding Level	\$0	\$0	\$315,000	\$315,000
Total Expenditures	\$316,600	\$315,000	\$293,600	\$299,300
<u>Closing Balance</u>	\$62,800	\$47,800	\$54,200	\$54,900

Segregated Funds Revenue and Balances Statement

1315 Biennial Budget

	CODES	TITLES
DEPARTMENT	680	Supreme Court
NUMERIC APPROPRIATION	62	Mediation fund
PROGRAM	02	Director of state courts
SUBPROGRAM		
WISMA RT FUND	238	

Revenue and Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	\$143,700	\$276,200	\$241,200	\$197,800
Assessments & Interest	\$379,300	\$252,000	\$200,000	\$200,000
Total Revenue	\$523,000	\$528,200	\$441,200	\$397,800
Expenditures	\$246,800	\$287,000	\$0	\$0
Compensation Reserve	\$0	\$0	\$5,100	\$10,300
Health Insurance Reserves	\$0	\$0	\$1,900	\$3,700
3003 Full Funding of Continuing Position Salaries and Fringe Benefits	\$0	\$0	(\$46,800)	(\$46,800)

3010 Full Funding of Lease and Directed Moves Costs	\$0	\$0	(\$6,800)	(\$6,100)
2000 Adjusted Base Funding Level	\$0	\$0	\$290,000	\$290,000
Total Expenditures	\$246,800	\$287,000	\$243,400	\$251,100
<u>Closing Balance</u>	\$276,200	\$241,200	\$197,800	\$146,700

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	680	Supreme Court
	CODES	TITLES
DECISION ITEM	2000	Adjusted Base Funding Level

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$14,392,900	\$14,392,900
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$378,500	\$378,500
05	Fringe Benefits	\$6,632,900	\$6,632,900
06	Supplies and Services	\$9,555,600	\$9,555,600
07	Permanent Property	\$1,037,600	\$1,037,600
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	\$31,997,500	\$31,997,500
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	219.75	219.75

Decision Item by Numeric

Supreme Court

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	2000	Adjusted Base Funding Level			
01	Supreme court proceedings				
	01 General program operations	\$5,236,100	\$5,236,100	38.50	38.50
	Supreme court proceedings SubTotal	\$5,236,100	\$5,236,100	38.50	38.50
02	Director of state courts				
	01 General program operations	\$7,807,500	\$7,807,500	66.00	66.00
	21 Gifts and grants	\$0	\$0	0.00	0.00
	22 Materials and services	\$60,300	\$60,300	0.00	0.00
	23 Municipal judge training	\$157,300	\$157,300	1.25	1.25
	24 Court commissioner training	\$62,600	\$62,600	0.50	0.50
	25 Court information systems	\$10,103,200	\$10,103,200	49.00	49.00
	26 Central services	\$236,000	\$236,000	2.50	2.50
	30 Court interpreter training and certification	\$45,100	\$45,100	0.00	0.00
	40 Automated information systems	\$0	\$0	0.00	0.00
	41 Federal aid	\$914,600	\$914,600	5.00	5.00
	62 Mediation fund	\$766,700	\$766,700	5.00	5.00
	Director of state courts SubTotal	\$20,153,300	\$20,153,300	129.25	129.25

Decision Item by Numeric

Supreme Court

03	Bar examiners and responsibility				
	31 Board of bar examiners	\$793,200	\$793,200	8.00	8.00
	33 Office of lawyer regulation	\$2,824,100	\$2,824,100	27.50	27.50
	Bar examiners and responsibility SubTotal	\$3,617,300	\$3,617,300	35.50	35.50
04	Law library				
	01 General program operations	\$2,231,700	\$2,231,700	10.00	10.00
	21 Library collections and services	\$136,800	\$136,800	1.00	1.00
	22 Gifts and grants	\$622,300	\$622,300	5.50	5.50
	Law library SubTotal	\$2,990,800	\$2,990,800	16.50	16.50
	Adjusted Base Funding Level SubTotal	\$31,997,500	\$31,997,500	219.75	219.75
	Agency Total	\$31,997,500	\$31,997,500	219.75	219.75

Decision Item by Fund Source

Supreme Court

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
Decision Item	2000	Adjusted Base Funding Level				
	GPR	S	\$15,275,300	\$15,275,300	114.50	114.50
	PR	S	\$15,040,900	\$15,040,900	95.25	95.25
	PR Federal	S	\$914,600	\$914,600	5.00	5.00
	SEG	S	\$766,700	\$766,700	5.00	5.00
	Total		\$31,997,500	\$31,997,500	219.75	219.75
Agency Total			\$31,997,500	\$31,997,500	219.75	219.75

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	680	Supreme Court
	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	(\$180,200)	(\$180,200)
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	(\$738,300)	(\$738,300)
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	(\$918,500)	(\$918,500)
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

Supreme Court

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	Supreme court proceedings				
	01 General program operations	(\$195,800)	(\$195,800)	0.00	0.00
	Supreme court proceedings SubTotal	(\$195,800)	(\$195,800)	0.00	0.00
02	Director of state courts				
	01 General program operations	(\$276,700)	(\$276,700)	0.00	0.00
	23 Municipal judge training	(\$1,400)	(\$1,400)	0.00	0.00
	24 Court commissioner training	(\$1,300)	(\$1,300)	0.00	0.00
	25 Court information systems	(\$177,600)	(\$177,600)	0.00	0.00
	26 Central services	(\$16,400)	(\$16,400)	0.00	0.00
	41 Federal aid	(\$18,900)	(\$18,900)	0.00	0.00
	62 Mediation fund	(\$46,800)	(\$46,800)	0.00	0.00
	Director of state courts SubTotal	(\$539,100)	(\$539,100)	0.00	0.00
03	Bar examiners and responsibility				
	31 Board of bar examiners	(\$47,200)	(\$47,200)	0.00	0.00
	33 Office of lawyer regulation	(\$45,600)	(\$45,600)	0.00	0.00
	Bar examiners and responsibility SubTotal	(\$92,800)	(\$92,800)	0.00	0.00

Decision Item by Numeric

Supreme Court

04	Law library				
	01 General program operations	(\$61,800)	(\$61,800)	0.00	0.00
	21 Library collections and services	(\$1,700)	(\$1,700)	0.00	0.00
	22 Gifts and grants	(\$27,300)	(\$27,300)	0.00	0.00
	Law library SubTotal	(\$90,800)	(\$90,800)	0.00	0.00
	Full Funding of Continuing Position Salaries and Fringe Benefits SubTotal	(\$918,500)	(\$918,500)	0.00	0.00
	Agency Total	(\$918,500)	(\$918,500)	0.00	0.00

Decision Item by Fund Source

Supreme Court

	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	(\$534,300)	(\$534,300)	0.00	0.00
	PR	S	(\$318,500)	(\$318,500)	0.00	0.00
	PR Federal	S	(\$18,900)	(\$18,900)	0.00	0.00
	SEG	S	(\$46,800)	(\$46,800)	0.00	0.00
	Total		(\$918,500)	(\$918,500)	0.00	0.00
Agency Total			(\$918,500)	(\$918,500)	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	680	Supreme Court
	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	\$53,500	\$97,000
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	\$53,500	\$97,000
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

Supreme Court

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	Supreme court proceedings				
	01 General program operations	\$6,400	\$10,300	0.00	0.00
	Supreme court proceedings SubTotal	\$6,400	\$10,300	0.00	0.00
02	Director of state courts				
	01 General program operations	\$13,200	\$21,200	0.00	0.00
	26 Central services	\$200	\$400	0.00	0.00
	41 Federal aid	(\$1,100)	(\$1,100)	0.00	0.00
	62 Mediation fund	(\$6,800)	(\$6,100)	0.00	0.00
	Director of state courts SubTotal	\$5,500	\$14,400	0.00	0.00
03	Bar examiners and responsibility				
	31 Board of bar examiners	\$7,000	\$11,100	0.00	0.00
	33 Office of lawyer regulation	\$19,800	\$31,500	0.00	0.00
	Bar examiners and responsibility SubTotal	\$26,800	\$42,600	0.00	0.00
04	Law library				
	01 General program operations	\$14,800	\$29,700	0.00	0.00
	Law library SubTotal	\$14,800	\$29,700	0.00	0.00

Decision Item by Numeric

Supreme Court

	Full Funding of Lease and Directed Moves Costs SubTotal	\$53,500	\$97,000	0.00	0.00
	Agency Total	\$53,500	\$97,000	0.00	0.00

Decision Item by Fund Source

Supreme Court

	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	\$34,400	\$61,200	0.00	0.00
	PR	S	\$27,000	\$43,000	0.00	0.00
	PR Federal	S	(\$1,100)	(\$1,100)	0.00	0.00
	SEG	S	(\$6,800)	(\$6,100)	0.00	0.00
	Total		\$53,500	\$97,000	0.00	0.00
Agency Total			\$53,500	\$97,000	0.00	0.00

Decision Item (DIN) - 6210

Decision Item (DIN) Title - Remove Court System 2013-2015 Biennial Fringe Benefit Lapse Requirement

NARRATIVE

2011 Act 32, the 2011-2013 biennial budget act, requires the Chief Justice, acting as the administrative head of the court system, to take actions during the 2011-13 and 2013-15 biennia to ensure that \$16,960,400 biennially is lapsed to the General Fund from Circuit Courts, Court of Appeals and Supreme Court GPR and PR appropriations. The biennial lapse amounts for both biennia reflect two separate decision items from the 2011-13 biennial budget deliberations: budget efficiencies/10% across-the-board non-personnel reductions, and employee fringe benefit savings resulting from provisions in 2011 Acts 20 and 32. As calculated by the Legislative Fiscal Bureau, \$10,306,000, or 60.8% of the lapse requirement, represents employee fringe benefits savings. As part of the 2013-15 biennial budget development process, the excess fringe benefit dollars relating to employee fringe benefit savings currently contained in court system appropriations are deleted through the Standard Budget Adjustment DIN 3003: Full Funding of Salaries and Fringe Benefits. The DIN effectively returns these excess retirement savings funds to the General Fund from court GPR appropriations, leaving no excess fringe benefit dollars for lapse to the General Fund. It is therefore requested that the 2013-15 lapse biennial requirement be reduced by \$10,306,000.

2013–2015 ISSUE PAPER

Department/Program: Supreme Court/Court System-Wide

Name: Non-Statutory Language Change: Remove Court System 2013-2015 Biennial Fringe Benefit Lapse Requirement

DIN: 6210

NARRATIVE

2011 Act 32, the 2011-2013 biennial budget act, requires the Chief Justice, acting as the administrative head of the court system, to take actions during the 2011-13 and 2013-15 biennia to ensure that \$16,960,400 biennially is lapsed to the General Fund from Circuit Courts, Court of Appeals and Supreme Court GPR and PR appropriations.

The biennial lapse amounts for both biennia reflect two separate decision items from the 2011-13 biennial budget deliberations: budget efficiencies/10% across-the-board non-personnel reductions, and employee fringe benefit savings resulting from provisions in 2011 Acts 20 and 32. As calculated by the Legislative Fiscal Bureau, \$10,306,000, or 60.8% of the lapse requirement, represents employee fringe benefits savings.

As part of the 2013-15 biennial budget development process, the excess fringe benefit dollars relating to employee fringe benefit savings currently contained in court system appropriations are deleted through the Standard Budget Adjustment DIN 3003: Full Funding of Salaries and Fringe Benefits. The DIN effectively returns these excess retirement savings funds to the General Fund from court GPR appropriations, leaving no excess fringe benefit dollars for lapse to the General Fund. It is therefore requested that the 2013-15 lapse biennial requirement be reduced by \$10,306,000.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0097/P1
PJH:sac:rs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** ...; **relating to:** lapses from the courts appropriations.

Analysis by the Legislative Reference Bureau

COURTS AND PROCEDURE

OTHER COURTS AND PROCEDURE

The 2011-13 executive budget bill requires the chief justice of the supreme court, acting as administrative head of the judicial system, to ensure that from general purpose revenue and program revenue appropriations to the courts, an amount equal to \$16,960,400 is lapsed from sum certain appropriation accounts or is subtracted from the expenditure estimates for any other types of appropriations, or both, in the 2011-13 and the 2013-15 fiscal bienniums.

This bill eliminates \$10,306,000 from the required lapse or subtraction in the 2013-15 fiscal biennium. That figure is the amount attributed to fringe benefits savings resulting from statutory changes to employee retirement and health insurance that occurred in 2011.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 **SECTION 1.** 2011 Wisconsin Act 32, section 9245 (2f) is amended to read:

1 [2011 Wisconsin Act 32] Section 9245 (2f) The chief justice of the supreme court,
2 acting as administrative head of the judicial system, shall take actions during the
3 2011–13 and 2013–15 fiscal biennia to ensure that from general purpose revenue and
4 program revenue appropriations to the circuit courts under section 20.625 of the
5 statutes, to the court of appeals under section 20.660 of the statutes, and to the
6 supreme court under 20.680 of the statutes an amount equal to \$16,960,400 is lapsed
7 from sum certain appropriation accounts or is subtracted from the expenditure
8 estimates for any other types of appropriations, or both, ~~in each fiscal biennium~~
9 during the 2011–13 fiscal biennium and \$6,654,400 during the 2013–15 fiscal
10 biennium.

11

(END)

Decision Item (DIN) - 6212

Decision Item (DIN) Title - Biennial Appropriation for the Director of State Courts Office

NARRATIVE

The Director of State Courts requests a statutory language change to convert the Director of State Courts Office appropriation from annual to biennial in order to provide the Judicial Branch with management flexibility. Within the Judicial Branch, the Director of State Courts Office is funded from an annual sum certain appropriation, which limits administrative flexibility and efficiency. This flexibility is particularly needed in these times of budget cutbacks to effectively and efficiently manage the increasing needs of the Judicial Branch without concomitant increasing resources. A biennial appropriation would enhance the Courts' ability to direct resources where they can best be used. This request has no fiscal effect. This proposal will begin to provide the Judicial Branch with the same management flexibility currently afforded the Legislative Branch. The primary source of expenditure authority for the Legislative Branch is three GPR sum sufficient appropriations: one for the Senate, one for the Assembly and one for Legislative Documents. These appropriations, in addition to paying salaries and benefits of elected officials and their staff, fund all legislative administrative functions as well as computer purchases for all legislative staff, whether or not they are funded from the sum sufficient appropriations. All GPR legislative functions that are not funded from the three sum sufficient appropriations are funded from biennial appropriations. This includes data processing services and the legislative service agencies. The Director of State Courts Office is funded from an annual sum certain appropriation. The functions provided by the Director's Office (administrative services, policy analysis, program support and data processing services) are analogous to the functions provided by the legislative service agencies, the clerk's offices in either house or legislative information processing staff, which are all funded from sum sufficient or biennial appropriations. The annual, sum certain appropriation for the Director's Office limits administrative flexibility and efficiency that the biennial appropriations afford the Legislative Branch. This request would provide administrative flexibility and efficiency, the ability to direct resources where they can best be used, and parity with the Legislative Branch.

2013–2015 ISSUE PAPER

Department/Program: Supreme Court/Director of State Courts

Name: Statutory Language Change: Biennial Appropriation for the Director of State Courts Office

APPN: 680-201

DIN: 6212

NARRATIVE

The Director of State Courts requests a statutory language change to convert the Director of State Courts Office appropriation from annual to biennial in order to provide the Judicial Branch with management flexibility. Within the Judicial Branch, the Director of State Courts Office is funded from an annual sum certain appropriation. The annual, sum certain appropriation for the Director's Office limits administrative flexibility and efficiency. This flexibility is particularly needed in these times of budget cutbacks to effectively and efficiently manage the increasing needs of the Judicial Branch without concomitant increasing resources. A biennial appropriation would enhance the Courts' ability to direct resources where they can best be used. This request has no fiscal effect.

This proposal will begin to provide the Judicial Branch with the same management flexibility currently afforded the Legislative Branch. The primary source of expenditure authority for the Legislative Branch is three GPR sum sufficient appropriations: one for the Senate, one for the Assembly and one for Legislative Documents. These appropriations, in addition to paying salaries and benefits of elected officials and their staff, fund all legislative administrative functions as well as computer purchases for all legislative staff, whether or not they are funded from the sum sufficient appropriations. All GPR legislative functions that are not funded from the three sum sufficient appropriations are funded from biennial appropriations. This includes data processing services and the legislative service agencies.

Within the Judicial Branch, the Director of State Courts Office is funded from an annual sum certain appropriation. The functions provided by the Director's Office (administrative services, policy analysis, program support and data processing services) are analogous to the functions provided by the legislative service agencies, the clerk's offices in either house or legislative information processing staff. Those are all funded from sum sufficient or biennial appropriations. The annual,

sum certain appropriation for the Director's Office limits administrative flexibility and efficiency that the biennial appropriations afford the Legislative Branch.

Conversion of the Director's Office appropriation to biennial would provide:

- Administrative flexibility and efficiency.
- The ability to direct resources where they can best be used.
- Parity with the Legislative Branch.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0094/P1
PJH:jld:jf

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

COURTS AND PROCEDURE

OTHER COURTS AND PROCEDURE

This bill changes, from annual to biennial, the appropriation for the general program operations of the office of the director of state courts.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 **SECTION 1.** 20.680 (2) (a) of the statutes is amended to read:

3 20.680 (2) (a) *General program operations.* ~~The Biennially, the~~ amounts in the
4 schedule to carry into effect the functions of the director of state courts.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 (END)

Decision Item (DIN) - 6213

Decision Item (DIN) Title - Remove State Law Librarian from the ESG System

NARRATIVE

The Supreme Court requests a statutory language change to remove the State Law Librarian position from the Executive Salary Group (ESG) 1 classification under s. 20.923 (4)(a) 4, Wis. Stats., and instead include the position under s. 20.923 (6)(e), Wis. Stats., which specifies that salaries be set by appointing authorities. Current law assigns the Librarian of the State Law Library to ESG 1. However, for other non-judicial court positions, the Supreme Court has historically set the amount of pay. No other court position is so classified. Under s. 20.923(6)(e), the salaries of the Assistant State Librarian and State Law Library clerical and expert assistants are to be set by the appointing authority, which is the Supreme Court. It is requested that the State Law Librarian position be moved to s. 20.923(6)(e) to correspond with the other State Law Library positions and historical practice. This change was recommended by the Department of Employment Relations in June 2001, as part of the 2001-2003 compensation plan and approved by the Joint Committee on Employment Relations (JCOER). On July 17, 2001, JCOER introduced companion bills 2001 Assembly Bill 460 and Senate Bill 223, which would have removed the State Law Librarian position from the ESG 1 classification, as well as make other ESG assignment changes for certain state agencies. Neither bill passed the Legislature in the 2001 session. As was stated in the fiscal note for the bills, no fiscal impact is expected from this statutory change.

2013 – 2015 ISSUE PAPER

Department/Program: Supreme Court/Wisconsin State Law Library

Name: Statutory Language Change: Remove State Law Librarian from the ESG System

DIN: 6213

NARRATIVE

The Supreme Court requests a statutory language change to remove the State Law Librarian position from the Executive Salary Group (ESG) 1 classification under s. 20.923 (4)(a) 4, Wis. Stats., and instead include the position under s. 20.923 (6)(e), Wis. Stats., which specifies that salaries be set by appointing authorities.

Current law assigns the Librarian of the State Law Library to ESG 1. However, for other non-judicial court positions, the Supreme Court has historically set the amount of pay. No other court position is so classified. Under s. 20.923(6)(e), the salaries of the Assistant State Librarian and State Law Library clerical and expert assistants are to be set by the appointing authority, which is the Supreme Court. It is requested that the State Law Librarian position be moved to s. 20.923(6)(e) to correspond with the other State Law Library positions and historical practice.

This change was recommended by the Department of Employment Relations in June 2001, as part of the 2001-2003 compensation plan and approved by the Joint Committee on Employment Relations (JCOER). On July 17, 2001, JCOER introduced companion bills 2001 Assembly Bill 460 and Senate Bill 223, which would have removed the State Law Librarian position from the ESG 1 classification, as well as make other ESG assignment changes for certain state agencies. Neither bill passed the Legislature in the 2001 session. As was stated in the fiscal note for the bills, no fiscal impact is expected from this statutory change.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0095/P1
PJH:jld:jf

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** ...; **relating to:** salary paid to the state law librarian.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

STATE EMPLOYMENT

Under current law, the state law librarian is assigned to executive salary group (ESG) 1. The salary range for all ESG positions are established in the state compensation plan. This bill eliminates the state law librarian's ESG assignment and instead provides that the salary paid to the state law librarian will be set by the Supreme Court.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 **SECTION 1.** 20.923 (4) (a) 4. of the statutes is repealed.

3 **SECTION 2.** 20.923 (6) (e) of the statutes is amended to read:

4 20.923 (6) (e) Law library, state: librarian, assistant librarian, clerical and
5 expert assistants.

6 (END)

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 courts. Funding for the increases (\$65,700 GPR in 2013-14 and \$71,600 GPR in 2014-15 for the Supreme Court) 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	680	Supreme Court
	CODES	TITLES
DECISION ITEM	6214	Judicial Compensation

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$60,700	\$66,200
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	\$5,000	\$5,400
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	\$65,700	\$71,600
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

Supreme Court

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	6214	Judicial Compensation			
01	Supreme court proceedings				
	01 General program operations	\$65,700	\$71,600	0.00	0.00
	Supreme court proceedings SubTotal	\$65,700	\$71,600	0.00	0.00
	Judicial Compensation SubTotal	\$65,700	\$71,600	0.00	0.00
	Agency Total	\$65,700	\$71,600	0.00	0.00

Decision Item by Fund Source

Supreme Court

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
Decision Item	6214	Judicial Compensation				
	GPR	S	\$65,700	\$71,600	0.00	0.00
	Total		\$65,700	\$71,600	0.00	0.00
Agency Total			\$65,700	\$71,600	0.00	0.00

Decision Item (DIN) - 6215

Decision Item (DIN) Title - Comparable Funding for the Court System's Non-judicial Compensation Plan

NARRATIVE

The Wisconsin Court System requests statutory language to ensure the court system receives its prorated share of compensation reserves through the biennial compensation and budget processes. Historically, the court system received supplemental funding for GWAs approved in the biennial compensation plan. However, GWAs have not been provided to state employees since 2008, the last time the court system received supplemental funding for non-judicial wage adjustments. Executive branch employee compensation appears to be moving away from general wage adjustments (GWAs) for all employees to discretionary adjustments based on performance, equity or market needs. The 2011-2013 biennial compensation plan included a new tool for executive branch agencies to use - Discretionary Merit Compensation (DMC) - to allow for employee base-building increases or lump sum payments for merit, equity or retention. With one exception, the court system has never received supplemental funding for other types of pay adjustments that have been a part of previous biennial compensation plans for executive branch agencies. In addition to no GWAs, Acts 10 and 32 changes to the State's fringe benefit offerings have significantly weakened a main attraction for luring prospective employees to state employment. As a result, the court system's classification and compensation structure is beginning to experience serious compression issues and the court system is struggling to attract and retain talented staff. Statutory language changes are proposed, effective for the 2013-2015 biennial compensation plan, so the Wisconsin Court System may, as a separate branch of government, be provided its proportional share of available salary supplements to administer its own pay-for-performance program and maintain the integrity of its classification and compensation structure. This would recognize that, as a separate branch of government, it is important for the judicial branch to be comparably funded for salaries and fringe benefits as are the other branches of government to ensure the judicial branch can attract and retain competent personnel who will furnish state services to citizens fairly, efficiently, and effectively as possible.

2013 – 2015 ISSUE PAPER

Department/Program: Court System Wide

Issue Name: Statutory Language Change: Comparable Funding for the Wisconsin Court System's Non-judicial Compensation Plan

APPN: Courtwide

DIN: 6215

NARRATIVE

The Wisconsin Court System requests statutory language within Wisconsin Statute Chapters 20 and 230 that ensures the Wisconsin Court System receives its prorated share of compensation reserves through the biennial compensation and biennial budget processes.

Background

Compensation for executive branch state employees appears to be moving away from general wage adjustments (GWAs) for all employees to discretionary adjustments based on such things as performance, equity or market needs. The 2011-2013 biennial compensation plan included a new tool for executive branch agencies to use for rewarding employees: Discretionary Merit Compensation (DMC). According to Office of State Employment Relations (OSER) Director Greg Gracz, "the criteria for granting base-building increases or lump sum payments [under DMC] will be . . . for merit, equity or retention."

As further evidence that there has been a significant shift in long standing state's personnel and pay practices over the last few years is the 2011-2013 biennial budget act that requires the University of Wisconsin-Madison to construct its own personnel policies and human resources system by July 1, 2013. This mandate also allows the Board of Regents, under s. 36.09(1)(j), Wis. Stats., to establish competitive salaries for unclassified and classified employees for the campus and to submit this plan to the legislative Joint Committee on Employment Relations for their review and approval and supplemental funding (see 20.865(1)(ci), Wis. Stats.).

Historically, the Department of Administration (DOA) provided supplemental funding to the Wisconsin Court System for GWAs that were approved in the biennial compensation plan. However, with one exception, the court system has not been provided supplemental funding for any other types of pay adjustments, such as equity adjustments, that have been a part of the biennial compensation plan. GWAs have not been provided to state employees since 2008, which is the last time the court system received supplemental funding for non-judicial wage adjustments. While supplemental funding for executive branch DMCs is not available in the 2011-13 biennium, executive branch agencies have received supplemental funding in previous biennia for market adjustments that were not available to the court system.

Proposal

Acts 10 and 32 changes to the State's fringe benefit offerings have significantly weakened the main attraction for luring prospective employees to state employment. It appears the executive branch has moved away from GWAs and is instead planning on using its newly created DMC program to make market, equity and discretionary adjustments to increase salaries for executive branch employees. There is nothing in the compensation plan that will allow the state court system to be competitive in the labor market because the court system is not provided with its equitable share of supplemental funding for non-GWA pay adjustments granted for merit, equity or retention purposes. As a result, the court system's classification and compensation structure is beginning to experience serious compression issues and the court system is struggling to attract and retain talented staff.

It is proposed that statutory language changes are made so the Wisconsin Court System may, as a separate branch of government, be provided its proportional share of available salary supplements to administer its own pay-for-performance program and maintain the integrity of its classification and compensation structure.

The court system's proposal is to request the necessary statutory provisions that will ensure the state court system is provided its prorated share of any supplemental funding available for state employee market, equity and/or discretionary adjustments. The statutory provisions requested would recognize that, as a separate branch of government, it is important for the judicial branch to be comparably funded for salaries and fringe benefits as are the other branches of

government to ensure the judicial branch can sufficiently meet the statement of policy set forth in s. 230.01(1), Wis. Stats., which is to attract and retain “competent personnel who will furnish state services to citizens fairly, efficiently, and effectively as possible.”

Summary

This request is for statutory change, to be effective as of the 2013-2015 biennium, that would ensure the court system is provided a prorated share of the 2013-2015 compensation reserves as determined by the 2013-2015 biennial compensation and biennial budget processes.



2013 BILL

1 **AN ACT to create** 20.928 (1s) of the statutes; **relating to:** funding of pay
2 adjustments for state employees of the court system.

Analysis by the Legislative Reference Bureau

Current law permits the secretary of administration (secretary) to supplement from the Compensation Reserves all state agencies for the cost of unbudgeted pay adjustments for their employees. This bill provides that, if the secretary approves supplemental funding for pay adjustments to any *executive branch* state agency, the secretary must also approve supplemental funding for all *judicial branch* state agencies. The bill, however, provides that the total amount that may be used to supplement judicial branch state agencies for pay adjustments may not exceed the judicial branch state agencies' share of the total amount of supplemental funding that is available for such a purpose to all state agencies, as determined by the secretary.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 20.928 (1s) of the statutes is created to read:
4 20.928 (1s) (a) Subject to par. (b), if the secretary of administration approves
5 supplemental funding under sub. (1) to any executive branch state agency to pay the

BILL

SECTION 1

1 cost of any pay adjustments awarded to its employees, pursuant to the compensation
2 plan under s. 230.12, the secretary shall also approve supplemental funding under
3 sub. (1) to all judicial branch state agencies to pay the cost of any pay adjustments
4 awarded to their employees.

5 (b) The total amount that may be used to supplement judicial branch state
6 agencies to pay the cost of any pay adjustments awarded to their employees may not
7 exceed the judicial branch state agencies' share of the total amount of supplemental
8 funding available to all state agencies, as determined by the secretary of
9 administration.

10

(END)