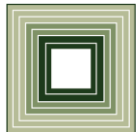


# Justice and Public Safety Appropriations Subcommittee

## The North Carolina Judicial System: The Administrative Office of the Courts

William Childs  
Fiscal Research Division



# Judicial Branch Presentation Schedule



## Today: AOC Overview

- Budget
- Personnel
- Workload Formulas

## Tues AM: AOC Programs

- AOC Administration
- Specialty Courts
- Court Costs
- IT @ AOC

## Tues PM: Indigent Defense Services

# Key Issues

- ❑ AOC FY 2012-13 GF budget: \$461 million
- ❑ AOC administers:
  - Judges and Justices
  - Clerks
  - DAs
  - Magistrates
  - Court Staff
- ❑ Court Personnel determined by workload formulas developed by National Center of State Courts





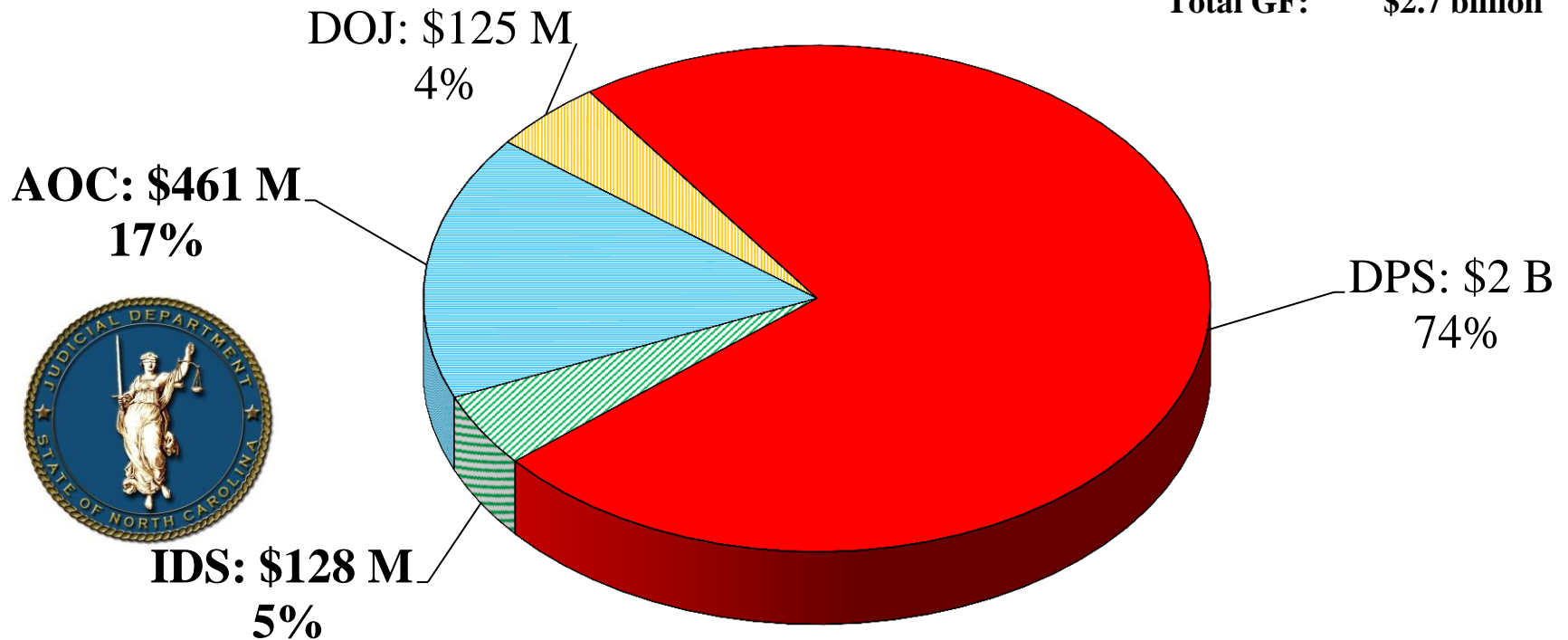
# THE JUDICIAL BRANCH

# FY 2012-13 JPS General Fund Budget by Agency

Appropriation: \$2.4 billion  
Receipts: \$290 million

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**Total GF: \$2.7 billion**



Source: NCAS, December 31, 2012 Authorized Budget

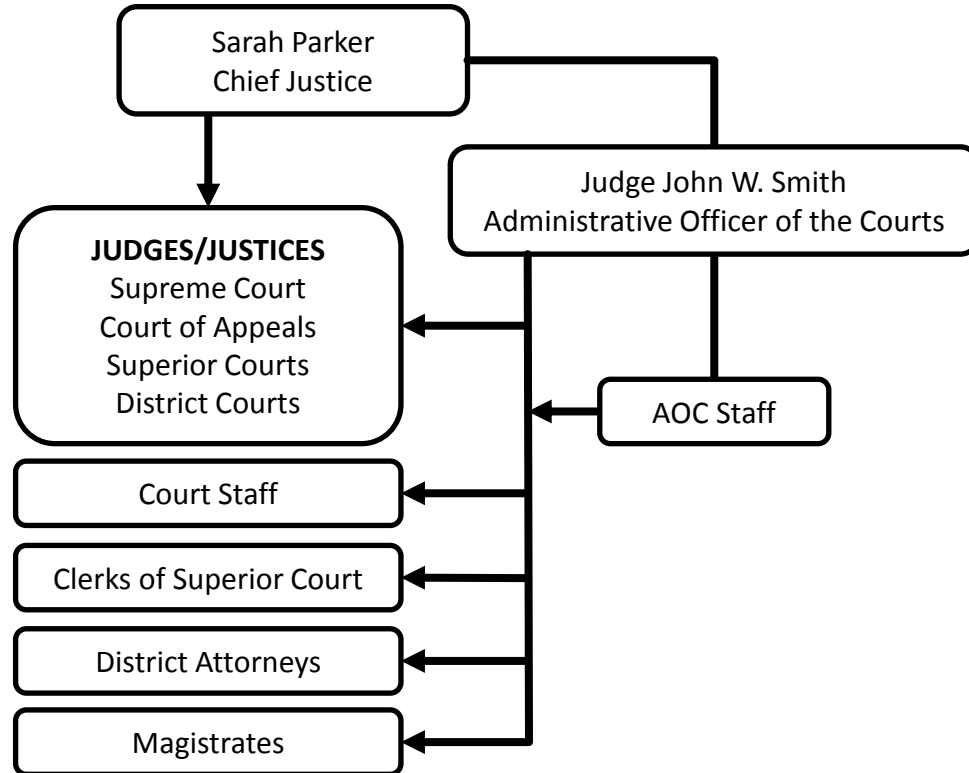
# The North Carolina General Court of Justice



- Unified statewide court system
- Established by legislation in 1966
- State administers court personnel and operational budget
- Local governments provide courthouse and facility upkeep
- 25 other states have a unified court system

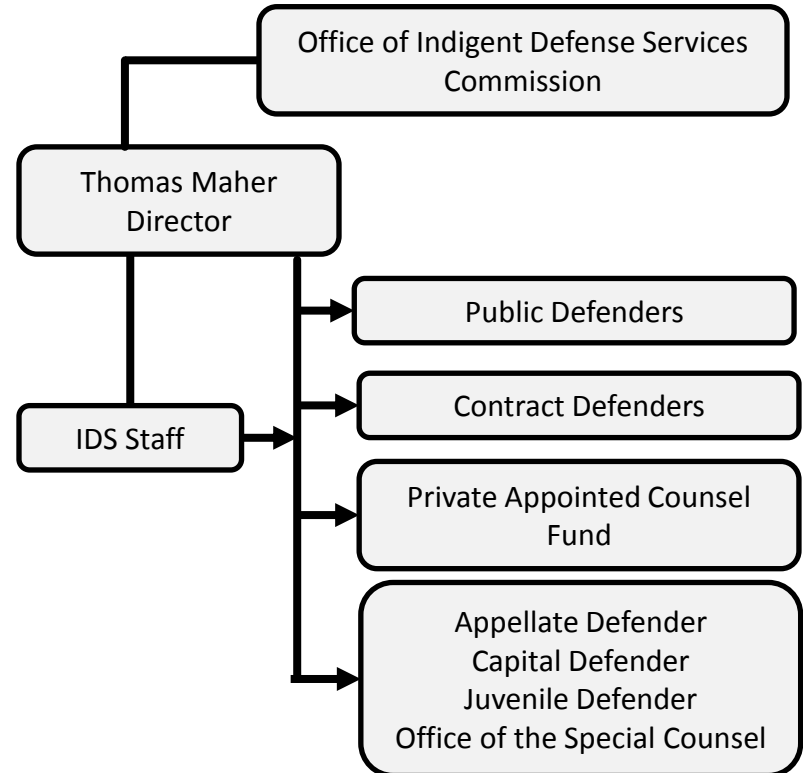
# The North Carolina Judicial Branch

## Administrative Office of the Courts



Total GF Budget: \$461 million  
Total GF FTE: 5,809

## Office of Indigent Defense Services



Total GF Budget: \$128 million  
Total GF FTE: 470



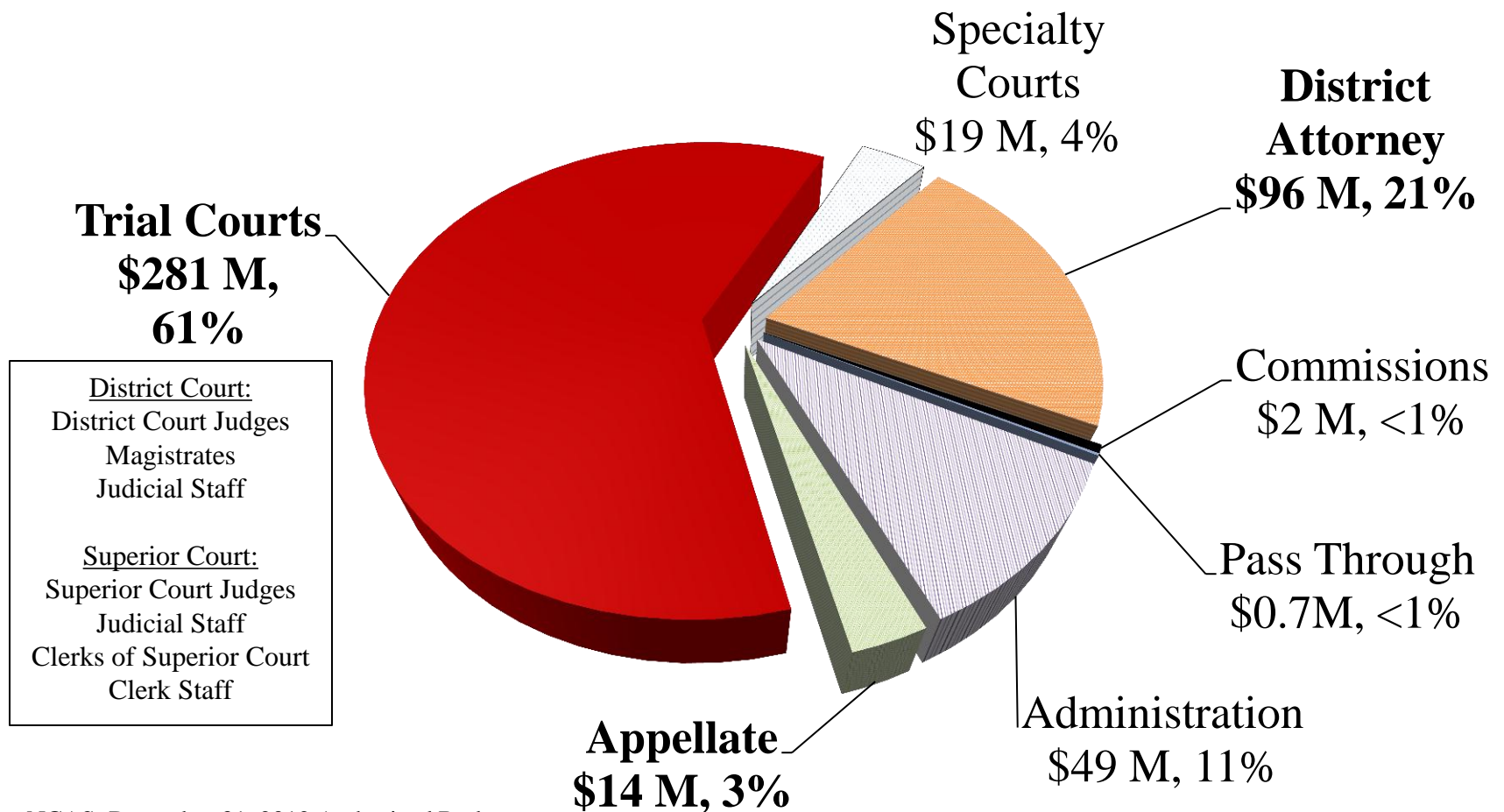


*"Be advised, Counsellor, the court will not  
tolerate a circuslike atmosphere."*

# THE ADMINISTRATIVE OFFICE OF THE COURTS



# AOC Budget FY 2012-13, Total: \$461 M



Source: NCAS, December 31, 2012 Authorized Budget



# WORKLOAD FORMULAS

# Workload Formulas

- 2007: AOC and National Center for State Courts (NCSC) began work on objective workload formulas
- Time Studies of Clerks, Magistrates, District and Superior Court Judges, ADAs and Victim-Witness Legal Assistants (VWLAs), Judicial and Specialty Court Support Staff
- Time Studies used to determine Case Weights by type of offense
- $$\text{Need} = \frac{\text{Filings by Case Weight}}{\text{Case-Related Work Per Year}}$$

# Workload Formulas

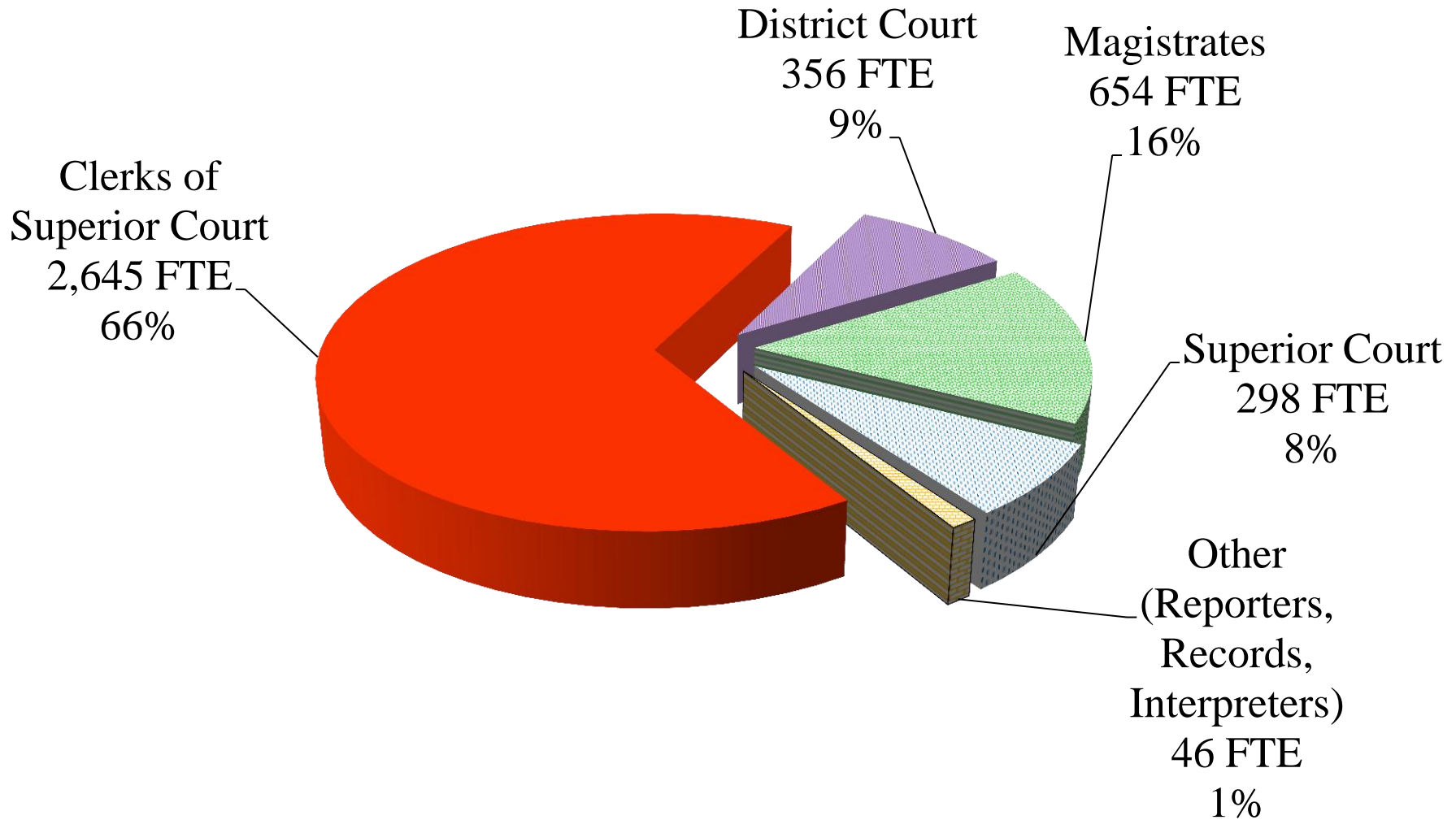
- Determines staffing needs for:
  - District Court Judges
  - Magistrates
  - Clerks of Superior Court
  - Superior Court Judges
  - Assistant District Attorneys
  - Victim-Witness Legal Assistants



# TRIAL COURTS

## \$281 M, 3,989 FTE

# Trial Court Personnel



Source: BEACON, January 30, 2013

# Magistrates

## Original Jurisdiction:

- Issue Warrants
- Set Bail
- Accept Guilty Pleas for Minor Misdemeanors and Infractions
- May accept waivers for worthless check cases
- Small Claims (\$5,000 or less)
- Landlord Eviction Cases
- Suits for recovery of personal property and mechanics' liens

**654.1 FTE**

- Minimum of 3 magistrates per county

Source: BEACON, January 30, 2013



# Workload Formulas for Magistrates, FY 2012-13

	Authorized	Workload Estimate	Shortage
Magistrates	654.1	727.0	(72.9)

- Minimum of 3 per county: 39 counties with 3 magistrates
- 16 of these have workload-estimated staff between at least 1.5 and 3 magistrates
- These are the 16 recommended for funding in the Governor's budget
- 12 counties have shortage of at least 2 magistrates
- Greatest need:
  - Mecklenburg, 32 needed
  - Wake, 19.8 needed
  - Guilford, 12.1 needed

Source: AOC, as of January 1, 2013

# District Court

## Original Jurisdiction:

- Misdemeanors not assigned to Magistrates
- Probable Cause Hearings
- Accept Guilty/No Contest Pleas in Certain Felony Cases
- Civil Cases involving \$10,000 or less
- Juvenile Proceedings
- Domestic Relations
- Mental Health Hospital Commitments

**355.8 FTE**

District Court Judges: 270 FTE

- includes 42 Chief District Court Judges

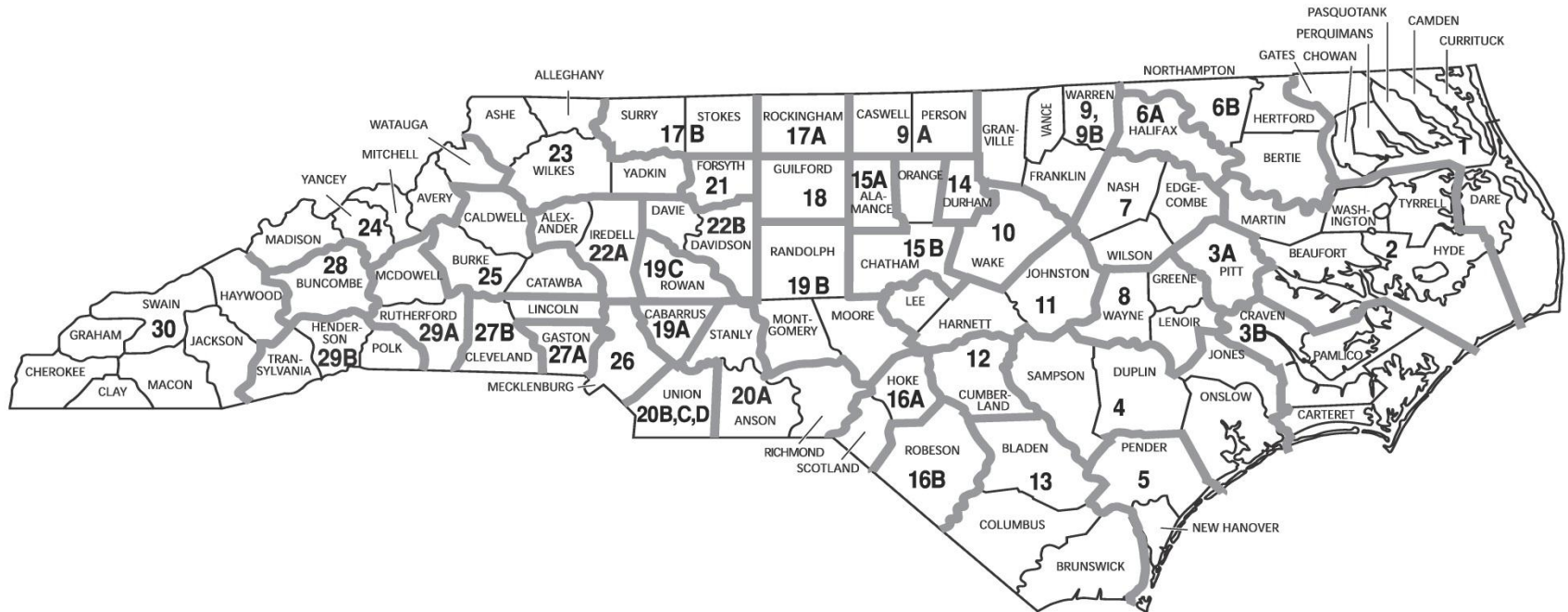
Staff: 85.8 FTE

- includes Judicial Assistants and Trial Court Coordinators

Source: BEACON, January 30, 2013

# North Carolina District Court Districts

Effective January 15, 2009

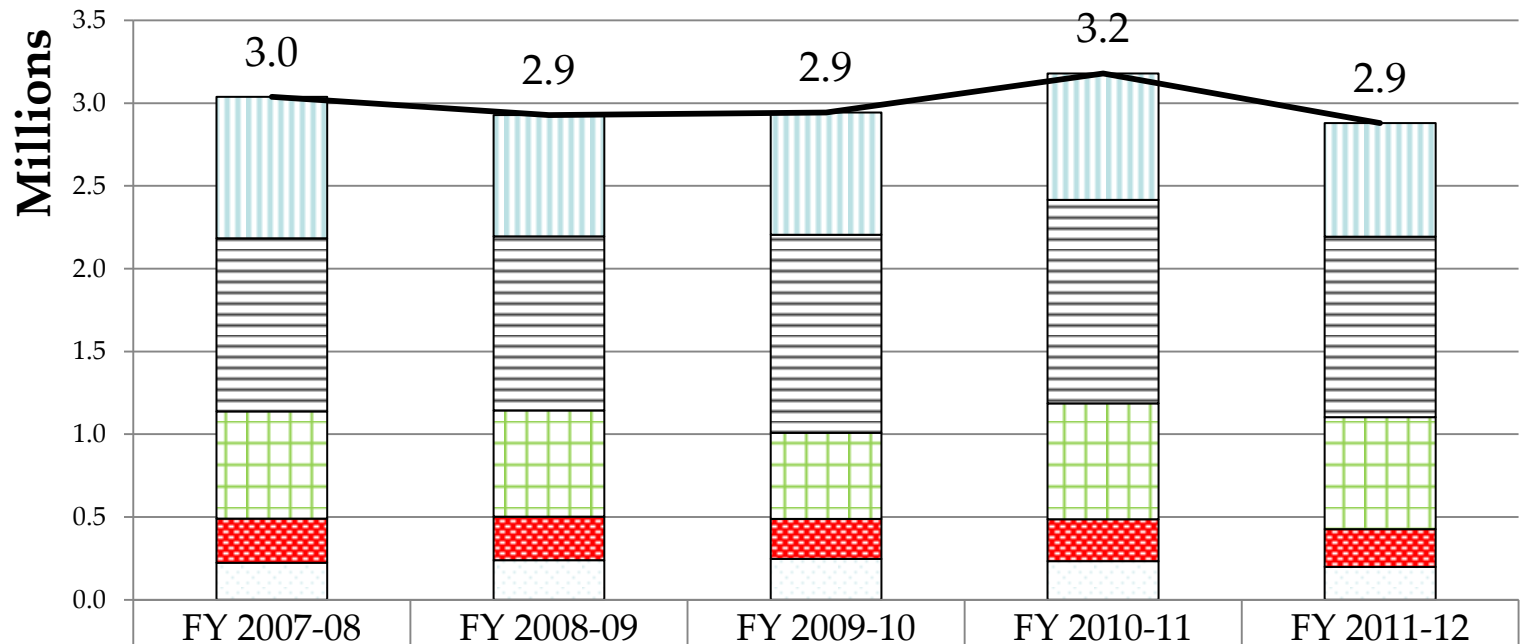








Note: Districts 9 and 9B, and districts 20B, 20C, and 20D are districts for electoral purposes only. They are combined for administrative purposes.

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42 District Court Districts  
270 District Court Judges

# District Court Dispositions, FY 2007-08 to FY 2011-12



 Infractions	853,501	733,173	738,932	764,634	686,838
 Criminal, traffic	1,045,086	1,051,170	1,195,258	1,228,944	1,090,226
 Criminal, non-traffic	648,886	641,048	520,072	699,715	676,491
 Small Claims	266,882	262,071	242,128	252,874	227,925
 Civil	223,025	240,095	247,048	233,034	198,437
 Total Dispositions	3,037,380	2,927,557	2,943,438	3,179,201	2,879,917

# Superior Court

## Original Jurisdiction:

- All felony criminal cases
- Civil cases in excess of \$10,000
- Misdemeanor and infraction appeals from District Court
- Most administrative agency decisions

**297.8 FTE**

Superior Court Judges: 112 FTE

- includes 50 Senior Resident Superior Court Judges
- also includes 15 Special Superior Court Judges (appointed, not elected)

Trial Court Administrators: 10 FTE

Court Reporters: 78 FTE

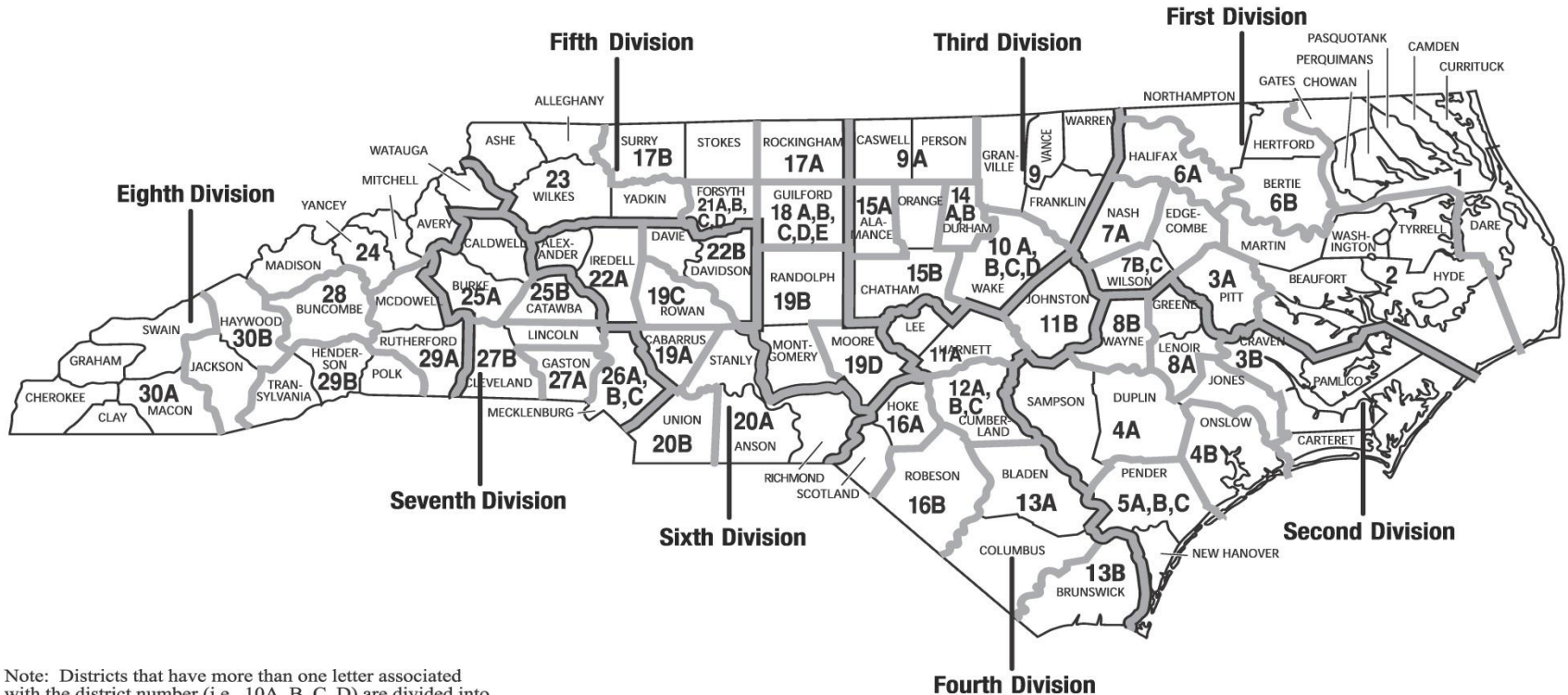
Other Staff: 97.8 FTE

- Includes Trial Court Coordinators and Judicial Assistants

Source: BEACON, January 30, 2013

# North Carolina Superior Court

## Effective January 15, 2009



Note: Districts that have more than one letter associated with the district number (i.e., 10A, B, C, D) are divided into separate districts for electoral purposes. For administrative purposes, they are combined into a single district.

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8 Superior Court Divisions  
50 Superior Court Districts  
112 Superior Court Judges

# Clerks of Superior Court

Original Jurisdiction: Estates, Special Proceedings  
(Clerk is Judge of Probate)

Responsible for:

- Administrative, clerical, and recordkeeping functions of District and Superior Court
- Collection and disbursement of court fees and fines.

**2,644.8 FTE**

Clerks of Superior Court: 100 FTE

Conference of Clerks: 1 FTE

Clerk Staff: 2,543.8 FTE

Source: BEACON, January 30, 2013



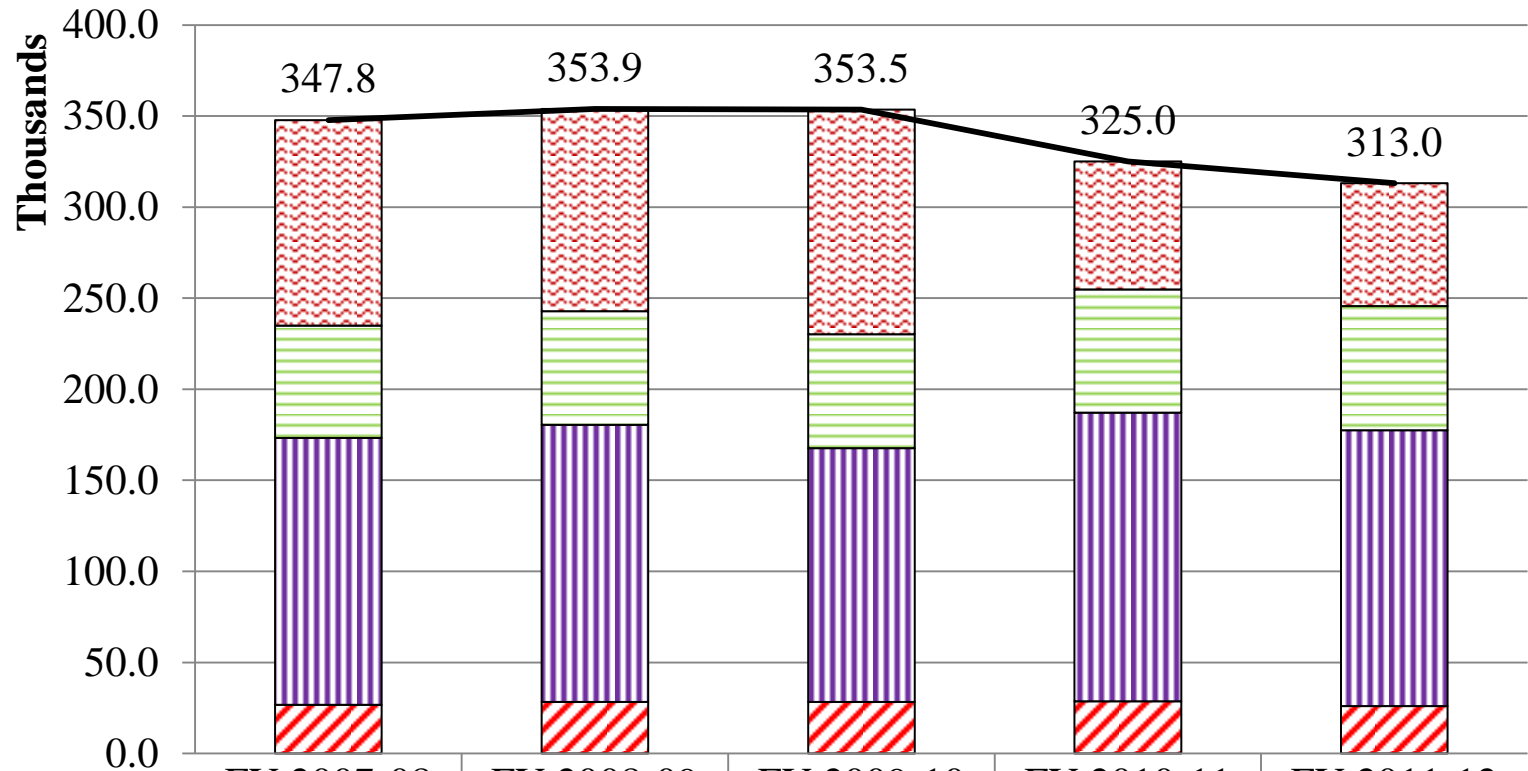
# Workload Formulas for Clerks of Court, FY 2012-13






	Authorized	Workload Estimate	Shortage
Clerks	2,646.3	2,847.4	(201.1)

- 25 counties need 2+ clerks
- Greatest need in:
  - Wake, 62.3 clerks needed
  - Mecklenburg, 61.5 clerks needed
  - Cumberland, 25 clerks needed

Source: AOC, as of July 1, 2012

# Superior Court Dispositions, FY 2007-08 to FY 2011-12



	Special Proceedings	112,866	111,101	123,219	70,305	67,462
	Estates	61,680	62,462	62,530	67,636	68,149
	All Criminal	146,437	152,005	139,410	158,337	151,498
	Civil	26,799	28,374	28,305	28,725	25,939
	Total	347,782	353,942	353,464	325,003	313,048



# DISTRICT ATTORNEYS

## \$96 M, 1,126 FTE

# District Attorneys

- All criminal and some juvenile matters
- Prosecute all criminal cases filed in Superior and District Courts
- Advise local law enforcement
- Prepare the criminal trial docket (“calendaring”)
- At least 4 full-time assistant district attorneys (ADAs) per district

**1,134.25 FTE**

District Attorneys: 45 FTE (includes 1 interim DA)

ADAs: 599 FTE

Victim-Witness Legal Assistants: 386.5 FTE

Investigators: 40.75 FTE

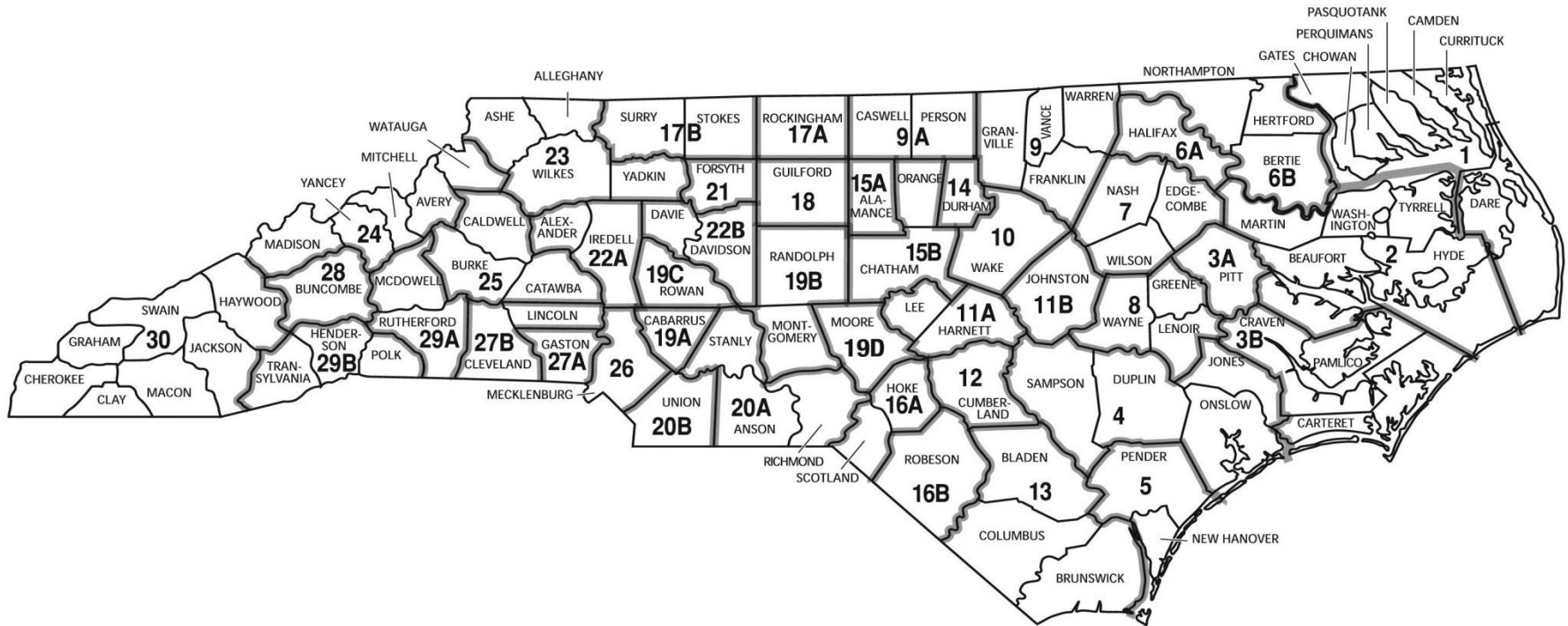
Conference of DAs: 3 FTE

Other (Administrative and Judicial Assistants): 60 FTE

Source: BEACON, January 30, 2013

# North Carolina Prosecutorial Districts

## Effective January 15, 2011



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44 Prosecutorial Districts

# Workload Formulas for DAs, FY 2012-13

	State-Funded	Grant-Funded*	Workload Estimate	Shortage
ADAs	639.0	50.0*	728.7	(39.7)
VWLAs	381.8	-	438.4	(56.6)
Other DA Staff	98.8	56.8*	102.8	+52.8
Total	1,119.6	106.8*	1,269.5	(43.1)

- Grant-funded DA staff are tentative
- Greatest need in:
  - Guilford, 21.5 staff needed
  - Wake, 10.3 staff needed

Source: AOC, as of July 1, 2012



*"And don't go whining to some higher court."*

# APPELLATE COURT

## \$13.5 M, 129 FTE



# Court of Appeals



- Civil and Juvenile Appeals from District Courts
- Appeals in non first-degree capital murder criminal cases from Superior Court
- State agency decisions

# Court of Appeals

- Chief Judge John Martin
- 14 Judges of the Court of Appeals
- 30 Research Assistants
- 15 Executive Assistants
- 10 in Court of Appeals Clerk's Office
- 13 Staff Attorneys
- **Total: 83 FTE**

Source: BEACON, January 30, 2013



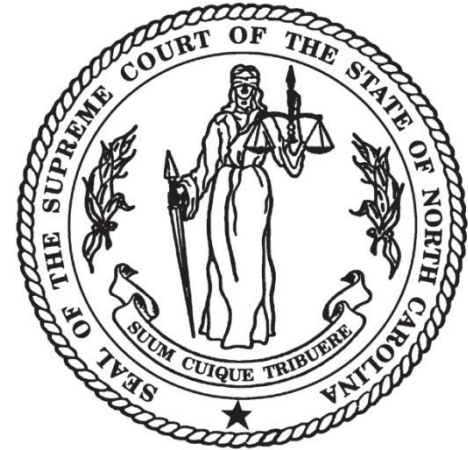
# Supreme Court



- Constitutional questions
- Cases in which the Court of Appeals has had dissent
- Cases of significant public interest
- Cases involving legal principles of major significance
- Appeals in first-degree capital murder cases in which the defendant has been sentenced to death
- Appeals or final orders in Utilities Commission general rate cases
- Redistricting cases

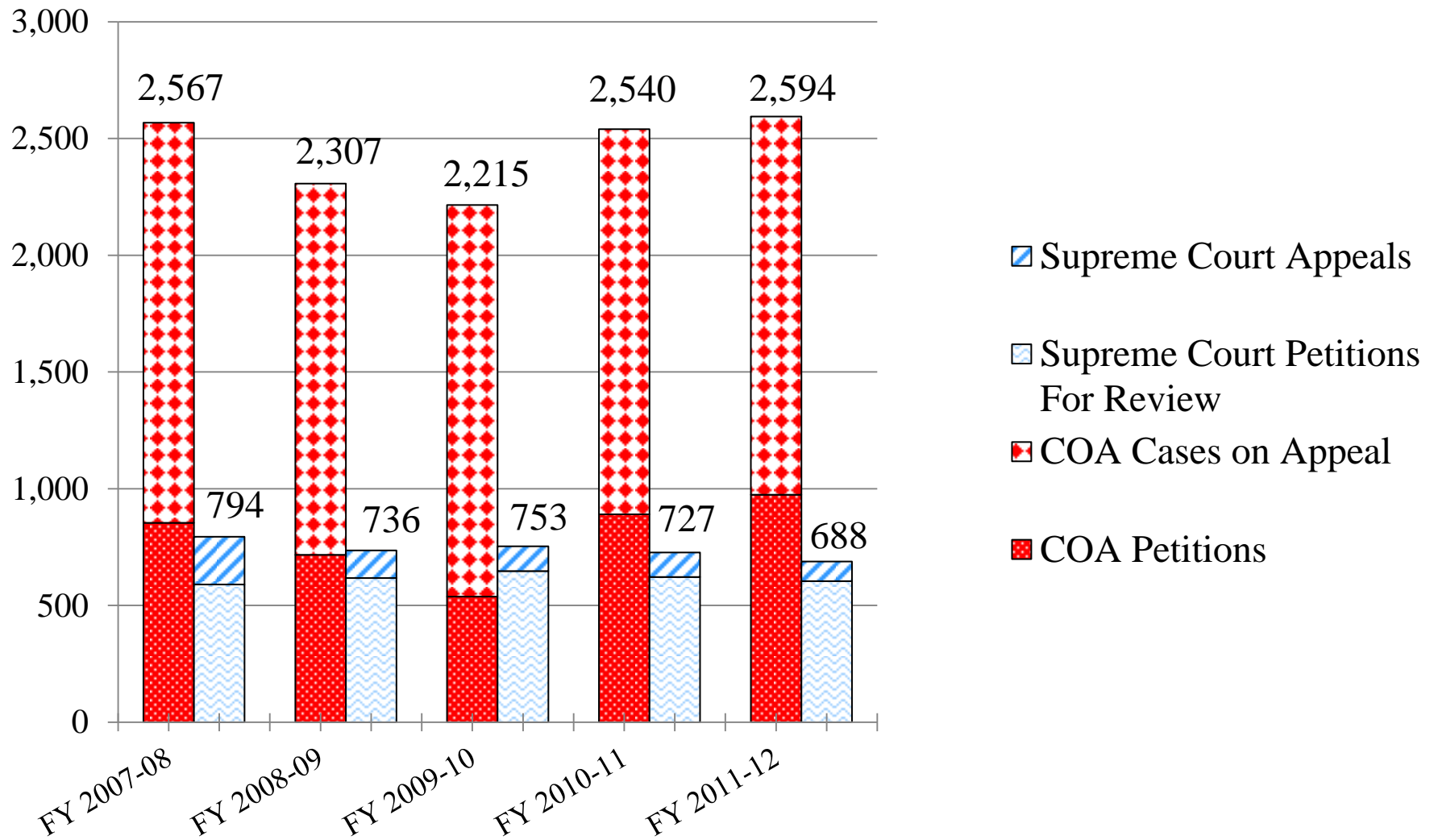
# Supreme Court

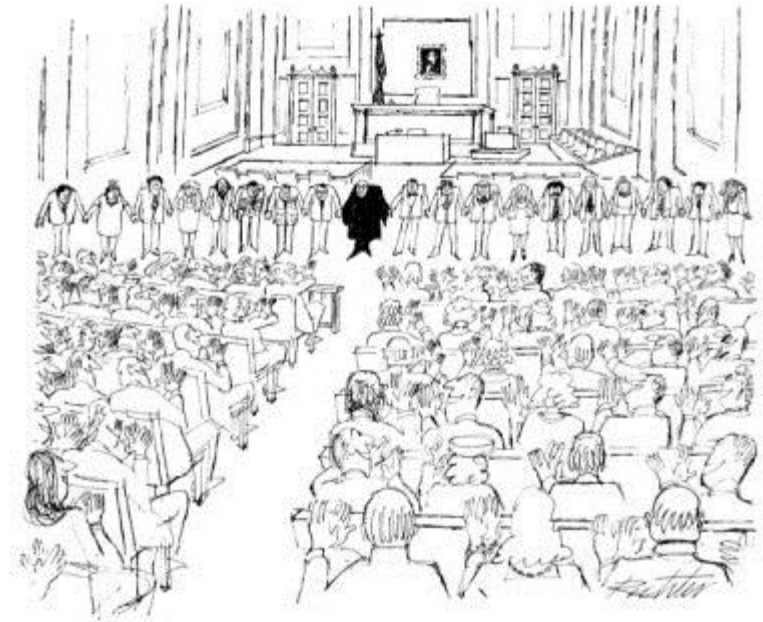
- Chief Justice Sarah Parker
- 6 Associate Justices
- 14 Research Assistants
- 7 Executive Assistants
- 12.25 in Supreme Court Clerk's Office
- 13 Other Staff (Reporters, Library, Other Staff)
- **Total: 53.25 FTE**



Source: BEACON, January 30, 2013

# Appellate Court Dispositions, FY 2007-08 to FY 2011-12

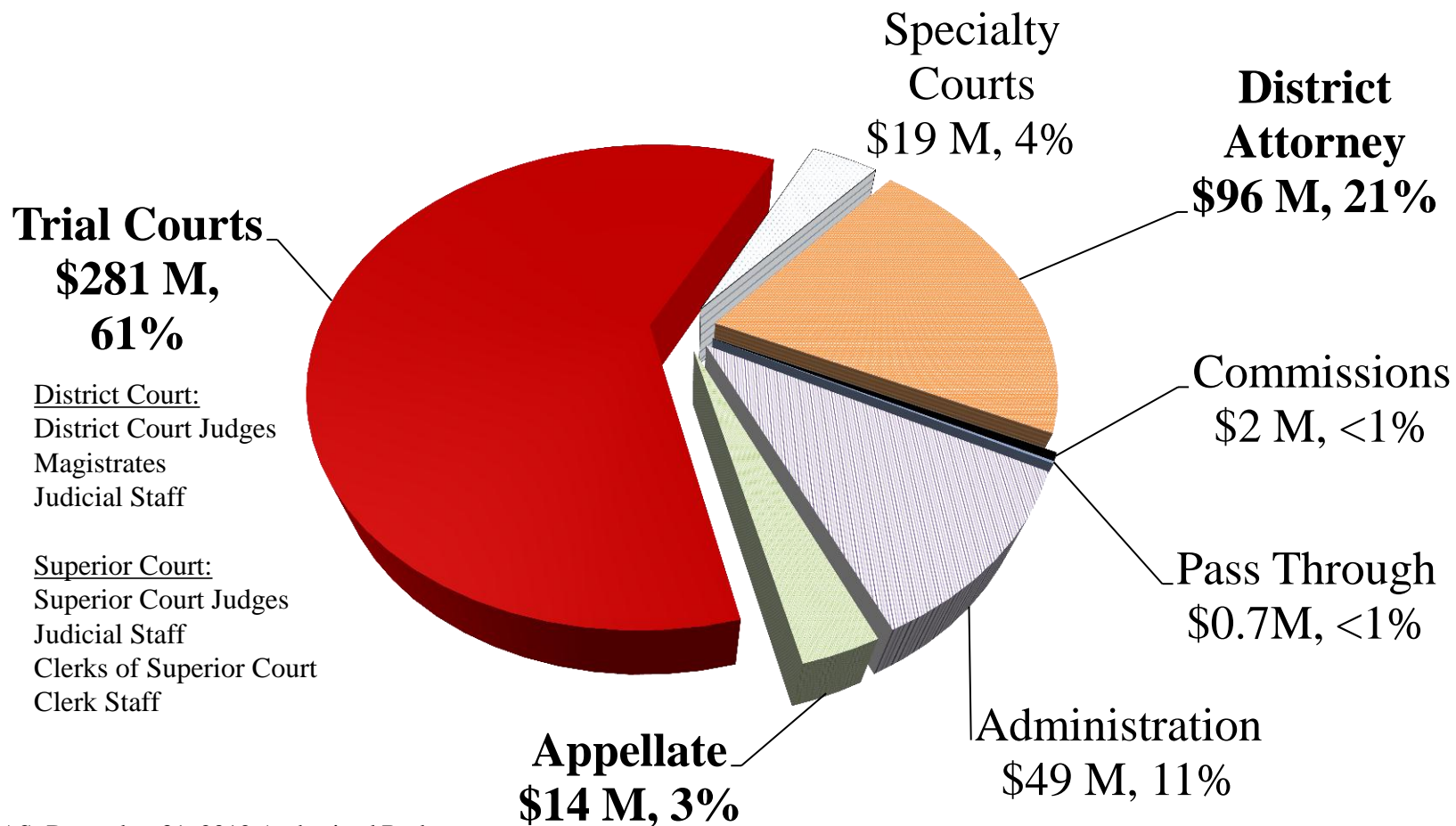




# AOC BUDGET



# AOC Budget FY 2012-13, Total: \$461 M

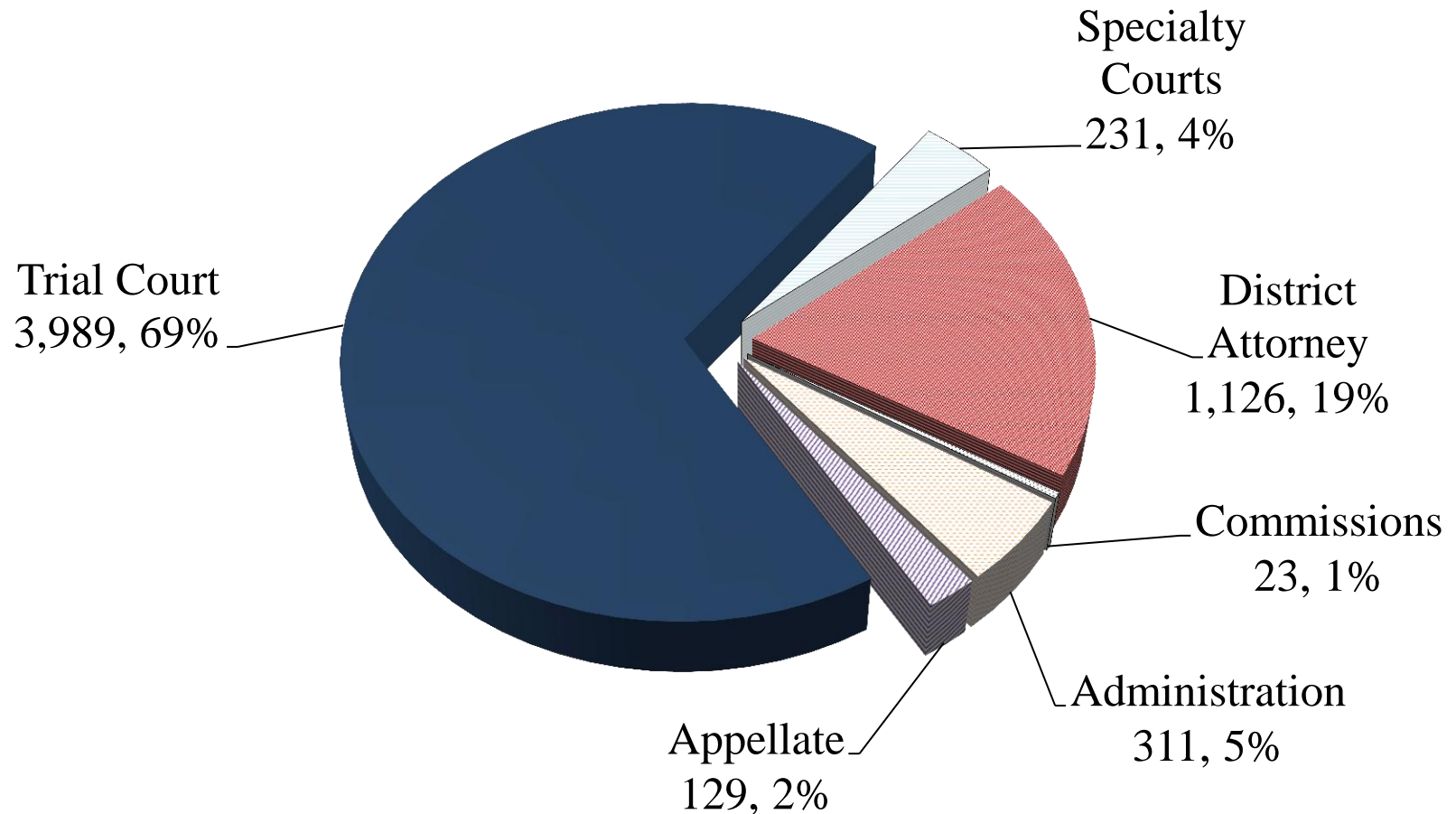


Source: NCAS, December 31, 2012 Authorized Budget



# AOC Personnel FY 2012-13

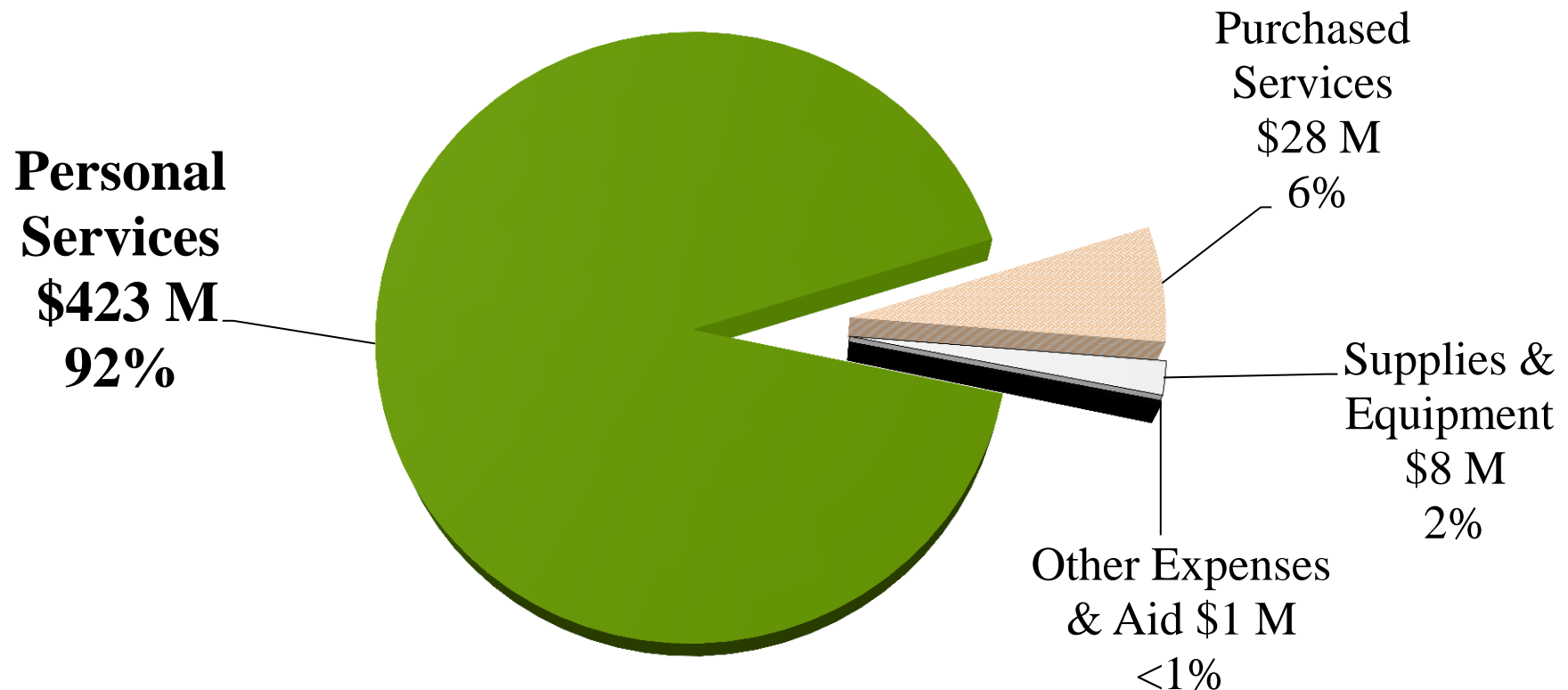
Total: 5,809 FTE



Source: NCAS, January 30, 2013 Authorized Budget

# Budget By Account

## Budget FY 2012-13, Total: \$461 M



Source: NCAS, December 31, 2012 Authorized Budget

# Key Issues

- ❑ AOC FY 2012-13 GF budget: \$461 million
- ❑ AOC administers:
  - Judges and Justices
  - Clerks
  - DAs
  - Magistrates
  - Court Staff
- ❑ Court Personnel determined by workload formulas developed by National Center of State Courts



*"Good morning, everybody. My name is Donald, and I'll be your judge today."*



# RECENT BUDGET ACTIONS

# Continuation Budget

(In Millions)	FY 2011-12 Actual	FY 2012-13 Certified	FY 2012-13 Authorized	FY 2013-14 Change*	FY 2013-14 Continuation	FY 2014-15 Continuation
Requirements	\$456.5	\$462.4	\$460.8	(\$0.9)	\$459.9	\$459.9
Less Receipts	(\$1.7)	(\$3.0)	(\$1.5)		(\$1.5)	(\$1.5)
Appropriation	\$454.8	\$459.3	\$459.3	(\$0.9)	<b>\$458.4</b>	<b>\$458.4</b>

Continuation Budget is:

- Recommended funding necessary to continue programs at the current level of services
- AOC's FY 2013-14 change is due to 42 magistrates cut in January 2013.

Source: OSBM Continuation Budget, March 13, 2013

# 2011 Session

1. VRIF 194.5 FTE:	(\$12.9 million)
2. Freeze Clerk & Magistrate Pay Plans:	(\$6.4 million)
3. Reduce Continuation Budget Increase:	(\$5.3 million)
4. Reduce DA Support Staff (55 FTE):	(\$2.6 million)
5. Reduce AOC Tech Services:	(\$4.9 million)
6. Eliminate Magistrates (61 FTE):	(\$1.7 million)
7. Eliminate Drug Treatment Court (32 FTE):	(\$2.0 million)
8. Eliminate Dispute Resolution:	(\$1.1 million)
9. Other (positions, pass-through):	(\$0.5 million)
10. Continuation Review of Family Court:	(\$2.9 million)

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TOTAL:	(\$40.4 million)
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# 2012 Session

- Management Flexibility Reserve: (\$5.0 million)
  - Restore Family Courts: \$2.9 million
  - Mortgage Settlement Funds: (\$200,000)
    - Reduce Conference of District Attorneys  
due to Mortgage Settlement Agreement
- 

TOTAL: (\$2.3 million)



# Governor's Recommendations

## Reductions:

- VRIF 62 FTE: (\$3.5 million)
- Cut Access to Civil Justice Pass-through: (\$0.7 million)
- End Funding for Conferences: (\$0.4 million)

## Expansions:

- Restore Drug Treatment Court (45 FTE): \$3.4 million
- Interpreters, Witnesses, Jury Fees: \$1.0 million
- Magistrates (16 FTE): \$0.7 million

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TOTAL: \$0.5 million



# QUESTIONS?

