

COUNCIL ON JUDICIAL COMPLAINTS 678

Lead Administrator: Eric Mitts, Director

FY'17 Projected Division/Program Funding By Source						
	Appropriations	Federal	Revolving	Local	Other*	Total
General Operations			\$387,216			\$387,216
IT			\$13,900			\$13,900
Judicial Education			\$100,000			\$100,000
Total		\$0	\$501,116	\$0	\$0	\$501,116

*Source of "Other" and % of "Other" total for each.

FY'16 Carryover and Refund by Funding Source						
	Appropriations	Federal	Revolving	Local	Other*	Total
FY'16 Carryover			100,744			100,744
FY'16 GR Refund**						\$0

*Source of "Other" and % of "Other" total for each.

**Indicate how the FY'16 General Revenue refund was budgeted
N/A

What Changes did the Agency Make between FY'16 and FY'17?	
1.) Are there any services no longer provided because of budget cuts?	No.
2.) What services are provided at a higher cost to the user?	None.
3.) What services are still provided but with a slower response rate?	None.
4.) Did the agency provide any pay raises that were not legislatively/statutorily required? If so, please provide a detailed description in a separate document.	No.

FY'18 Expected Division/Program Funding By Source						
	Appropriations	Federal	Revolving	Other	Total	% Change
General Operations			\$387,216		\$387,216	No Change
IT			\$13,900		\$13,900	No Change
Judicial Education			\$100,000		\$100,000	No Change
Total		\$0	\$501,116	\$0	\$501,116	No Change

*Source of "Other" and % of "Other" total for each.

FY'18 Top Five Budget Adjustments	
Request 1: Description	\$ Amount
Total	No Request 0

How would the agency handle a 5% appropriation reduction in FY'18?

How would the agency handle a 7.5% appropriation reduction in FY'18?

How would the agency handle a 10% appropriation reduction in FY'18?

Is the agency seeking any fee increases for FY'18?	
N/A	\$ Amount
	\$0

What are the agency's top 2-3 capital or technology (one-time) requests, if applicable?

None.

Federal Government Impact

- 1.) How much federal money received by the agency is tied to a mandate by the Federal Government? No Federal funds are received by this agency.
- 2.) Are any of those funds inadequate to pay for the federal mandate?
- 3.) What would the consequences be of ending all of the federal funded programs for your agency?
- 4.) How will your agency be affected by federal budget cuts in the coming fiscal year?
- 5.) Has the agency requested any additional federal earmarks or increases?

Division and Program Descriptions

Administrative Services The Council is a two FTE agency with only one division. We operate two programs: 1) Investigation of Judicial misconduct complaints and the provision of funds for judicial education, when funds are available.

FY'17 Budgeted FTE

	Supervisors	Classified	Unclassified	\$0 - \$35 K	\$35 K - \$70 K	\$70 K - \$\$\$
General Operations	1		1			1
Total	1	0	1	0	0	1

FTE History

	2017 Budgeted	2016	2013	2010	2006
General Operations	2	2	2	2	2
Total	2	2	2	2	2

Performance Measure Review

	FY'16	FY'15	FY'14	FY'13	FY'12
Measure I Completion of Investigations Within 90 Days	ninety percent	ninety percent	ninety percent	ninety percent	ninety percent

Revolving Funds

	FY'14-16 Avg. Revenues	FY'14-16 Avg. Expenditures	June '16 Balance
200 Fund Statutory Authority? 28 O.S. 2016 § 152 E Source of Funds: Civil Court Fees What is the fund spent on? General Operations Is there a cap on the fund? No.	\$555,000	\$325,704	\$1,261,481 less \$800,000 transfer per GA Bill SB 1616 Total \$461,481

We have one fee that provides all our funding. (28 O.S. 2016 152 E) Some pertinent history of the fee:

1. It was enacted in the 2011 Session for collection to begin January 2012. The first six months it raised \$370,000. Full year collections at \$2.00 have since averaged \$555,000.
2. By the 2014 session it was evident the fee was raising more funds than necessary and the Council requested that the Legislature reduce the fee by 65 cents, but legislation to do so failed.
3. In the 2015 Session forty-five cents of the fee was legislatively redirected to the State Judicial Revolving Fund for payment of interpreters and translators. This left \$1.45 dedicated to the Council which should now average collections of \$420,000 per year, as compared to our \$501,000 budget.
4. Between the enactment of the fee and the end of last Session an excess had accumulated in our revolving fund due to the excess collections which are now being redirected to another fund. As a result the legislature swept \$800,000 out of our revolving fund per section 158 of the GA bill SB 1616. The \$800,000 was directed to the Supreme Court for the reason that in FENT v. STATE ex rel. DEPT. OF HUMAN SERVICES 236 P.3d 61 (2010) the Supreme Court ruled that all section 152 court fees must be used for Court functions. Any other use violates the Constitution and in the Fent case a 5 million dollar annual fee then being collected by Section 152 for DHS was invalidated.