

# Indiana Court Reform Study: A Survey of State Practices



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# Introduction

The term *unification* is often used to denote one or more types of court consolidation: centralized administration, rulemaking, unitary budgeting, state funding, and trial court consolidation (Langston & Cohen, 2007, p. 6). *Structural unification* is defined by “reducing multiplicity of courts, removing trial courts from local government, and making them part of a uniform statewide organizational structure.” *Budgetary unification* occurs by effecting “state level–financing of the trial court system and centralized judicial budgeting.” *Administrative unification* involves “centralized policymaking and planning (though not necessarily centralized management) and broader use of rule making power” (Steelman, 2002, pp. 3–4). It is not uncommon for states to adopt some of the reform elements, but not all. According to the U.S. Department of Justice, no state court meets all the criteria for total unification (Langston & Cohen, 2007, p. 6)

Indiana currently has 285 courts of general jurisdiction: 91 circuit courts<sup>1</sup>, 193 superior courts, and 1 probate court (St. Joseph County). Indiana has approximately 76 courts of limited jurisdiction: 75 city and town courts, and 1 small claims court (Marion County) (Indiana Courts website, 2009).

Recommendations regarding court unification in Indiana have been made periodically since the 1960s. These same issues have been studied in recent years by the Special Courts Committee of the Indiana Judicial Conference and the Indiana Commission on Local Government Reform. The common themes among these serial proposals include:

- Unification of the trial courts (albeit with some variation in the exact structure recommended);
- Establishment of presiding judges to manage local court operations within circuits or regional districts of circuits;
- Enhanced centralized administrative authority for the Supreme Court; and
- State funding of the trial court system.

To date, the Indiana General Assembly has adopted only incremental reforms, the latest being the conversion of the few remaining county courts to superior courts (Hoskins, 2008, p. 1). As the Special Courts Committee lamented, change occurs principally on an ad hoc basis without the guidance of a plan for the overall structure of the Indiana court system. As a result, the system of trial courts is complex relative to many other states (Lohorn, 2007). Indiana also remains one of a handful of states that continue to rely substantially on local funding for trial courts.<sup>2</sup>

Currently, the Strategic Planning Committee of the Indiana Judicial Center is working on a strategic plan for a unified trial court system with state funding. To support the latest reform effort, the Indiana Supreme Court, Division of State Court Administration made a request for research assistance in “investigating ways that would improve funding for and the efficiency of Indiana’s current disjointed, patchwork collection of [trial] courts by shifting the burden of funding from local property taxpayers to the state and thus providing equal access to justice across the entire court system.” The research request was divided into three segments: Why state funding for trial courts? (Segment A); How have other states done this? (Segment B); and How much will this cost? (Segment C). Larry DeBoer at Purdue University, the Center for Urban Policy and the Environment at Indiana University in collaboration with the IU School of Law–

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<sup>1</sup> In Indiana, circuits typically are defined as single counties, each with one circuit court judge. Ohio and Dearborn counties are in a “joint” circuit. They have one circuit judge between them. Each of the remaining counties is defined as an individual circuit.

<sup>2</sup> Data extrapolated from *The Handbook of Criminal Justice Administration in Tennessee’s Court System: Is Reform Needed?* (Morgan, p. 3) suggest that in 2004 Indiana remained one of ten states that were “substantially locally funded.” The other states identified as “substantially locally funded” were Georgia, Idaho, Mississippi, Montana, Nevada, South Carolina, Tennessee, Texas, and Washington.

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Indianapolis Program on Law and State Government, and H.J. Umbaugh were selected to complete the three segments, respectively.

The report that follows documents the research completed for Segment B. It provides a brief history of court reform in Indiana, as well as information from other states about topics related to a establishing a unified system of trial courts and transferring responsibility for the trial courts to state government, including:

- Governance structure;
- Roles of elected clerks and trial court administrators;
- Budget making processes;
- Security;
- Facilities ownership and management;
- Personnel management;
- Fee generation and allocation;
- Treatment of specialized courts and other functions; and
- Transition issues associated with reform.

# History of Court Reform in Indiana

For reference, a brief history of court reform efforts in Indiana since the 1960s is provided here (Table 1). Following review of the draft report, the Strategic Planning Committee requested additional information on the legislative proposals in the late 1980s and in 2002. Brief histories of the three bills are provided below as well.

**Table 1. A selected history of court reform in Indiana**

Year	Activity
1965	Indiana General Assembly authorized the first unified court, the St. Joseph Superior Court. To address increasing caseload, judges are added to a single court, rather than creating autonomous courts.
1966	The Judicial Study Commission made numerous recommendations, including that all Indiana courts be organized similar to the St. Joseph Superior Court.
1975	Unwilling to make the sweeping changes necessary for trial court unification, the Indiana General Assembly created county courts to eliminate justice of the peace courts and later city and town courts. The elimination of city and town courts was repealed prior to implementation.
1978	The Indiana Judges Association made recommendations regarding reform.
1981	The Monroe Superior and Circuit Courts became unified de facto when the local judges agreed to merge court budgets, probation departments, and scheduling and general administration. This arrangement was codified in statute in 1993 (IC 33-4-10-1, <i>et seq.</i> ).
1985-1986	The Indiana Judges Association produced two proposals for reform.
1987	The Indiana Judges Association was able to convince the Indiana General Assembly to create the Commission on Trial Courts to study potential reforms. Specifically, SB 18 (Public Law 300) directed the Commission on Trial Courts to “examine the structure of Indiana’s Trial Court System and determine whether this structure needs to be reorganized.”
1987-1988	The Commission on Trial Courts carried out its legislative charge and issued recommendations for reform in late 1988.
1989	Based on the recommendations of the Commission on Trial Courts, legislation (SB 12) was introduced. The bill passed the Senate Judiciary Committee and was recommitted to the Senate Finance Committee, where it did not receive a hearing.
1990	SB 60, including many of the provisions from SB 12 (1989), was introduced. The bill was again assigned to the Senate Judiciary Committee, but did not pass. It is unclear whether the committee heard the bill.
2002	HB 1103, a tax relief bill, was introduced, calling for the unification of the court system and state funding. The bill was heard in the House Ways and Means Committee but did not move forward.
2007	The Indiana Commission on Local Government Reform recommended transferring the responsibility for all funding of the state’s trial court system to the state, including public defenders and probation.
2006-2007	The Special Courts Committee of the Judicial Conference of Indiana was charged specifically by the chief justice with a review of logistical issues that would be associated with the transition of city and town courts to courts of record. The resulting review included a more comprehensive analysis of the structure of the court system.
2009	The Floyd County Court and Madison County Court, the last remaining county courts, converted to superior courts on January 1, 2009. The Floyd County Court was abolished in the 2007 budget bill (HB 1001; PL 234). The Madison County Court was abolished by HB 1098 2008 (PL 127).
2008-2010	The Strategic Planning Committee of the Indiana Judicial Center prepares a strategic plan for a unified trial court system and state funding.

Sources: See Selected Bibliography

## *SB 12 (1989)*

Senator Edward Pease (R) introduced SB 12 (1989). The legislative proposal was the result of research and hearings conducted by the Commission on Trial Courts, chaired by Senator Pease in 1987–1988. The bill sought to address complaints about requests for new superior courts across the state without a “state master plan of court development,” unequal tax resources across counties, and a deepening general revenue crisis in counties.

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SB 12 (1989) contained the following provisions:

- Organization:
  - All trial courts of record merge into 92 circuit courts with 275 circuit judges
  - Superior, county, probate, and municipal courts are abolished
  - Circuit courts are responsible for small claims, minor offenses and violations, criminal, juvenile, civil, and probate matters
  - Each court establishes rules for the assignment of judges
  - Each county has unified administration. The presiding judge, elected by the judges in the circuit, is responsible for ensuring that the court operates efficiently and for submitting a budget for the court to the state court administrator
  - Each circuit adopts rules for the administration of caseload allocation, legal representation of indigents, budgetary matters, operation of the probation department, term of the presiding judge, employment of court personnel and cooperative efforts among circuit courts for establishing and administering shared program and facilities
- Finance:
  - Most remaining expenditures for courts become a state responsibility
  - Court fees move to the state, except for document fees, support and maintenance fees, and revenues from the prosecuting attorney's pretrial diversion fund
  - State court administration is established as the fiscal officer for all state courts
  - Supreme court is required to submit a statewide budget request to the General Assembly. Budget requests would originate with the circuit courts and be provided to the state court administrator for review and consolidation.
  - Local court personnel become state employees with salary schedule and benefits fixed by the supreme court
  - State funding covers local probation and public defender services
  - Counties are compensated under negotiated lease arrangements for the provision and maintenance of local court facilities
  - The state purchases from counties personal property used by the courts
- Judicial Selection:
  - The methods for selecting judges are left the same as they existed prior to the bill.
- Judicial and Staff Salaries:
  - Trial and appellate judges receive significant salary increases
  - Later salary increases for judges and staff are governed by a classification system established by the supreme court
- Other:
  - Assignment of retired judges is available to address caseload
  - A number of other features also were included

The fiscal impact, including the need for new state funds and expected local savings were estimated to be:

- New State Funds Needed:
  - FY 1990 - \$30.4M
  - FY 1991 - \$66.1M
- Expected Local Savings
  - FY 1990 - \$68.6M
  - FY 1991 - \$78.4M

Reports indicate that the session was rather contentious generally. House leadership was shared during the session as the result of 50-50 Republican-Democrat membership. The partisan split in the Senate also was quite even with 26 Republicans and 24 Democrats.

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The bill passed the Senate Judiciary Committee, chaired by Senator Pease, but failed to receive a hearing when recommitted to the Senate Finance Committee, chaired by Senator Borst. According to *Res Gestae*, “scant attention was given a plan for sweeping trial court restructuring with leaders placing spending priorities on education and social issues” (*Res Gestae*, 1989, p. 592). Two specific provisions were amended into other bills. HB 1388 (1989) allowed the use of retired judges as senior judges appointed by the Supreme Court in Vanderburgh County only. HB 1688 (1989) raised salaries for judges, prosecuting attorneys, and magistrates. These two bills became law (*Res Gestae*, 1989, p. 592).

### *SB 60 (1990)*

Senator Edward Pease introduced SB 60 (1990). The bill contained similar structural reforms for the trial courts as were introduced in SB 12 (1989), but excluded any provisions for state funding, for the Marion County Municipal Court, and for city and town courts.

The major provisions of the bill were:

- Establish all trial courts of record as courts of general jurisdiction. Upgrade county courts to superior courts with jurisdiction equal to current circuit and superior courts
- Create unified court administration at the county level
- Judges within each circuit court would select a presiding judge
- Each unified court adopts rules governing operations, covering caseload allocation, budget, terms of the presiding judge, and employment and management of personnel
- Allow judges to opt out of unification by notifying the state court administrator

Despite Senator Pease’s role as Senate Judiciary Committee chair, SB 60 (1990) did not pass the Senate Judiciary Committee. It is unclear whether it got a hearing. Review of Senate Journals indicates that a substantial number of additional bills were considered by the committee during the legislative session.

Portions of the court reform bill were amended into SB 324 (1990). The bill provided for the unification of the Monroe County trial courts, reinforcing unification efforts already in place there. The details included the following:

- All circuit and superior court judges are now circuit judges
- All judges continue to be selected by partisan election
- The seats are designated by number
- The judges select a presiding judge from among themselves
- Docket assignments and caseload allocations are conducted according to rules adopted by the unified court

SB 324 (1990) also created a system of senior judges that could be assigned by the Supreme Court to any circuit or superior court. The details of the provision included the following:

- Senior judges exercise jurisdiction within the courts they serve
- Compensation was set at \$50 a day
- Senior judges were limited to no more than 100 days during a calendar year

SB 324 (1990) passed the Senate initially 44-5. The House passed an amended version of the bill 99-0. The bill went to conference committee and was signed by all conferees. The Senate approved the conference report 43-4. The amended bill became law (Public Law 40).

### *HB 1003 (2002)*

Representatives Chet Dobis (D) and David Wolkins (R) introduced HB 1003 (2002), a sweeping fiscal reform and property tax reduction package known as the 21st Century Tax Plan. The bill proposed to move the funding of child welfare, indigent health care, trial courts, and general fund school expenditures

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to the state. The impetus for the bill seems to have come from discussion regarding the reduction of property taxes, rather than a court reform agenda. According to Tim Tyler, staff attorney of the Legislative Services Agency, this proposal was not considered by the Commission on Courts in the year(s) preceding its introduction.

More specifically, the bill proposed transferring certain trial court costs, as well as revenues, to the state. The lists below show the particular expenditures that were proposed to become the responsibility of the state and the expenditures that would remain as local responsibilities.

- State Fiscal Responsibilities:
  - Items associated with the daily operation of the courts
  - Salaries of other judicial officers (court commissioners and referees), court reporters, bailiffs, jury commissioners, court administrators and staff, secretaries, law clerks, court clerks and other employees, and probation officers
  - Additional fringe benefits and health insurance for full-time court employees
  - Fringe benefits for part-time court employees
  - Per diem costs for reporters and bailiffs for cases venued in and out
  - Per diem fees for grand jurors
  - Per diem fees for petit jurors
  - Fees for witnesses providing medical and psychiatric testimony
  - Pro tem payments to judges
  - Other non-salary expenses, supplies, rentals, lodging, and meals for jurors
  - Other services and charges
  - Other capital outlays
- Local Fiscal Responsibilities:
  - County supplements for judicial salaries
  - Guardian ad litem and court-appointed special advocates
  - Criminal defense for indigent defendants
  - Law books
  - Operating expenses for juvenile detention facilities

The bill also proposed that certain revenues be deposited in the state general fund rather than in local coffers. The proposed split in revenues is shown below.

- Revenues to State General Fund:
  - Excise Taxes (Motor Vehicle, Commercial Vehicle, Boat, and Aircraft) and Financial Institutions Tax payments attributable to levies for court expenditures listed above
  - Court costs fee
  - Adult probation user fees
  - Juvenile probation user fee
  - Jury fees
  - Other fees
- Counties would have a reduced authority to tax property for the portions of the operations of the courts assumed by state
- Fees Retained by Counties:
  - Support fees
  - Guardian ad litem fees
  - Supplemental public defender fee
  - User fees
  - County drug free community fees
  - Various other fees

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The fiscal analysis that accompanied the introduced bill indicated that the cost of expenditures to be assumed by the state was as follows:

- FY 2003 - \$69.2M
- FY 2004 - \$140.4M
- FY 2005 - \$144.2M

The bill was heard in the House Ways and Means Committee, chaired by Representative B. Patrick Bauer, but did not move forward.

## Conclusions

Unfortunately, no definitive answer exists as to why specific pieces of legislation have not been successful. The brief research regarding the development of recommendations for reform and the resulting legislation, suggests at least three potential dynamics that may have contributed to the failure to adopt or pass reforms. One likely component is the large fiscal impact of moving the trial courts to state funding. In both 1989 and 2003, the bills were stopped in the Senate Finance Committee and the House Ways and Means Committee, respectively. A second component may have been the failure to communicate adequately the need for reforms to state legislators, local officials, and citizens outside the trial court system. The opinion survey conducted as part of the work completed by the Commission on Trial Courts suggests that at the time “many public officials and attorneys have quite different views of the trial courts ...from the views of judges and prosecutors—presumably people who operate on a regular basis in Indiana’s trial court system” (Vargus & Lengacher,1988). The researchers also noted that they were notified by a significant number of public officials (county commissioners, county auditors, etc.) that they did not know enough about the court system to provide valid answers on the survey. In their analysis, they suggested that a lack of shared terminology across the groups surveyed may have affected the survey results. These same issues could affect the ability of these groups to reach consensus on reforms today. A third component may rest in recommendations that were not differentiated enough to accommodate varied geography or other circumstances. As indicated above, Vargus and Lengacher have suggested that there was a disconnection between the opinions of those who work inside the court system and those who are more removed. Similarly different views existed for respondents from large, metropolitan counties and the remaining counties.

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# Research Methodology

For this study, states were identified for potential analysis based on evidence of various elements typically identified as unification, including states that provide a significant proportion of the funding for principal trial courts, states that have unified the administration of the state judicial system or the administration of the trial courts system, or states in which reform has occurred to move to state funding or a unified system of administration. The selection criteria were purposefully broad to allow the capture of the range of structural and administrative options.

This review was completed generally by reviewing states identified by the National Center for State Courts (NCSC) in correspondence with the Supreme Court Division of State Court Administration as having significant state funding or as having accomplished reform, studies completed by NCSC, 2004 Department of Justice data on the mix of funding sources for state trial courts, and other miscellaneous resources. For the purpose of selecting states to consider in the initial phase of research, the criterion excluded the funding of municipal and other specialized courts. Initial scans of court data suggested that a number of states had undertaken some form of trial court consolidation and retained municipal courts. For this reason, the absence of state funding for municipal courts was not considered in selecting state for consideration. This should not suggest that it is ill advised to consider municipal courts as part of an overall trial court reform effort, municipal court funding simply was not included as a criterion for the initial selection of states.

This exercise yielded the following 32 states (Group 1):

- Alabama
- Alaska
- Arkansas
- California
- Colorado
- Connecticut
- Delaware
- Florida
- Hawaii
- Idaho
- Illinois
- Iowa
- Kansas
- Kentucky
- Maine
- Maryland
- Massachusetts
- Minnesota
- Mississippi
- Montana
- New Hampshire
- New Jersey
- New Mexico
- New York
- North Carolina
- North Dakota
- Oregon
- Rhode Island
- South Dakota
- Utah
- Vermont
- Wisconsin

Complete data were not available for each of the criterion used in this initial analysis. As such, this list of states should not be interpreted as a comprehensive list of states that meet one or more of the selection criteria.

## Phase 1 Research

The first phase of research involved collecting basic information about each selected state trial court system, including information on the following issues:

- Date and details of reform
- Trial court structure
- System elements funded at the state and local levels
- Governance structure for the trial court system
  - Administrative head of the courts
  - Policymaking bodies
  - Advisory bodies

- Use of an intermediate management structure, such as districts/regions or presiding judges
- Roles for local court administrators and clerks
- Initial information about budget making
- Initial information about the structure of personnel policies
- Initial information about judicial case assignments

The research team collected data on these issues for the states listed below (Group 2). Project resources did not allow analysis of all Group 1 states. The research team selected states, in part, to provide information on a range of structural and administrative options.

- |              |             |                  |
|--------------|-------------|------------------|
| ● Alabama    | ● Illinois  | ● North Carolina |
| ● Alaska     | ● Iowa      | ● North Dakota   |
| ● California | ● Kentucky  | ● Oregon         |
| ● Colorado   | ● Minnesota | ● Utah           |
| ● Delaware   | ● Montana   | ● Wisconsin      |
| ● Florida    | ● New York  |                  |

These data were collected principally through a review of state constitutions, statutes, and court rules, as well as descriptive pieces available on state court websites and in other literature. Research staff contacted state administrative offices of the courts when the information was not clear from the initial review. The specific data collected for each state is provided in Appendix A.<sup>3</sup>

Following the presentation of research to date in January 2009, the Division of State Court Administration requested supplemental information for a subset of states about the following issues:

- Selection of members of the administrative decisionmaking body
- Term lengths
- Role of chief justice in voting

Research was completed for the nine states (Group 3) listed below:

- |            |                  |             |
|------------|------------------|-------------|
| ● Alabama  | ● Kentucky       | ● Oregon    |
| ● Colorado | ● Minnesota      | ● Utah      |
| ● Iowa     | ● North Carolina | ● Wisconsin |

These states, except Utah, were selected from the previous list because they have populations similar to Indiana or represent each type of decisionmaking body. With the exception of Minnesota, these states have established the Supreme Court or the Chief Justice as the administrative decisionmaking body. Minnesota has established a judicial council as the administrative decisionmaking body. Utah was added to the analysis to include an additional state that has established a judicial council as the decisionmaking body.

These data also were collected by reviewing state constitutions, statutes, and court rules. Additional contact with state administrative offices often was necessary to determine whether the chief justice votes in establishing budget proposals or in establishing administrative policies and rules.

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<sup>3</sup> Kentucky and Illinois, two states contiguous to Indiana, were included in the first phase of research. During the review of the draft report, a question was raised about the status of reform in Ohio and Michigan, the two additional states contiguous to Indiana. Some cursory research was done to establish whether reform had or had not occurred in these two states. This cursory (and incomplete) analysis appears in Appendix B.

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## Phase 2 Research

The second phase of research involved collecting details on a variety of administrative issues, including:

- Budget making processes
- Security
- Facilities management
- Personnel management
- Fee generation and allocation
- Court programs
- The roles of clerks of court and court administrators
- Any transition issues associated with reform

The principal source of information in this phase was surveys completed by the state offices of court administration in the Group 2 states. Surveys were sent to all Group 2 states except for California and Utah. The questionnaire is provided in Appendix C.<sup>4</sup>

Eight states (53 percent) completed all or part of the questionnaire (Group 4).

- Delaware
- Florida
- Illinois
- Iowa
- Kentucky
- Minnesota
- New York
- North Dakota

Survey responses by state are provided in Appendix D. Survey responses have been supplemented with published data and analyses when available. Also, to the extent available, relevant information collected in previous phase of research also was used.

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<sup>4</sup> Respondents were asked to identify the structure or details of their state system. They were not asked specifically to critique the effectiveness of various administrative and structural arrangements.

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# State Research

The results of our research are provided below. Each research question has a corresponding sub-heading listed with the corresponding data tables. A summary of the appropriate data appears under each heading. All data tables are presented in the next section of the report. Data collected for specific state appears in Appendices A and D.

As mentioned, some results include information collected directly by the research team in phases 1 and 2 of the research, as well as information available about those issues in external literature or studies. To provide clarity about the states being referenced in the discussion below, we have designated the 32 states identified initially as having some element of reform as Group 1 states. The 17 states included in the Phase 1 research are designated as Group 2 states, and the subset of 9 states selected for supplemental Phase 1 research as Group 3. The 8 states that responded during Phase 2 are referred to as Group 4 states.

## Reforms (Table 2)

Nationally, the trend toward unification began with Roscoe Pound's *Principles and Outline of a Modern Unified Court Organization* published in 1940. Among Group 2 states, the first reform activity occurred approximately two decades later and has continued to today. Alaska adopted a unified court system upon statehood in 1959. Wisconsin also began its incremental march toward unification around this time. Most of the Group 2 states underwent some organizational change in the 1970s following the adoption of new state statutes, state constitutional amendments, or both. A handful of states implemented or completed reforms during the 1980s and 1990s. The most recent efforts include the state assumption of funding for district courts in Montana in 2001, and funding and structural reform in Florida in 2004. California adopted legislation to transfer the ownership and management of trial court facilities to the state in 2002. Minnesota completed unification with the assumption by the state of administrative and financial responsibility for the district (trial) courts in phases between 1990 and 2005.<sup>5</sup>

This compilation indicates that some states experienced court reform in two or more distinct phases, particularly when the unification of state funding happened at a different time than structural administrative changes. For example, Oregon unified its funding in 1983, but did not abolish its district courts until 1995. Wisconsin provides another example of phased recalibration of its system, with court reform beginning in 1959, increased unification throughout the 1960s, and setting the new system in the state constitution in 1977.

The details of reform, of course, vary significantly across states. The information available about how and when states accomplished reform is incomplete, but shows that reforms typically included at least two of the elements associated with unification: the unification of trial courts, consolidation of trial court administration, and/or a movement to state funding. In at least 12 of the Group 2 states reforms included the unification of trial courts and/or the consolidation of administration under state authority. Reforms included state funding for trial courts in at least 12 states.

## Structure of Trial Courts (Table 3)

Most, if not all, of the Group 2 states have gone through some consolidation or simplification of the system of trial courts. Four states (California, Illinois, Iowa, and Minnesota) have consolidated to one level of trial court with general jurisdiction. Four additional states (Alaska, Florida, Kentucky, and North Carolina) have consolidated to two types of courts, one of general jurisdiction and one of limited jurisdiction. Two states (North Dakota and Wisconsin) have consolidated leaving one set of courts of general jurisdiction and municipal courts. The remaining seven states (Alabama, Colorado, Delaware,

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<sup>5</sup> In Minnesota, reform began in 1972. The reforms listed here reflect only the passage of the most recent elements.

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Montana, New York, Oregon, and Utah) have more than two types of trial courts, some because they have created separate specialized courts or continue to have a number of types of lower level courts of limited jurisdiction. Four of these states (Alabama, Colorado, Montana, and Oregon) have municipal courts

## **Funding (Tables 4, 5, and 6)**

In a majority of Group 2 states, there is evidence that 85 percent or more of the cost of the state’s trial courts of general jurisdiction is provided by non-local sources. This funding includes state appropriations, dedicated fees,<sup>6</sup> federal appropriations, and grants (Table 4). The bulk of the funding in these cases is state funding. In a few cases, reforms have occurred to consolidate the trial courts and their administration, but local governments retain significant funding responsibilities. These states include Florida, Illinois, and Wisconsin. Florida has worked to establish state funding for trial courts, but has had to retrench somewhat because of state budget realities.

Regarding funding specific court elements, judicial and administrative salaries and administrative costs are usually assumed by the state government as a part of the state’s annual or biennial budget as set by each legislature (Tables 5 and 6). Often, funding of the local court facilities remain beyond the scope of state responsibilities in even the most unified systems or are shared between the state and local governments. One possible explanation is that trial courts and judicial chambers often are co-located with other local government operations. Some Group 2 states have unified funding of information and technology (IT) resources; in other states IT budgets remain funded by the local governments or is a shared budget item. In cases when clerks are elected at the county level, they generally are supported with local funding. Research indicates that many courts remained outside state unification efforts because of their unique roles separate from trial courts of general jurisdiction or prominence in one or a few localities in a state rather than being “statewide” courts. For example, municipal courts, drug courts, probation services, and social services (drug and alcohol programs) seemed, by and large, to be funded at the local level.

## **Governance and Administrative Structure**

### **Administrative head of the judiciary (Table 7)**

In all Group 2 states, the chief justice is designated as the administrative head of the judiciary. The breadth of those administrative responsibilities varies somewhat across states, in part, by the specific constitutional or statutory powers and roles given other officials or bodies.

### **Policymaking/rulemaking body (Table 7)**

A large majority (13 of 17) of Group 2 states establish the supreme court as the administrative policymaking body. In Kentucky and Oregon, the chief justice is vested with this authority. In California, Minnesota, and Utah, a judicial council, with broad-based membership from the judiciary sets administrative policy.<sup>7</sup> In a few states, commissions or committees have selective decisionmaking or advisory roles over particular issues. For example, in North Dakota the Personnel Policy Board reviews changes in the personnel policies for the court system.

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<sup>6</sup>We were unable to identify from secondary sources the relative amount of funding derived from dedicated fees. In Table 4, few specific activities are identified as being funded by dedicated fees so we expect that the relative amount is small. The U.S. Department of Justice does not track specifically court fees that are deposited in state or local general fund accounts. Activities funded by state and local general fund accounts are identified as such regardless of the specific source of the general revenue.

<sup>7</sup> One potential benefit of a judicial council may be that it includes directly a number of judicial perspectives (and in a few cases perspectives from other stakeholders within the judicial system). Other states often include various perspectives in policymaking through the establishment of advisory bodies.

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### *Selection of members of decisionmaking body (Table 7)*

In Group 3 states in which the supreme court functions as the administrative rulemaking body, members are either elected or appointed with retention elections. In Alabama, North Carolina, and Wisconsin, supreme court justices are selected by voters in statewide elections. In Alabama and North Carolina, the chief justice is elected directly by voters. In Wisconsin, the chief justice is the longest serving justice. In Colorado and Iowa, the supreme court is appointed by a nominating committee and the chief justice, respectively. Justices are then subject to retention elections. In both cases, the chief justice is selected by the membership of the supreme court.

In Kentucky and Oregon, the chief justice sets administrative regulations. In Kentucky, justices are elected by the voters of each appellate district. The chief justice is selected by the membership of the supreme court. In Oregon, the chief justice is elected directly by the voters, as are the remaining justices.

In Minnesota and Utah, the judicial council sets most administrative policies. In Minnesota, the council membership includes voting and non-voting members. The voting members of the judicial council include: the chief justice; an associate justice of the supreme court appointed by the chief justice; the chief judge of the appellate court; the chief judges of the judicial districts, the president of the Minnesota District Judges Association; and five at-large judges, appointed by the chief justice and three of whom must be trial court judges. The non-voting members include: the state court administrator; three judicial district administrators, chosen by the district administrators; one court administrator, chosen by court administrators; and one at-large member appointed by the chief justice from within the judicial branch. In Utah, the chief justice, who is selected by the membership of the supreme court, chairs the judicial council. The remaining membership of the council includes: one member elected by the justices of the supreme court; one member elected by the judges of the court of appeals; five members elected by the judges of the district courts; two members elected by the judges of the juvenile courts; three members elected by the justice court judges; and a member or ex officio member of the Board of Commissioners of the Utah State Bar.

### *Term lengths (Table 7)*

The terms of justices and chief justices vary across Group 3 states from four to ten years. Typically, the regular terms of chief justices and the remaining justices are the same length. In Kentucky, however, terms for justices are eight years, whereas the term of the chief justice is four years. In Utah, the terms for members of the judicial council are three years. In Minnesota, the chief justice, chief appellate judge, chief judges of the judicial districts, president of the Minnesota District Judges Association, and the state court administrator serve terms concurrent with their terms of office. Other members' terms are set at three years.

### *Voting – chief justice (Table 7)*

Among Group 3 states, the chief justice typically has direct rulemaking authority or votes on administrative matters as part of the supreme court except in Minnesota and Utah. In Minnesota, the chief justice chairs the judicial council as a voting member. In Utah, the chief justice also chairs the judicial council but only votes in the case of a tie.

### **Role of other bodies in administration (Table 7)**

Almost all Group 2 states use formal or informal committees or bodies to study and make recommendations to court policymakers, and in some cases to establish policies or rules. At least seven states have created general judicial councils that advise policymakers on the administration of justice in a broad sense, including administrative policy. This is in addition to the councils that are vested with direct policymaking authority. A few states have commissions that provide recommendations specifically on administrative policy across the state system of courts. States also establish committees specifically for the

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administration of trial courts. Montana has, for example, the District Court Council that implements and administers the district court program. Still others cover particular elements of administration (e.g., personnel policy and budgeting). In some cases, these bodies have formal policymaking authority. They must approve a particular policy before the policymaking body may act upon them.

### **Role of the administrative offices of the courts (Tables 8, 9, and 10)**

Among Group 1 states, all have administrative directors that lead offices of court administration. Half of these positions are established by statute alone (Table 8). In other cases, the authority comes from the state constitution, rule, or a combination of two or more sources. The director is typically appointed by the chief justice or by the supreme court. In one case, appointment is made by the judicial council. All directors serve at the pleasure of the appointing body (Steelman & Scove, 2007, p. 1-3).

The number of state administrative staff dedicated to administering the respective state systems varies widely (Table 9). It has not been possible to establish the growth in administrative staff as the result of different types of reform, in part, because most reforms are decades old.

The responsibilities assigned to administrative offices of the courts regarding trial courts vary by state (Tables 9 and 10). New York, Colorado, Kentucky, North Carolina, and North Dakota reported having complete responsibility for 15 or more activities. Nine states and eight states, respectively, reported having complete responsibility for budget preparations and human resources. Accounting, human resources, information technology staff, judicial education, legislative liaison, public information, purchasing, research and planning, and technical assistance were identified most often as complete responsibilities of the state office or shared responsibilities with local courts. Ten or more states reported technical assistance, research and planning, information technology staff, judicial education, public information, and legislative liaison were reported by as the total responsibility of the state office.

### **Use of intermediate management structures (Tables 11 and 12)**

The arrangement of districts or circuits, courts, and judges varies across states. In some cases, courts are established based on geographic districts, with multiple judges to accommodate variations in population. In other cases, districts (or circuits) are a collection of courts. In many cases, counties serve as the building blocks for both arrangements.

All Group 2 states studied use presiding or chief judges to manage multi-court or multi-judge districts or circuits. In single judge districts or circuits, that judge serves as the presiding or chief judge. This practice is virtually universal across states (Steelman, 2002, p. 8). In three of the states in this study—Alabama, Alaska, and Florida—the presiding judge manages the principal courts of general and limited jurisdiction. In the other states, where there exist principal courts of both general and limited jurisdiction, there are separate management structures. Kentucky has a unique structure of regions that overlays the regular system of chief judges. Chief regional judges are responsible only for assigning special judges in cases of conflict or vacancies.<sup>8</sup>

Steelman identifies a number of important details in structuring the positions of chief or presiding judges, including the method of selection, compensation, and duration of service (2002, pp. 8-9). In some cases, presiding or chief judges are elected by the other judges in the district or circuit. In other cases, they are appointed by the chief justice. They are not typically selected by seniority, as in the federal district courts; in some states, statutes or rules specifically prohibit the consideration of seniority or rotation in selection (pp. 8-9). This was borne out in the information collected and/or examined for this study. In 1998, terms for administrative judges across states typically were two or more years (Rottman, Flango, Cantrell,

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<sup>8</sup> Venue rests at the county in Kentucky. Special judges conduct court in the county of venue.

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Hansen, & LaFountain, 2000, pp. 34-49). These specific data were not collected as part of this study or by the Department of Justice in 2004.

In 2006, the National Center for State Courts published, *Key Elements of an Effective Rule of Court on the Role of the Presiding Judge in the Trial Courts* (pp. 5-6). The excerpts below provide some guidance about the pros and cons of the typical methods of selection.

*Appointment/Selection*

*Current methods of selection include: 1) a majority vote by the trial court's judges; 2) appointment by the Chief Justice, 3) appointment by the executive or legislative branch (e.g., Mayor, City Council, or Governor); or 4) default to seniority or a judge volunteers to assume the position. The predominant method of selection is by a majority vote of the court's judges.*

*Commentary:*

*To preserve judicial independence and honor the separation of powers the best practice is for a presiding judge to be either elected by a majority of the court's judges, or appointed by the Chief Justice. Regardless of the size of the court, a separation of powers issue is inherent when the presiding judge is appointed by a legislative branch or executive branch official. Where a trial court presiding judge is appointed by legislative or executive branch officials, it is desirable to have a formal written policy, rule, or statutory provision that underscores the importance of the separation of powers doctrine acknowledging that the court and its presiding judge are vested with the responsibility to operate independently in the administration of justice in the jurisdiction. One way to do this is for the executive to delegate its authority to an independent committee or commission made up of appointees from the judiciary and the bar, as well as the executive, who serve for fixed terms.*

*In courts in which the presiding judge is elected by trial court judges, larger courts may benefit from establishing a nominating committee, which puts forth a name of a judge or judges that the entire bench can consider for the position of the presiding judge. This can help focus the selection on objective criteria and qualifications, and reduce subjectivity and lobbying efforts within the bench, which can be distracting at best and divisive at worst.*

*Courts that rely on selection by a Chief Justice can also utilize a check on that authority. For example, in Oregon, a majority of a trial court's judges are permitted to veto the Chief Justice's first appointment. In courts with five or more judges, a majority of the trial court's judges are permitted two vetoes of the Chief Justice's selection.*

*Particular attention should be paid to the continuity of court operations and the transition from one presiding judge to the next, and the management agenda/strategic plan for the court or jurisdiction. Courts may also wish to promote continuity through creation of one or more assistant presiding judge positions ... In addition, a presiding judge can offer other bench officers the opportunity to serve as acting presiding judge in the presiding judge's absence, and in this way gain knowledge of suitable future candidates for the position.*

In 2004, about one-half of all Group 2 states reported that the chief or presiding judge received extra compensation (Table 12). The number of states responding in the affirmative appears to have increased between 1998 and 2004 (Rottman, et al., 2000, pp. 210-221; Rottman & Strickland, 2006; pp. 159-168). Almost universally, chief or presiding judges continue to hear cases. In about one-third of states, these judges are allowed a reduced caseload. Data show that for Group 2 states, extra compensation for presiding judges ranges from no additional compensation to \$15,000 per year (National Center for State Courts, 2009, pp. 5-11). Eight states provide no extra compensation. Seven states provide extra compensation, averaging approximately \$5,300 per year. In most Group 2 states, presiding judges continue to a full load of cases. Only 4 states reported reduced caseloads.

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The specific responsibilities assigned to chief or presiding judges vary based on court size and other factors. Department of Justice data from 1998 and 2004 suggest several typical areas of responsibility, including:

- Supervision of non-judicial employees;
- Assignment of cases to judges;
- Assignment of judges to court divisions;
- Selection of quasi-judicial officers;
- Making requests when needed for visiting judges;
- Supervision of fiscal affairs;
- Establish special committees;
- Involvement in public relations matters;
- Overseeing maintenance of statistics and management information; and
- Evaluation of court effectiveness (Rottman, et al., 2000, pp. 210-221; Rottman & Strickland, 2006, pp. 159-168).

### **Clerks and trial court administrators (Tables 13 and 14)**

About two-thirds of Group 1 states have elected clerks, who typically function at the county level. Many states utilize trial court administrators either at the court or regional (district) level. A quick review of Group 3 responses shows that clerks generally are responsible for recordkeeping, and while their exact duties vary across states, trial court administrators typically are responsible for administrative issues, such as human resources, budgeting, facilities management, etc. These generalizations seem to hold true in the Group 3 states, in part, because many have adopted some type of regional intermediate management structure. Trial court administrators often are located at the regional level in these cases. In spite of that, generalizations can be a bit misleading for a number of reasons. First, the responsibilities for both positions are not necessarily mutually exclusive. In some states, both positions are reported as responsible for the selected functions. Second, trial court administrators are not necessarily ubiquitous across courts in each state. Although difficult to document, clerks likely perform a number of administrative functions, in the absence of trial court administrators, particularly in small rural jurisdictions. Third, as reported by North Dakota, the exact responsibilities of the two positions are dependent on local conditions, size of jurisdiction, docket pressures, etc.

Four Group 3 states reported transitional issues that occurred upon reform. Delaware and Iowa moved from elected to appointed clerks. In Kentucky, clerks were funded directly from the state treasurer out of fees collected by each court. Upon reform, clerks became state employees with standard salaries. In North Dakota, clerks were supervised directly by presiding judges prior to reform. Currently, they are supervised by trial court administrators (regional function).

### **Preparation and submission of judicial branch budgets (Tables 15 and 16)**

In 87 percent and 88 percent of Group 1 and Group 2 states, respectively, the state administrative office of courts initially prepares budgets, which are reviewed by the supreme court or the state administrative office of courts. A number of atypical arrangements exist. In Mississippi, the supreme court prepares the budget. In Alaska, the budget is prepared by trial court administrators. In Hawaii, New Mexico, and New York, budgets are prepared by individual courts. A number of unique review arrangements also exist, including review by the chief justice (Kentucky), the council of court administrators and the chief justices (Delaware), the intercourt committee (Minnesota), the budget committee of the chief judge's council (New Mexico) and the judicial council (Utah). Sometimes, the budget requires the review of multiple bodies (Montana and New Mexico) (Rottman & Strickland, 2006, pp. 61 and 80).

Data collected for Group 2 states suggests that a variety of arrangements are used to establish budget policies for state funding of the courts. In some cases, the state court administrator (Iowa, North Carolina, North Dakota), policy councils (Florida, Minnesota, Montana), or chief justice (Colorado, Wisconsin) set

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budget policies. In Kentucky policies are codified in statute and in Delaware the state office of management and budget sets general state government budget policies that also apply to the courts. There also is variation in the role that individual courts or circuits/districts have in budget preparation. In almost all cases, local courts are able to make specific requests. The variation occurs in how much weight those requests are given. As mentioned above, some courts prepare portions of the budget request directly. At the other end of the scale, such requests are given little weight.

Among these same states, the importance accorded direct court requests also seems to correlate loosely with the structure of the budget request. Some budget requests are organized by individual court and functional areas for those courts. Others have only functional areas aggregated for the entire court system with no mention of individual courts, districts/circuits, or other geographic arrangement. Data collected for this study, also suggests that the chief justice or the supreme court most often have final approval of the budget proposal submitted for state funding. In Minnesota, final approval rests with the judicial council, and in North Carolina final approval rests with the director of the administrative office of the courts (AOC). Interestingly, in Iowa, the adopted legislative budget contains a lump sum appropriation for the state system of courts. After that, the supreme court must an operating budget with the input from the director of the AOC and the judicial council.

### **Security (Table 17)**

Group 4 states reported most often that county government is responsible for providing court security.<sup>9</sup> Even among these states, the details differ. Minnesota and Illinois report that the county sheriff provides courtroom (bailiffs) and courthouse security. In North Dakota, the sheriff provides security for the courthouse, including security equipment such as metal detectors, but provides courtroom security only on an as-needed basis. Counties can apply for state grants to purchase security equipment or remodel facilities to enhance security. Delaware and New York reported paying for security at the state level. In Delaware, the capitol police manage courthouse security, but each court employs bailiffs who are state employees. New York reports that they have responsibility for the entire system, but, in some cases, pay for the county sheriff to provide the service.

In Kentucky, the picture is more mixed. Generally the county sheriff is responsible for providing security, including deputies, certified court security officers, and regular equipment. The sheriff's office gets a portion of court costs collected to defray cost of security. If the county fails to or refuses to provide those services the administrative office of courts is able to contract with another local government to provide them. The chief justice has the ability to utilize the state police if regular security needs to be supplemented. The AOC also employs 13 court security inspectors (CSIs) who can assist with high-profile or high-risk situations, in addition to providing security assessment and training throughout the state. In newer courthouses, the AOC provides monitoring equipment (metal detectors and scanners).

Even in cases where local governments are responsible for providing security, a number of states require that the service and equipment be consistent with state guidelines or rules. A number of states mentioned specifically that court security personnel, including sheriff's deputies, receive special training.

### **Facilities ownership, management, and funding (Table 18)**

Similar to the discussion on security, respondent states reported most often that county governments unilaterally own, operate, and maintain courthouse facilities. They also typically are responsible for upgrading those facilities as needed. In Kentucky, counties own and maintain the facilities, but receive use and operating allowances from state government. Major renovations also are funded at the state level. New York reports county-owned facilities, but that some maintenance costs may be reimbursed by the AOC.

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<sup>9</sup> Court security in Indiana is funded with county general funds. A portion of some court fees are deposited into the county general fund, but it does not appear that a specific fee has been established to offset the cost of court security directly.

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Delaware is the only Group 4 state that indicated that facilities are owned and managed at the state level and upgraded with state funds.

Conversely, most Group 4 states (86 percent) reported that the state manages and/or pays for facility-related services and equipment for trial courts, such as telephones, fax machines, computers, software, and IT support. Florida was the only state to report that county governments were responsible for providing and funding these services. Two states reported having varied arrangements for the provision of phone service.

### **Personnel management (Table 19)**

Group 4 states reported having statewide policies for hiring, pay scales, and other personnel matters, and a variety of arrangements for establishing these policies. The pay scale for judges often is set by state legislatures, and in a few cases, by independent commissions. For other matters, policy typically is set by the supreme court, chief justice, or the judicial council with support from their respective AOCs. Other arrangements exist. In a few cases, AOCs set policies directly. In Delaware, pay scales for court personnel are set by the executive branch as part of a system for state employees. Commissions or committees also are used selectively to establish policies or to provide advice to policymaking bodies. In Florida, staffing levels are recommended by the Trial Court Funding Methodology Committee and approved by the Trial Court Budget Commission (TCBC). Other personnel policies are established by the chief justice with recommendations from the TCBC. In North Dakota, a personnel policy board that includes members of the supreme court and district court judges and staff recommends policy changes to the chief justice.

While many reforms are decades old, some information is available about efforts to normalize salaries and staffing/workload upon the implementation of state funding or other reforms. When available, Group 4 states typically reported an initial round of salary adjustments immediately upon the adoption of reform, including raising the salaries of employees paid below the amount established for each employment grade under the new state system. In some cases, states indicated grandfathering salaries greater than those established under the new system and transitioning those salaries to the system norms with attrition. Normalizing staffing and workload often was accomplished more gradually. For example, North Dakota reported using attrition as the lever to move staffing resources from one part of the system to another.

### **Fee generation and allocation (Table 20)**

The distribution of fees is one method to apportion funding for elements of the court system provided at the state or local level. Very limited information was provided by Group 4 states on this issue. It appears that in some cases fees distributed to local governments prior to state funding are now distributed to state government. Other arrangements exist. Upon reform, North Dakota did re-allocate some fees from county government to the state. For fees established before 2001, they elected to address the interests of other entities by retaining the arrangements for distributing those fees. Fees, established after that date, are distributed to the state.

### **Specialized courts and programs (Tables 21, 22, and 23)**

A number of specialized courts and programs are linked to the trial courts in Group 4 states (Table 21). Again very limited information was provided on this issue. A number of states report that many programs are provided as part of the state court system. Family courts often are identified as divisions of the circuit/district courts. The treatment of drug courts varies with some states reporting that they are integrated into trial courts and others reporting that the state AOC provides those services directly with AOC staff. Guardian ad litem programs are reported as being managed by state AOCs. In North Dakota, this program is administered through a contract with the University of North Dakota. The treatment of mediation programs varies across respondent states. Two states reported that the programs are provided by the state AOC. Iowa reported local mediation programs funded by local or state bar associations. Minnesota also reports that mediation programs operate outside the judicial branch.

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### *Public defender programs (Table 22)*

Group 1 states typically utilize state funding, local funding, or a combination to fund trial court public defender programs.<sup>10</sup> Twenty-three states provide full state funding. One additional state uses a majority of state funding. The remaining eight states use all or a majority of county funding to provide this service.

Over the last several years, states often have created independent commissions to manage state public defender systems. There are a variety of specific arrangements that exist, including a state public defender with a commission, a state director with a commission, a state public defender without a commission, a state commission with partial authority, a state appellate commission, or no state commission. The arrangements utilized by Group 1 states can be summarized as follows:

- State public defender with a commission (9 states)
- State director with a commission (5 states)
- State public defender without a commission (8 states)
- State commission with partial authority (1 state)
- State appellate commission (4 states)
- No state commission (5 states)

Among states with the first three arrangements, trial court public defenders programs are funded fully with state funds. These programs often are structured formally within the state judicial branch (8 states), within the state executive branch (14 states), or as independent states agencies (1 state). In a number of cases, programs are associated with the judicial or executive branches for the purposes of administrative processes and budgeting, but function as independent agencies.<sup>11</sup> The programs in Connecticut, Hawaii, Massachusetts, and North Carolina are largely independent but associated with the judicial branch for administrative and budgeting purposes. Similarly, Iowa, Kentucky, Montana, and Wisconsin are largely independent, but associated with the executive branch. Ten states locate this function within local government.

All Group 4 states reported that pauper defense is provided outside the judicial branch. Iowa and Kentucky reported that this program is located in the executive branch. North Dakota reported that the program is administered by the Commission on Indigent Defense, an entity of the state legislative branch.

### *Probation programs (Table 23)*

All Group 4 respondents reported that adult probation is provided outside the judicial branch. Kentucky and North Dakota reported that the program is provided through the executive branch's department of corrections. A 1999 study produced for the National Institute of Corrections, suggests that the structure of probation within states is more varied (Krauth & Lenke). Among Group 1 states, they report that for 19 states probation was located solely within the state executive branch, a large majority within state departments of corrections. Two states have programs located in independent executive agencies. Probation was located in the state judicial branch in six states. Often probation departments are established at the district (regional) level. Locally-based programs vary with some placed in the local executive branch and some in the local judiciary. Minnesota and California were reported as having multiple arrangements for provision. California had local executive and judicial arrangements. Minnesota had state executive, local executive and local judiciary arrangements.

Among Group 2 states, there are that deliver probation services using the local judiciary: California, Illinois, and Minnesota.<sup>12</sup> In California, counties have a choice about where it is delivered at the local level.

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<sup>10</sup> The Indiana public defender system is funded with more than 50 percent county funding. Indiana is not unique regarding substantial local funding. Among Group 1 states Alabama, California, Idaho, Illinois, Mississippi, New York, and South Dakota also rely heavily on local funding. Utah uses 100 percent local funding.

<sup>11</sup> In Indiana, the public defender function is located structurally within the state judicial branch.

<sup>12</sup> Indiana's probation system is structured within the local judiciary.

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The source of funding is local general funds and offender fees. In Illinois, probation is delivered by the local judicial branch. The source of funding is state and local general funds, and offender fees. In Minnesota, probation is delivered by the local judicial branch and funded with state and local general revenues.

The 1999 data also suggest the source of funding used to provide probation services. Half of Group 1 states (16) reported solely state funding. More than one-third of states (9) reported using a combination of state funding and offender fees. Five states reported using state and local funding. One state each reported using all three sources and local funding and offender fees, respectively. It is important to note that while offender fees are reported to offset the cost of probation services, often they are deposited in the general fund rather than a dedicated fund.<sup>13</sup>

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<sup>13</sup> In some cases, offender fees may be deposited in state or local general funds. It is not possible to know if states use this practice. As is mentioned elsewhere in this study, fees that are deposited in general funds typically are not identified as a separate source from state or local general funding.

# State Research-Summary Tables

**Table 2. Selected court reforms by state in Group 2 states**

State	Reforms
Alabama	The Judicial Article Implementation Act of 1975 unified 400 trial courts and granted the supreme court responsibility for administrative duties. Amendment 328 to the Alabama Constitution established the unified judicial system, effective January 1977.
Alaska	The judiciary was created as a unified system in the original state constitution in 1959.
California	In the Trial Court Funding Act of 1997 the state assumed full responsibility for funding trial court operations, including judicial officers' salaries and benefits, jury services, court reporting services, interpreter services, alternative dispute resolution, non-criminal court-appointed counsel, court security, information technology, staffing and operating expenses, and other indirect costs. Local governments remained responsible for other costs.  Proposition 220 Courts Superior and Municipal Court Consolidation (1998) provided for consolidation of superior court and municipal court in a county upon approval by majority of superior court judges and of municipal court judges in that county. By 2001, unification had been adopted in each of the state's 58 counties. The Trial Court Employment Protection and Governance Act (2000) gave the court the status of independent employers, making trial court staff employees of the courts. Previously, they were county employees. The Trial Court Facilities Act of 2002 provided for the transfer of ownership and management of all trial court facilities from individuals to the state. The implementation has been extended through the end of 2009.
Colorado	Colorado's court system is unified administratively and is funded by the state. The unification process was initiated in 1971.
Delaware	Administrative Office of the Courts (AOC) was created in 1971.
Florida	The structure of trial court administration has been in place in Florida since 1972. In 2004, the state reformed funding for state trial courts by expanding the areas that the state supported.
Illinois	Court reform was accomplished by constitutional amendments in 1964 and 1970, which simplified the structure of the court system and established the full administrative authority of the Supreme Court over the court system. In 2007, the court system remained funded by state and local sources.
Iowa	A system of 18 chief judges was established in 1969 to supervise district court judicial officers and employees within the judicial district. Reform continued through 1971 with the establishment of an administrative office of the judicial branch. In 1972, 18 judicial districts were consolidated into eight judicial districts. A chief judge was appointed to each district for a two-year term. Together, the eight chief judges and the chief justice of the supreme court make up the judicial council, which advises the supreme court on court administration. The passage of the Unified Trial Court Act of 1973 reformed the state court system by establishing a unified trial court known as the "Iowa District Court." The Act also established simplified, cost-effective methods of handling minor civil and criminal cases.  In 1983, the legislature approved the Court Reorganization Act. The Act, which was originally proposed by the Iowa Supreme Court, transferred the expense of operating the court system (except the costs of district court facilities) from the counties to the state. Funding for juvenile court officers, court attendants (bailiffs), indigent defense, and clerks of court offices was taken over by the state in phases over four years. The purpose of the transfer was to provide property tax relief and to equalize trial court resources throughout the state.
Kentucky	Kentucky adopted unified court system by constitutional amendment in 1976. Financing of the unified court of justice became the responsibility of the state in 1978 with all revenues collected by the courts deposited into the state treasury.
Minnesota	In 1972, the state consolidated most of the municipal, probate, and justice courts into the county court with uniform jurisdiction. The 1977 Court Reorganization Act unified the trial court system to some degree by giving a chief judge administrative authority over all of trial courts in a district and by abolishing all justice courts. This legislation also put in place a comprehensive administrative framework for the judicial branch that gave the chief justice administrative authority for all courts, including the authority to assign any judge to any court within the state. It gave added responsibility to the state court administrator. By September 1987, the state unified the trial courts in all judicial districts by transitioning them into a single-trial-court system.  Minnesota phased in funding for state trial courts from 1990 to 2005. State officials suggest that this step was critical to maximize the benefits of previous structural consolidation. In 1989, the legislature established a process by which funding for district administration, law clerks, and court reporters gradually transferred to the state. They also authorized a pilot project, beginning in 1990, to transfer responsibility for all court administrative functions in the 8th judicial district to the state. In 1999, the legislature

**Table 2. Selected court reforms by state in Group 2 states**

State	Reforms
	approved moving administrative and financial responsibility for additional district court costs to the state. Between 2000 and 2005, the state assumed funding for the remaining judicial districts. To finance the transition, the state reduced some aid payments to counties and retained court imposed fine revenue.
Montana	In 2001, the state enacted legislation that is often referred to as "state assumption of district courts," in which the state assumed costs of almost all district court employees.
New York	In 1976, Chapter 966 became law. Unification was phased in over four years beginning in April 1977.
North Carolina	A constitutional amendment in 1962 created the current unified court system. Reforms included centralized administration and budgeting with the assumption of funding by the state for all court personnel.
North Dakota	In 1979, the supreme court directed a complete reorganization of the district court system. In 1991, the legislature unified the trial courts by abolishing the county courts and combining their functions into the district court.
Oregon	The 1981 legislature consolidated the state's district courts, circuit courts, tax court, and the appellate courts into a unified state-funded court system, effective January 1, 1983, known as the Oregon Judicial Department. Effective January 15, 1998, the legislature merged the district courts and their judges and jurisdiction with the circuit courts to form a single, unified trial-court level.
Utah	Beginning in 1996 and completed in 1997, the circuit courts were consolidated into the district courts
Wisconsin	Statutory and constitutional changes beginning in 1959 made incremental changes to unify the court system. The current unified structure of the courts system was completed by constitutional amendment in 1977 and corresponding statutory changes in 1978.

Note: Specific citations for these data are provided in Appendix A.

**Table 3. Principal trial courts in Group 2 states**

State	Principal trial courts
Alabama	<ul style="list-style-type: none"> <li>• Circuit courts (67 courts in 41 circuits)–general jurisdiction</li> <li>• District court (67 districts)–limited jurisdiction</li> <li>• Additional trial courts: probate and municipal</li> </ul>
Alaska	<ul style="list-style-type: none"> <li>• Superior (41 judges)–general jurisdiction</li> <li>• District (21 judges)–limited jurisdiction</li> </ul>
California	<ul style="list-style-type: none"> <li>• Superior courts (58, one court per county; 1,498 judges)–general jurisdiction</li> </ul>
Colorado	<ul style="list-style-type: none"> <li>• District courts (22 districts)</li> <li>• Additional trial courts: Denver probate and juvenile courts; water courts (12 courts); county (64 counties); and municipal (206 courts)</li> </ul>
Delaware	<ul style="list-style-type: none"> <li>• Superior court (1 court; 19 judges)–general jurisdiction</li> <li>• Court of common pleas (1 court; 9 judges)–limited jurisdiction</li> <li>• Other trial courts: chancery; justice of the peace; family; and alderman's</li> </ul>
Florida	<ul style="list-style-type: none"> <li>• Circuit courts (599 judges; 20 circuits)–general jurisdiction</li> <li>• County courts (1 court per county; 67 counties) - limited jurisdiction</li> </ul>
Illinois	<ul style="list-style-type: none"> <li>• Circuit courts (22 circuits)–general jurisdiction</li> </ul>
Iowa	<ul style="list-style-type: none"> <li>• District courts (8 districts; 335 judges including associate judges and magistrates)–general jurisdiction</li> </ul>
Kentucky	<ul style="list-style-type: none"> <li>• Circuit courts (57 circuits; 111 judges)–general jurisdiction</li> <li>• District courts (60 districts; 129 judges)–limited jurisdiction</li> </ul>
Minnesota	<ul style="list-style-type: none"> <li>• District courts (10 districts; 288 judges)–general jurisdiction</li> </ul>
Montana	<ul style="list-style-type: none"> <li>• District courts (43 judges; 22 judicial districts)–general jurisdiction</li> <li>• Other trial courts: workers' compensation; water; justice of the peace; municipal; and city</li> </ul>
New York	<ul style="list-style-type: none"> <li>• Supreme courts–general jurisdiction</li> <li>• County courts –general jurisdiction</li> <li>• District courts –limited jurisdiction</li> <li>• Other trial courts: the court of claims, family; and surrogate's courts</li> </ul>
North Carolina	<ul style="list-style-type: none"> <li>• Superior courts (1 per county; 46 districts) –general jurisdiction</li> <li>• District courts (1 in each county) –limited jurisdiction</li> </ul>
North Dakota	<ul style="list-style-type: none"> <li>• District courts (53, 1 court in each county; 7 districts) –general jurisdiction</li> <li>• Other trial courts: municipal</li> </ul>
Oregon	<ul style="list-style-type: none"> <li>• Circuit courts (36 courts, one per county; 27 districts; 191 judges) –general jurisdiction</li> <li>• Other trial courts: tax; county; justice; municipal</li> </ul>
Utah	<ul style="list-style-type: none"> <li>• District court (71 judges; 8 districts) –general jurisdiction</li> <li>• Other trial courts: justice; juvenile</li> </ul>
Wisconsin	<ul style="list-style-type: none"> <li>• Circuit courts (246 judges) –general jurisdiction</li> <li>• Other trial courts: municipal</li> </ul>

Source: Rottman, D., & Strickland, S. (2006). *State court organization 2004*. Washington, D.C.: U.S. Department of Justice.

**Table 4. Judicial source of expenditures for trial courts of general jurisdiction in Group 2 states**

State	Type	Name of court	Judicial expenditures (millions)			Percent non-local
			Total \$	Paid by state	Paid by locality	
Alabama	GJ	Circuit	151	N/S	N/S	N/A
Alaska	GJ	Superior	53	95%	N/S	95%
California	GJ	Superior	2,123	1,950	173	92%
Colorado	GJ	District	123	N/S	N/S	N/A
Delaware	GJ	Superior	18	18	0	100%
Florida	GJ	Circuit	N/S	331	N/S	N/A
Illinois	GJ	Circuit	N/S	N/S	N/S	N/A
Iowa	GJ	District	N/S	120	N/S	N/A
Kentucky	GJ	Circuit	34	31	0 <sup>12</sup>	100%
Minnesota	GJ	District	218	197	21	90%
Montana	GJ	District	30.4 <sup>16</sup>	30.4 <sup>16</sup>	0	100%
New York	GJ	Supreme	452 <sup>23</sup>	452	0	100%
North Carolina	GJ	Superior	32	32	0	100%
North Dakota	GJ	District	36	36	0	100%
Oregon	GJ	Circuit	200	184	0 <sup>25</sup>	92%
Utah	GJ	District	33	32	1	97%
Wisconsin	GJ	Circuit	187	90	97	48%

Source: Rottman, D., & Strickland, S., (2006). *State Court Organization 2004*. Washington, D.C.: U.S. Department of Justice.

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; NA= Not applicable; N/S=Not stated

Notes from source material:

Kentucky —<sup>12</sup> The remainder of Circuit Court expenditures are paid by federal funds.

Montana —<sup>16</sup> Includes \$11.5 million of variable costs, which are primarily public defender costs paid by the judiciary.

New York —<sup>23</sup> The expenses for the County Court are included in the Supreme Court budget.

Oregon —<sup>25</sup> The remainder of Circuit Court expenditures are paid by federal and grant funds.

Table 5: Funding sources for judicial expenditures by type in Group 2 states

State	Source of salaries for:					Equipment		Court Record for Appeal	Buildings/Real Property	Travel Expenses	General Operating Expenses	Indigent Defense	Child Support Enforcement	Juvenile Probation/ Detention	Security	Language Interpreters		Jury Costs	Pretrial Services	Adult Probation	ADA Compliance
	Judicial	Clerks of Court	Trial Court Administrators	Court Reporters	Other Court Personnel	Automation	Other Capital									Foreign	Sign				
Alabama	S	S	S	S	S	S/F	S	S	C	S	S	S/F	US	S/C	C	S	S	S	C	S	C
Alaska	S	S	S	~	S	S	S	S	S	S	S	~	~	~	S	S	S	S	S	~	S
California	S	S	S	S	S/C	S/C	S/C	S	C	S	S/C	S/C	S/US	S/C	S	S	S	S/Parties	S/C	C	C
Colorado	S	S	S	S	S/US	S	S	S	C	S	S	~	S	S/US	C	S	S	S	~	S/US	S
Delaware	S	S	S	S	S	S	S	F	S	S	S	S	S	S	S	S	S	S	S	S	S
Florida	S	C	S	S	S/C	C	S/C	S	C	S	S/C	S	S/US	S	C	S	S	S/C	C	~	S/C
Illinois	S	S/C	S/C	S	S/C	S/C/F	C	S/C	C	S/C	C/F/US	C	C	C/F/S/US	C/F	C	C	S/C	C/F/S/US	C/F/S/US	~
Iowa	S	S	S	S	S	S	S	S	C	S	S	S	S	S/C	C	S/F	C	S	S	S	C
Kentucky	S	S	S	S	S	S	S	S	S	S	S	~	~	~	S	S	S	~	S	~	S/C
Minnesota	S	S/C	S	S	S/C	S	S/C	S/C	C	S	S/C	S	~	~	S/C	S	S	S	~	~	S/C
Montana	S	C	S	S	S	S	S	S	C	S	S	S	~	S	C	S	S	S	S	~	S
New York	S	S	S	S	S	S	C	C	S/C	S	S	C	C	S	S	S	S	S	S	C	C
North Carolina	S	S	S	S	S	S	S	S/F	C	S	S	S	S/C	~	C	S/F	S	S	~	~	S/C
North Dakota	S	S	S	S	S	S	S	~	C	S	S	S	S	S	C	S	S	S	C	S	C
Oregon	S	~	S	S	S	S	S	S/C	C	S/US	S	S	S/C	C	S/C <sup>26</sup>	S	S	S	C	C	S/US
Utah	S	S	S	S/F	S	S	S	F	S	S	S	C	S/US	S	S	S	S	S	C	S	S
Wisconsin	S	C	S	S	C	S	C	F	C	S	C	S/C <sup>34</sup>	~	~	C	S/C	S/C	C	~	~	C

Source: Rottman, D., and Strickland, S., (2006). *State Court Organization 2004*. Washington, D.C.: U.S. Department of Justice.

Legend: ~=Not applicable; NR=No response; N/S=Not stated; S=State; C=County/Locality; F=Fees; US=Federal

Notes from source material:

Oregon—<sup>26</sup> Some Circuit Courts cover security improvements with their operating budget, which is funded by the state.

Wisconsin—<sup>34</sup> The county/locality pays the indigent defense costs for those who do not meet the state public defender indigency standards, but the judge has determined are indigent.



**Table 6. Funding source for specific expenditure funding in Group 2 states**

State	State funding	Local funding
Alabama	<ul style="list-style-type: none"> <li>The operating expenses of the unified judicial system, exclusive of the expenses of probate courts and municipal courts</li> <li>All judicial employee salaries</li> </ul>	<ul style="list-style-type: none"> <li>Municipal court operations and employees</li> <li>District attorneys still receive additional county funding in salary</li> <li>Courtrooms and related judicial and clerical facilities for the district court other than at the county courthouse</li> </ul>
Alaska	<ul style="list-style-type: none"> <li>All aspects of courts system</li> </ul>	<ul style="list-style-type: none"> <li>None</li> </ul>
California	<ul style="list-style-type: none"> <li>Trial court operations, including judicial officers' salaries and benefits, jury services, court reporting services, interpreter services, alternative dispute resolution, non-criminal court-appointed counsel, court security, information technology, staffing expenses (including salaries for clerks, administrators, and reporters), operating expenses, and other indirect costs</li> <li>In 2002, the state began a process to assume ownership of court facilities. In 2009, this process is not yet complete</li> </ul>	<ul style="list-style-type: none"> <li>Juvenile detention</li> <li>Indigent defense</li> <li>Buildings, subject to the assumption of facilities begun in 2002</li> <li>Other personnel</li> </ul>
Colorado	<ul style="list-style-type: none"> <li>Salaries of most court employees (some court personnel receive federal funding)</li> </ul>	<ul style="list-style-type: none"> <li>State court and probation facilities</li> <li>Salaries and expenses of municipal courts</li> </ul>
Delaware	<ul style="list-style-type: none"> <li>Virtually all court expenses are funded with state revenues or dedicated fees</li> </ul>	<ul style="list-style-type: none"> <li>Sheriff salaries (superior court)</li> <li>Registers of Wills (court of chancery)</li> <li>Alderman's court expenses</li> </ul>
Florida	<ul style="list-style-type: none"> <li>Judges, magistrates, court administration, court reporters, judicial assistants, law clerks, juror expenses, interpreters/translators, court-appointed expert witnesses, and mediation and arbitration programs</li> </ul>	<ul style="list-style-type: none"> <li>Communications services</li> <li>Facility expenses</li> <li>Court security</li> </ul>
Illinois	<ul style="list-style-type: none"> <li>Salaries and benefits of circuit court judges</li> </ul>	<ul style="list-style-type: none"> <li>Office and courtroom facility costs for circuit courts</li> <li>Support staff for circuit court judges</li> <li>Circuit and associate judges and magistrates of the Circuit Court of Cook County receive additional compensation from the county as provided by law</li> </ul>
Iowa	<ul style="list-style-type: none"> <li>All elements of the trial court system, except court facilities</li> <li>All employees of the judicial branch are considered state employees</li> </ul>	<ul style="list-style-type: none"> <li>Cities or counties where the district court is located provide physical facilities, operating costs, and maintenance</li> </ul>
Kentucky	<ul style="list-style-type: none"> <li>Essentially all elements are state funded. A portion of the cost of circuit courts is paid with federal funds</li> <li>In 1978, process established by which state reimburses for use and operations of local properties</li> </ul>	<ul style="list-style-type: none"> <li>Cost of ADA compliance is shared</li> </ul>
Minnesota	<ul style="list-style-type: none"> <li>District court referees</li> <li>Judicial officers</li> <li>Court reporters</li> <li>Law clerks</li> <li>District administration staff</li> <li>Court interpreters</li> <li>Guardian ad litem program</li> <li>Examination costs for mental commitments and similar proceedings</li> <li>Examination costs related to rule 20 of the Rules of Criminal Procedure</li> <li>In forma pauperis costs</li> </ul>	<ul style="list-style-type: none"> <li>Buildings/real property</li> </ul>

**Table 6. Funding source for specific expenditure funding in Group 2 states**

State	State funding	Local funding
	<ul style="list-style-type: none"> <li>Expenses related to some transcripts</li> <li>Jury program</li> <li>Witness fees and expenses</li> </ul>	
Montana	<ul style="list-style-type: none"> <li>Salaries and benefits of all district courts with the exception of employees in the offices of clerks of district court</li> <li>Virtually all other expenses</li> </ul>	<ul style="list-style-type: none"> <li>Expenses for justice's courts and municipal courts</li> </ul>
New York	<ul style="list-style-type: none"> <li>Supreme courts (unlimited original jurisdiction)</li> <li>Courts of claims (statewide court handling claims for monetary damages against the state)</li> <li>Family courts (one family court per county presiding over matters involving children and families – dependent relatives, juvenile delinquency, child protection, person in need of supervision, review and approval of foster care placements, and paternity determinations and family offenses, and family offenses)</li> <li>Surrogate's court, which presides over cases involving the affairs of decedents</li> </ul>	<ul style="list-style-type: none"> <li>Some individual programs connected to social services are funded at the local level, particularly those services delivered with public-private collaborators, including: city civil courts (matters not exceeding \$3,000), city criminal court (misdemeanors, violations, and for arraignment and preliminary hearings in felony cases), town and village (same jurisdictional limits city criminal and civil court except, at the village and town level, the jurisdiction of the court also handles traffic infractions).</li> </ul>
North Carolina	<ul style="list-style-type: none"> <li>Salaries and expenses of superior court judges, district court judges, magistrates, family court counselors, and court staff</li> <li>Court supplies and juror expenses</li> </ul>	<ul style="list-style-type: none"> <li>Court facilities</li> </ul>
North Dakota	<ul style="list-style-type: none"> <li>All the salary and expenses for the district courts, except expenses related to facilities</li> </ul>	<ul style="list-style-type: none"> <li>District courts facilities</li> </ul>
Oregon	<ul style="list-style-type: none"> <li>Virtually all expenses, except courthouses</li> </ul>	<ul style="list-style-type: none"> <li>Courthouses are owned and maintained by counties</li> </ul>
Utah	<ul style="list-style-type: none"> <li>Virtually all expenses for district and juvenile courts (limited expenses are funded by federal sources and dedicated fees)</li> </ul>	<ul style="list-style-type: none"> <li>Indigent defense</li> <li>Juvenile court security</li> <li>Justice courts</li> </ul>
Wisconsin	<ul style="list-style-type: none"> <li>Salaries of the judges, official court reporters, and reserve judges (retired judges who are assigned to hear cases when the need arises)</li> <li>Travel and training for the judges</li> <li>Certain expenses, including guardians ad litem (court-appointed attorneys), court-appointed witnesses, interpreters, and jurors are shared. The state provides assistance to counties in the form of statutory formula grants.</li> </ul>	<ul style="list-style-type: none"> <li>All other operating costs except those enumerated by statute</li> <li>Certain expenses, including guardians ad litem (court-appointed attorneys), court-appointed witnesses, interpreters, and jurors are shared. The state provides assistance to counties in the form of statutory formula grants.</li> </ul>

Source: Specific citations for these data are provided in Appendix A.

Table 7: Administrative policymaking in the trial court system in Group 2 states

State	Administrative head of judiciary	Policymaking/rulemaking body	Method of selection	Term lengths	Role of chief justice (vote)	Roles of other bodies in administration
Alabama	Chief justice	Supreme court	There are 9 members who are elected statewide, including the chief justice. Terms are staggered.	All supreme court justices serve 6-year terms	The chief as well as the other justices vote on administrative issues	The Judicial Conference makes recommendations to the legislature on the administration of justice
Alaska	Chief justice	Supreme court				The Judicial Council is an independent citizen commission that has constitutional and statutory duties including conducting research and publishing reports to improve the administration of justice in Alaska. The council also is responsible for screening and nominating applicants for judicial vacancies for appointment by the governor, evaluating the performance of judges and providing evaluation information, and recommendations to the voters.
California	The chief justice is the chair of the judicial council and has specific administrative authority, including the authority to assign judges	Under the leadership of the chief justice, the judicial council: establishes direction and set priorities for the continual improvement of the court system; promulgates rules of court administration, practice, and procedure; sponsors and takes positions on legislation that affects the California judicial system; allocates the judicial branch budget; and responds to legislative mandates.				The chair of the Judicial Council may appoint advisory committees and task forces, comprising judges, court officials, attorneys, and members of the public, to advise the council in studying the condition of court business, improving judicial administration, and performing other council responsibilities. Advisory committees monitor areas of continuing significance to the justice system, whereas task forces handle particular projects or proposals. Both make recommendations to the council.  The Trial Court Budget Working Group advises the administrative director on trial court budget issues.
Colorado	Chief justice	Supreme court. While all members of the Supreme Court vote on budget and administrative matters, the chief justice has the ultimate decision-making authority.	All judges in the state of Colorado are selected by a nominating panel who reviews and interviews candidates who would like to be considered for the position. After 2-3 years of sitting on the particular bench, judges are reviewed and their names are placed on the election ballot.  The chief justice is selected by members of the supreme court.	There are seven members who serve 10-year terms.  The chief justice also serves a 10-year term.	Budget and administrative policies are developed by the court administrator's office. They are presented to the chief justice as well as the other judges. All judges vote but the chief justice has the final say in the process.	The Judicial Advisory Council was established to study the needs of the judicial system; develop an intermediate and long-range plan for the judicial system; identify particular problems in the judicial system and to recommend solutions; recommend ways of improving the judicial system and to suggest appropriate measures to achieve the recommended improvements; provide guidance to the chief justice with respect to programs and activities that might be appropriately undertaken by the judicial system; coordinate planning efforts among groups and associations and governmental bodies concerned with improving the judicial system.
Delaware	Chief justice	Supreme court				None has been identified
Florida	Chief justice	Supreme court				The Judicial Management Council provides recommendations to the supreme court and the chief justice on the efficient and effective administration of justice.  The Trial Court Budget Commission develops and oversees the administration of trial court budgets.
Illinois	Chief justice	Supreme court				The Rules Committee studies and recommends new supreme court rules or modifications to existing rules.  The Judicial Conference is responsible for suggesting improvements in the administration of justice in Illinois. The executive committee reviews recommendations of the various committees and makes recommendations to the supreme court, resolves questions of committee jurisdiction, acts on behalf of the Judicial Conference between annual meetings, and performs other duties delegated by the supreme court.  The Conference of Chief Circuit Judges meets regularly to discuss issues related to the administration of justice in the circuit courts and other matters referred to the Conference by the supreme court.

Table 7: Administrative policymaking in the trial court system in Group 2 states

State	Administrative head of judiciary	Policymaking/rulemaking body	Method of selection	Term lengths	Role of chief justice (vote)	Roles of other bodies in administration
Iowa	Chief justice	Supreme court	<p>When there is a vacancy in the supreme court, a judicial nominating commission nominates three people to be the new justice. Within 30 days, the governor has the authority to appoint one of the nominees. After more than 30 days, the chief justice must appoint the new justice</p> <p>The governor appoints a member to the judicial nominating commission from each congressional district. Also, the resident members of the bar in each congressional district elect a member to serve on the judicial nominating commission. The commission members serve a 6-year term.</p> <p>The supreme court justices elect a chief justice.</p>	<p>A supreme court justice's first term ends on January 1 after the next judicial election after the first year of the appointment. After retention, the justice serves an 8-year term. The chief justice's term is the same as the justice's term in office. A justice may serve consecutive terms as the chief justice.</p>	<p>When making decisions on court rules and budgeting, the supreme court justices generally do not vote, rather they try to form a consensus. If there is a contentious issue, then the supreme court justices, including the chief justice, vote. During judicial council meetings, the chief justice votes.</p>	<p>The Judicial Council advises the supreme court with respect to the supervision and administration of the judicial branch. The chief justice chairs the council, and the council members also include the chief judge of the court of appeals and the chief judges of each judicial district. By a majority vote, the members of the court of appeals choose among themselves a chief judge to serve a 2-year term. With approval of the supreme court, the chief justice selects the chief judges of the each district. The chief judge of a judicial district serves 2 years and is eligible for reappointment.</p>
Kentucky	Chief justice	Supreme court	<p>One supreme court justice is elected from each of seven appellate districts (in nonpartisan elections. Candidates for supreme court justices must submit nominations to the secretary of state by a specified date prior to the primary election. All candidates are placed on the primary ballot without reference to party. The two candidates receiving the most votes are considered to be nominated and appear on the general election ballot. The candidate that received the most votes is elected.</p> <p>In the event of a vacancy, under certain circumstances, the governor fills vacancies from a list of three names presented by the supreme court and the court of appeals judicial nominating commission. If the Governor fails to make an appointment from the list within 60 days after it is presented to him, the appointment is made by the chief justice from the same list. Under some circumstances, a part of the term may be filled by election. It is possible that, if the length of the vacancy will be long enough, part of a term would be filled by appointment and the remainder by election.</p> <p>The justices of the supreme court elect one of their members to serve as chief justice.</p>	<p>Supreme court justices hold their offices for 8-year terms). Elections are staggered. The chief justice is selected for a 4-year term.</p>	<p>Rules typically are promulgated directly by the chief justice. Whether promulgated by the chief justice or the supreme court, the chief justice participates actively in rulemaking.</p>	<p>None Identified</p>

Table 7: Administrative policymaking in the trial court system in Group 2 states

State	Administrative head of judiciary	Policymaking/rulemaking body	Method of selection	Term lengths	Role of chief justice (vote)	Roles of other bodies in administration
Minnesota	Chief justice	Judicial council	The council consists of voting and non-voting members. The voting members of the Judicial Council include: the chief justice; an associate justice of the supreme court appointed by the chief justice; the chief judge of the appellate court; the chief judges of the judicial districts, the president of the Minnesota District Judges Association; and five at-large judges, appointed by the chief justices and three of whom must be trial court judges. The non-voting members include: the state court administrator; three judicial district administrators, chosen by the district administrators; one court administrator, chosen by court administrators, and one at-large member appointed by the chief justice from within the judicial branch.	The following members shall serve during tenure in their positions: chief justice, chief appellate judge, chief judges of the judicial districts, president of the Minnesota District Judges Association, and the state court administrator. The remaining members serve staggered terms that began following the establishment of the judicial council and thereafter as determined by the chief justice. Appointments are for 3-year terms, with the opportunity for an additional 3-year term at the discretion of the appointing authority. These include: the associate justice of the supreme court, five at-large judges, three judicial district administrators, one court administrator and the at-large appointment from within the judicial branch	Decisions are made by a vote of the majority of voting members present at a meeting at which there is a quorum unless otherwise specified in the bylaws or rules of procedure adopted by the judicial council	The Minnesota Judicial Council has three standing committees: Finance Committee; Court Operations, Policy and Strategy Committee (COPS); Human Resources/Education and Organization Development Committee (HR/EOD). The Council forms ad hoc committees as needed.
Montana	Chief justice	Supreme court				District Court Council implements and administers the state-funded district court program
New York	Chief judge (same role as chief justice in other states)	Court of appeals (called the supreme court in other states)				The Administrative Board of Courts establishes statewide administrative standards and policies for the court system
North Carolina	Chief justice serves as the head of the judiciary with specific duties outlined in statute.	Supreme court	The voters of North Carolina elect the justices of the state's supreme court. One of the seats on the supreme court is designated for the chief justice. Like the other seats on the court, the voters choose a justice for that seat every 8 years. If there is a vacancy for that seat, the governor appoints a replacement to serve until the next November election in an even year.	A supreme court justice has a term of 8 years. The term of the chief justice is 8 years, as well.	For decisions related to rulemaking, the chief justice votes	The State Judicial Council is an advisory and oversight body for the judiciary
North Dakota	Chief justice	Supreme court				The Administrative Council develops administrative policies and budget proposals, with the approval of the Chief Justice.  The Personnel Policy Board reviews requests for changes in the court system personnel policies.
Oregon	Chief justice	Chief justice	The chief justice is elected as a supreme court justice and selected by the membership of the court	Chief justice serves a six-year term. The term continues across elections as long as the justice is re-elected.	Budget and administrative issues are worked out by the Office of state court administrator but are approved by the chief justice	The Uniform Trial Court Rules (UTCRC) Committee reviews proposals for uniform rules for Oregon's circuit courts and reviews local courts' supplementary rules (SLR).  The Future of the Courts Committee is a standing committee of the Oregon Judicial Conference. It has three goals: establish and maintain a long-range vision for Oregon's courts; promote attaining the vision; and chart our progress in achieving the vision.  The chief justice periodically establishes advisory committees to advise particular activities, for example, the Personnel Rules Revision Advisory Committee.  The Performance Measures Advisory Committee (PMAC) facilitates and supports the design, implementation, and monitoring of the Oregon Judicial Department's Court Performance Measurement System. The PMAC promotes a court performance measurement system that focuses and magnifies what is most important. Court leaders need ready access to clear and actionable measures that allow them to explore the court's performance from multiple perspectives and to steer the court in the right direction. This body was created by the state court administrator.

Table 7: Administrative policymaking in the trial court system in Group 2 states

State	Administrative head of judiciary	Policymaking/rulemaking body	Method of selection	Term lengths	Role of chief justice (vote)	Roles of other bodies in administration
Utah	Chief justice	The Utah Judicial Council is the policymaking body for the judiciary. It has the constitutional authority to adopt uniform rules for the administration of all the courts in the state. The council also sets standards for judicial performance, court facilities, support services, and judicial and non-judicial staff levels.	The judicial council includes the chief justice of the supreme court; one member elected by the justices of the supreme court; one member elected by the judges of the court of appeals; five members elected by the judges of the district courts; two members elected by the judges of the juvenile courts; three members elected by the justice court judges; and a member or ex officio member of the Board of Commissioners of the Utah State Bar who is an active member of the Bar in good standing at the time of election by the Board of Commissioners  The supreme court justices elect a chief justice by majority vote to serve for four years.	Council members serve for three-year terms. Multiple members from one court must have staggered terms.	The chief justice votes in matters of the judicial council only in the case of a tie	The judicial council established a board of judges for each level of court (Board of District Court Judges, Board of Juvenile Court Judges, Board of Justice Court Judges, and Board of Senior Judges). Boards of judges adopt administrative rules in accordance with the guidelines of the council, advise the council, supervise the implementation of council policies and serve as liaisons between judges and the council.
Wisconsin	Chief justice	Supreme court	The voters of Wisconsin elect the supreme court justices during the state's spring election in April.  The chief justice is the justice that has served on the court for the longest continuous period. If multiple justices share the longest continuous period of service, then the chief justice is the justice whose term ends first. The longest-serving justice may permanently decline the designation of chief justice.	The term limit of the supreme court justices is 10 years	The supreme court justices make decisions related to the supreme court rules by a formal vote in an open conference. The chief justice votes.	The Judicial Council is a body whose principal statutory responsibilities are to study and make recommendations relating to: (1) court pleading, practice and procedure; and (2) organization, jurisdiction and methods of administration and operation of Wisconsin courts.  The Board of Administrative Oversight monitors the fairness, effectiveness and efficiency of the attorney regulation system and proposes substantive and procedural rules related to the system for the Court's consideration.  The Committee of Chief Judges meets as needed to consider issues and problems facing the trial courts.  The Judicial Conference meets annually with special meetings when appropriate. The Conference includes a standing legislative Committee  The Planning and Policy Advisory Committee (PPAC) advises the supreme court and the director of state courts on planning initiatives, the administrative structure of the court system and the expeditious handling of judicial matters. The committee functions as the court system's long-range planning committee.

Notes: Supplemental information for our Phase 1 research was collected only for selected states (Group 3). States that were excluded from that activity are shaded. Specific citations for these data are provided in Appendix A.

**Table 8. State administration of courts in Group 1 and Group 2 states**

State	Administrative office of courts		Director of administration/state court administrator	Notes
	Year created	Source of authorization	Appointing authority	
Alabama*	1971	Constitution and statute	Chief justice	The administrative director oversees the administrative office of the courts (AOC), as well as the department of court management
Alaska*	1959	Constitution	Chief justice, with supreme court approval	By court rule, this responsibility is delegated to the administrative director of the courts subject to general guidelines set forth by the supreme court
Arkansas	1965	Statute	Chief justice, with judicial council approval	
California*	1960	Constitution	Judicial council	The administrative director of the courts, is appointed by the chief justice and serves as the secretary to the council. The administrator directs the administrative office of the courts (AOC).
Colorado*	1971	Constitution and statute	Supreme court	The supreme court appoints the state court administrator to assist the chief justice
Connecticut	1965	Statute	Chief justice	
Delaware*	1971	Statute	Chief justice	The state court administrator, appointed by the chief justice, helps in carrying out administrative duties
Florida*	1972	Constitution	Supreme court	The state courts administrator serves under the direction of the chief justice and the remaining members of the supreme court
Hawaii	1959	Statute	Chief justice, with supreme court approval	
Idaho	1967	Constitution	Supreme court	
Illinois*	1959	Constitution	Supreme court	An administrative director and staff are appointed by the chief justice to assist in these duties
Iowa*	1971	Statute	Supreme court	The supreme court appoints the state court administrator
Kansas	1965	Statute	Chief justice	
Kentucky*	1975	Statute	Chief justice	The chief justice appoints the director. The administrative office of courts serves as staff to chief justice.
Maine	1975	Statute	Chief justice	
Maryland	1955	Statute	Chief judge	
Massachusetts	1956	Statute	Supreme judicial court	
Minnesota*	1963	Statute	Supreme court	The supreme court appoints the state court administrator
Mississippi*	1974	Court rule	Supreme court	
Montana*	1975	Constitution	Supreme court	Office of court administrator supports the chief justice in handling financial and personnel issues
New Hampshire	1980	Court rule	Supreme court	

**Table 8. State administration of courts in Group 1 and Group 2 states**

State	Administrative office of courts		Director of administration/state court administrator	Notes
	Year created	Source of authorization	Appointing authority	
New Jersey	1948	Constitution	Chief justice	
New Mexico	1959	Statute	Supreme court	
New York*	1978	Constitution	Chief judge, with advice and consent of Administrative Board of the Courts	The chief administrative judge, appointed by the chief judge, oversees the administration and operation of the statewide court system and directs an administrative office of the courts
North Carolina*	1965	Constitution and statute	Chief justice	The director of the administrative office of the courts, is appointed by the chief justice, but has independent statutory responsibility for the administration of the court system
North Dakota	1971	Constitution and statute	Chief justice	The chief justice appoints a trial court administrator to help in the administration of the state's judicial system
Oregon	1971	Statute	Chief justice	The chief justice appoints a chief administrative officer
Rhode Island	1968	Constitution	Supreme court	
South Dakota	1974	Constitution	Supreme court	
Utah	1973	Statute	Supreme court	The supreme court appoints a chief administrative officer. The administrator serves at the pleasure of the council and/or the supreme court.
Vermont	1967	Statute	Supreme court	
Wisconsin	1967	Statute	Supreme court	The director of state courts, under the direction of the chief justice, is the chief non-judicial officer of the state court system

Source: Steelman, D.C., & Skove, A. (2007). *Creation of state court administrative offices and selection of state court administrators*. Williamsburg, VA: National Center for State Courts.

Note: \* = Group 2 states

Table 9: Responsibilities of state administrative office 1 in Group 1 states

State	Total staff	Accounting	Alternative dispute resolution	Assigning sitting judges	Supplemental judges	Audits	Budget preparation	Facilities management	Foster care review	Human resources	Data entry	Records management	IT staff (technical)	Judicial education
Alabama*	76	W	A	A	T	A	W	A	A	W	A	T	W	W
Alaska*	83	T	W	T	A	T	T	T	A	W	T	T	W	W
Arkansas	79	T	W	T	T	A	W	T	A	T	W	T	W	W
California*	491	T	T	A	T	W	T	T	A	T	T	A	T	W
Colorado*	98	W	A	W	W	W	W	W	A	W	W	W	W	W
Connecticut	150	W	W	W	W	T	W	W	T	W	W	W	W	W
Delaware*	N/S	T	A	A	A	A	T	T	A	T	A	T	W	T
Florida*	496	T	W	A	A	T	T	A	A	T	T	T	T	W
Hawaii	214	T	W	A	A	W	W	T	A	W	W	W	W	W
Idaho	37	W	W	W	W	A	W	W	A	W	A	W	W	W
Illinois*	136	T	T	T	W	T	W	T	A	T	T	T	T	T
Iowa*	60	T	A	A	A	T	W	T	A	T	T	T	W	W
Kansas	46	W	W	W	W	A	W	T	W	W	W	W	W	W
Kentucky*	745	W	T	A	W	T	W	W	W	W	T	T	W	W
Maine	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Maryland	398	W	T	A	W	A	W	T	W	W	W	W	W	T
Massachusetts	154	W	T	A	A	W	W	W	A	W	W	W	W	W
Minnesota*	187	T	W	T	T	T	T	T	A	T	A	T	W	T
Mississippi	14	T	N/S	A	A	A	T	T	A	T	T	T	T	T
Montana*	31	W	A	A	A	T	W	W	A	W	A	T	W	T
New Hampshire	44	W	A	A	A	W	W	T	A	W	A	T	W	A
New Jersey	619	W	T	W	W	T	T	T	T	T	T	T	W	W
New Mexico	68	T	T	A	T	T	T	T	W	T	A	A	T	A
New York*	223	T	W	W	W	T	W	T	T	W	W	W	W	W
North Carolina*	271	W	T	W	W	T	W	A	A	W	W	W	W	T
North Dakota*	22	W	T	T	T	T	W	T	T	W	W	W	W	W
Oregon*	186	T	T	T	T	W	T	T	W	T	T	T	T	T
Rhode Island	145	W	A	A	A	W	W	W	A	T	A	A	W	W
South Dakota	32	W	A	A	A	W	W	T	A	W	T	T	W	W
Utah*	99	T	W	A	W	W	T	T	A	T	A	T	W	W
Vermont	29	W	W	W	W	T	W	T	T	W	W	W	W	W
Wisconsin*	123	T	T	T	T	T	T	A	T	T	T	T	W	W

Source: Rottman, D., and Strickland, S. (2006). *State Court Organization 2004*. Washington D.C.: U.S. Dept. of Justice.

Legend: NR=No response; N/S=Not stated; W=Total responsibility; T=Shared responsibility; A=No responsibility

Note: \* = Group 2 States



Table 10: Responsibilities of state administrative office II in Group 1 states

State	Law libraries	Legal research (law clerks)	Legal representation/general counsel	Legal services (other)	Liaison with legislature	Probation–adult	Probation–juvenile	Public information	Purchasing	Research/planning	Security	Technical assistance to courts	Other
Alabama*	A	T	W	T	W	A	T	W	T	W	T	W	
Alaska*	W	A	W	A	W	A	A	W	T	W	T	W	
Arkansas	T	W	A	W	W	A	W	W	T	W	W	W	W - Interpreters, record audits, Court Appointed Special Advocates
California*	A	A	W	W	T	A	A	T	T	T	T	T	T - Improving court services
Colorado*	A	A	A	A	W	T	T	W	W	W	A	W	
Connecticut	W	W	T	W	W	W	W	W	W	W	W	W	
Delaware*	T	A	A	T	T	A	A	T	T	T	T	W	T - Interpreters W - Staff training
Florida*	A	T	T	A	T	A	A	W	W	W	A	W	T - Emergency preparedness
Hawaii	W	A	W	W	W	A	A	W	T	W	T	W	
Idaho	T	A	W	T	W	A	A	W	W	W	T	W	W - Court leadership T - Media relations
Illinois*	T	T	T	T	W	T	T	T	T	T	T	T	
Iowa*	T	T	A	A	W	A	T	W	T	W	T	W	W - Judicial Qualifications Commission; judicial retirement system
Kansas	T	W	T	T	W	T	T	W	T	W	T	W	
Kentucky*	T	W	W	T	W	A	A	W	W	W	T	W	
Maine	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	
Maryland	T	A	T	A	T	A	A	T	W	W	T	T	W - Family/child services; interpreters; staff judicial conference committees
Massachusetts	W	T	T	T	W	W	W	T	W	W	W	W	
Minnesota*	A	A	W	W	T	A	A	T	T	W	A	W	W - Child support magistrates. T - Interpreters; guardians ad litem
Mississippi	A	T	A	N/S	T	A	A	T	T	T	T	T	
Montana*	A	A	A	A	T	A	T	T	W	W	T	W	
New Hampshire	A	A	A	A	A	A	A	T	T	T	T	W	
New Jersey	T	A	T	T	W	T	T	T	T	W	A	W	W - Printing T - Volunteer management and interpreters
New Mexico	A	T	T	T	T	A	A	T	T	T	T	T	
New York*	W	W	W	W	W	A	A	W	W	W	W	W	
North Carolina*	A	W	T	W	W	A	A	W	W	W	A	W	
North Dakota*	W	A	W	W	T	A	W	W	W	W	T	W	
Oregon*	T	A	W	T	T	A	A	T	T	T	T	T	T - Interpreters; foster care review
Rhode Island	W	W	W	W	T	A	A	T	W	T	T	W	
South Dakota	T	T	W	W	W	W	W	W	W	W	T	W	
Utah*	A	A	W	W	W	A	A	W	T	W	T	W	
Vermont	A	W	T	A	W	A	A	W	T	W	W	W	
Wisconsin*	T	T	A	A	W	A	A	W	T	W	T	W	

Source: Rottman, D., and Strickland, S. (2006). *State Court Organization 2004*. Washington D.C.: U.S. Dept. of Justice.

Legend: NR=No response; N/S=Not stated; W=Total responsibility; T=Shared responsibility; A=No responsibility

Note: \* = Group 2 states



**Table 11. Intermediate administrative structures in Group 2 states**

State	Intermediate management structures
Alabama	The presiding judge of each circuit is responsible for the general supervision of the administrative operation of the trial courts (circuit and district) within the circuit.
Alaska	Alaska is divided into four judicial districts. Each of the superior and district court judges is located in one of the four districts. In January of each year, the chief justice of the supreme court designates a superior court judge from each of Alaska's four judicial districts to serve as presiding judge for a term of one calendar year. The presiding judge is responsible for the administration of the trial courts within the district, including assignment of cases, supervision of court personnel, efficient handling of court business and appointment of magistrates.
California	Each superior court has a presiding judge who is elected by the other judges and whose principle functions are the appointment of judges of the court, assigning of posts and monitoring their operations.
Colorado	The chief justice appoints the chief judge of each of the state's judicial districts. The chief judge of each district appoints a management team. It is recommended that the management team include at a minimum, the chief judge, district administrator, clerk of court, and chief probation officer and a presiding county court judge from within the district. Each of the state's 22 judicial districts also has a district administrator.
Delaware	The superior court has a president judge.  The court of common pleas judge appointed by the governor as chief judge serves as the administrative head of the court during the term of his or her appointment.
Florida	A chief judge is chosen from among the circuit judges and county judges in each judicial circuit to carry out administrative responsibilities for all trial courts (both circuit and county courts).
Illinois	Circuit judges in each circuit elect one of their members to serve as chief circuit court judge. The chief judge has general administrative authority in the circuit, subject to the overall administrative authority of the supreme court. The chief judge can assign cases to general or specialized divisions within the circuit and provide for the time and place of hearings.
Iowa	Each district has a chief judge and a district court administrator. The chief judge is appointed by the chief justice.
Kentucky	Chief judges for circuits and districts are elected by the judges from the respective court. Chief judges can assign cases within the cadre of judges in the circuit or district.  Kentucky has established a system of regions. Chief regional judges are responsible for assigning special judges, current or senior judges, in cases of conflict or vacancies. The chief judge may serve in the absence of any judge within the region.  Within either structure described here, venue rests at the county level. Judges conduct court in the county of venue.
Minnesota	Each district has a chief judge and an assistant chief judge. These positions are elected by the judges within each district for two-year terms. No judge may serve more than two consecutive terms. By statute, seniority and rotation of the positions are specifically excluded as criteria for selecting the chief judge and assistant chief judge. The chief judge has general administrative authority over the courts within the judicial district including the power to assign judges.
Montana	In a multi-judge district court, a chief district judge is selected at the beginning of each calendar year, and the position rotates among the judges of the district annually, unless the judges of the district agree otherwise. The chief district judge manages district court business, in cooperation with the other judges of the district.
New York	For the purposes of administration, New York is divided into 12 districts. In each judicial district outside New York City, a district administrative judge is responsible for supervising all courts and agencies including directing an administrative office for that district. Inside New York City, an administrative judge supervises each major court. Supervising judges are responsible for assisting administrative judges in the on-site management of the trial courts, including court caseloads and personnel and budget administration. Supervising judges manage a particular type of court within a county or judicial district.
North Carolina	The superior courts are divided into administrative districts. Each has a senior resident superior court judge, who is responsible for certain administrative duties. The chief justice of the supreme court appoints a chief district court judge for each district. State law establishes trial court administrators for some superior court districts. The statute also grants authority to the administrator of the courts (AOC) to appoint trial court administrators for other districts. Superior courts are also divided into eight divisions. Per the state constitution, superior court judges rotate districts within the division.  The district courts also are divided into districts.

**Table 11. Intermediate administrative structures in Group 2 states**

State	Intermediate management structures
North Dakota	Each district has a presiding judge who is elected by the district judges. The state is also divided into four administrative units that consist of one or two judicial districts. For each unit, the state court administrator and the presiding judges hire a trial court administrator.
Oregon	A chief judge is selected for each district.
Utah	The presiding judge in multi-judge courts is elected by the judges of the court. The presiding judge is charged with the responsibility for the effective operation of the court. (S)he is responsible for the implementation and enforcement of statutes, rules, policies and directives of the council as they pertain to the administration of the courts, orders of the court en banc and supplementary rules. The presiding judge has the authority to delegate the performance of non-judicial duties to the court executive.
Wisconsin	The state's 72 counties are divided into 10 judicial administrative districts. In each district there is a chief judge appointed by the supreme court. The chief judge supervises and directs the administration of the district. Each chief judge appoints a deputy chief judge to act in the event of his or her absence or unavailability. Each district also has a district court administrator who is a permanent employee of the director of state courts office who in turn is assisted by a court management assistant. The district court administrators' offices are generally located in the largest city in the respective district. The chief judges meet monthly as a committee, as do the district court administrators.

Source: Specific citations for these data are provided in Appendix A.

**Table 12. Salaries for presiding judges in Group 2 states**

State	Court	Base salary Per Year (nominal \$)	Extra pay per par for presiding judge	Salary survey date	Notes
Alabama	Circuit	\$120,000- \$150,000	None	10/1/08	Presiding judge continues to hear cases. No reduced workload
Alaska	Superior	\$166,000- \$173,000 (varies by location and cost of living)	None	7/1/08	Presiding judge continues to hear cases. No reduced caseload
California	Superior	\$179,000	Unknown	11/14/07	2004 DOJ data indicate that presiding judges make more than other judges, but the NCSC Survey of Judicial Salaries does not list an increment for presiding judges
Colorado	District	\$129,000	None	7/1/08	Chief judge continues to hear cases. No reduced caseload.
Delaware	Superior	\$169,000 (Associate)	\$15,000	7/1/07	NCSC salary survey shows that there are presiding judges. The definition of that position is unclear. 2004 DOJ data indicate that presiding judges are not applicable to superior courts.
Florida	Circuit	\$142,000	None	7/7/09	It varies across the state as to whether chief judges continue to hear cases or have a reduced caseload
Illinois	Circuit	\$174,000	None	7/1/09	Presiding judge continues to hear cases, but has a reduced caseload
Iowa	District	\$138,000	\$5,000	7/1/08	Chief judge continues to hear cases, but has a reduced caseload
Kentucky	Circuit	\$125,000	\$1,000	7/1/09	Chief judge continues to hear cases. No reduced caseload.
Minnesota	District	\$129,000	\$7,000	7/1/08	Chief judge continues to hear cases, but has a reduced caseload
Montana	District	\$107,000	None	7/1/09	Presiding judge continues to hear cases. No reduced caseload.
New York	N/A	Unknown	Unknown	1/1/99	Courts are grouped into districts. Courts are managed by district administrative judges who typically do not hear cases. These arrangements are different within New York City, where administrative judges do hear cases. 2004 DOJ data indicate that district administrative Judges are paid an additional salary increment, but the NCSC survey data does not indicate what those salaries are. The survey data are rather dated.
North Carolina	Superior	\$124,000	\$4,000	7/1/08	Senior resident judges continue to hear cases. No reduced caseload.
North Dakota	District	\$114,000	\$3,000	7/1/09	Presiding judge continues to hear cases. No reduced caseload.
Oregon	Circuit	\$114,000	None	1/1/09	Presiding judge continues to hear cases. No reduced caseload.
Utah	District	\$132,000	\$2,000	7/1/08	Presiding judge continues to hear cases, but has a reduced caseload.
Wisconsin	Circuit	\$129,000	None	2/9/09	Chief judge continues to hear cases. No reduced caseload.

Sources: National Center for State Courts. (2009). *Survey of judicial salaries*. 34(2), pp. 5-11.  
Rottman, D., & Strickland, S. (2006). *State court organization 2004*. Washington D.C.: U.S. Department of Justice.

Note: The NCSC salary data were recorded at different times. The date associated with each set of data is indicated. Salary data are not adjusted to real dollars or for cost of living.



Table 13: Clerks and trial court administrators in Group 1 states

State	Type	Name of court	Clerks		TCAs	Caseflow Management		Collect fines and fees		Courthouse facilities management		Jury selection		Maintain the court record		Supervise court reporters		Notes
			Elected	Appointed		Clerk	TCA	Clerk	TCA	Clerk	TCA	Clerk	TCA	Clerk	TCA	Clerk	TCA	
Alabama	GJ	Circuit	*		*	*	*	*				*	*	*				Clerks of court serve both the circuit and district courts
Alabama	LJ	District	*			*	~	*	~		~	*	~	*	~		~	Clerks of court serve both the circuit and district courts
Alaska	GJ	Superior		*	*		*	*			*	*		*	*			Clerks of court and trial court administrators serve both the superior and district courts
Alaska	LJ	District		*	*		*	*			*	*		*	*			Clerks of court and trial court administrators serve both the superior and district courts
Arkansas	GJ	Circuit	*		*	*	*					*		*				
Arkansas	LJ	District	*	*		*	~	*	~		~		~	*	~		~	The district court has a total of 124 clerks of court that are either elected or appointed by the judiciary
California	GJ	Superior			*	~	*	~	*	~	*	~	*	~	*	~	*	
Colorado	GJ	District		*	*	*	*	*						*				The district court clerks of court also serve the county court. The district court trial court administrators also serve the county court, and three trial court administrators serve as district and county court clerks.
Colorado	LJ	County		*	*	*	*	*						*				The district court clerks of court also serve the county court. The district court trial court administrators also serve the county court, and three trial court administrators serve as district and county court clerks.
Connecticut	GJ	Superior		*		*	~		~	*	~	*	~	*	~	*	~	
Delaware	GJ	Superior		*	*	*	*	*	*			*	*	*	*	*	*	
Delaware	LJ	Justice of the Peace			*	*	*	*	*	*	*			*	*			
Florida	GJ	Circuit	*		*	*	*	*			*	*	*	*	*		*	
Florida	LJ	County	*		*	*	*	*			*	*	*	*	*	*	*	Clerks of court and trial court administrators serve both the circuit and county courts
Hawaii	GJ	Circuit		*	*	*	~	*	~	*	~	*	~	*	~		*	The chief court administrator in each circuit is both the clerk of court and the trial court administrator
Hawaii	LJ	District			*	*	~	*	~	*	~	*	~	*	~		*	The chief court administrator in each circuit is both the clerk of court and the trial court administrator
Idaho	GJ	District	*		*		*	*	*	*	*	*		*			*	
Idaho	LJ	Magistrate's Division	*		*		*	*	*	*	*	*		*			*	Clerks of court and trial court administrators serve both the district court and the magistrate's division
Illinois	GJ	Circuit	*		*	*	*	*			*	*	*	*			*	
Iowa	GJ	District		*	*		*	*			*	*	*	*			*	
Kansas	GJ	District		*	*	*	*	*	*	*	*	*	*	*	~		*	
Kentucky	GJ	Circuit	*		*	*	*	*				*	*	*			*	
Kentucky	LJ	District	*		*	*	*	*				*	*	*			*	Clerks of court serve both the circuit and district courts
Maine	GJ	Superior				NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	
Maine	GJ	District				NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	
Maryland	GJ	Circuit	*		*	*	*	*			*	*	*	*			*	
Maryland	LJ	District		*		*	~	*	~	*	~		~	*	~	*	~	
Massachusetts	GJ	Superior	*		*	*	*	*						*			*	
Massachusetts	LJ	District		*	*	*	*	*						*			*	
Minnesota	GJ	District		*	*	*		*				*		*			*	
Mississippi	GJ	Circuit	*		*	*	*	*				*		*			*	19 of the 82 circuit court clerks of court also serve the county courts
Mississippi	LJ	Chancery	*		*	*	*	*				*		*			*	

Table 13: Clerks and trial court administrators in Group 1 states

State	Type	Name of court	Clerks		TCAs	Caseflow Management		Collect fines and fees		Courthouse facilities management		Jury selection		Maintain the court record		Supervise court reporters		Notes
			Elected	Appointed		Clerk	TCA	Clerk	TCA	Clerk	TCA	Clerk	TCA	Clerk	TCA	Clerk	TCA	
Mississippi	LJ	County	*		*	*	*	*				*		*			*	19 of the 82 circuit court clerks of court also serve the county courts
Montana	GJ	District	*		*	*	*	*				*		*				
New Hampshire	GJ	Superior		*		*	~	*	~		~	*	~	*	~		~	
New Hampshire	LJ	District		*	*	*		*						*				
New Jersey	GJ	Superior		*	*		*	*	*				*	*	*		*	
New Mexico	GJ	District		*	*	VA		*	*			VA	*	*	*	VA	*	
New Mexico	LJ	Magistrate				~	~	~	~	~	~	~	~	~	~	~	~	
New York	GJ	Supreme		*	*	*	*	*		*	*	VA		*		*	*	20 clerks of court serve both the supreme and county courts
New York	GJ	County		*	*	*	*	*		*	*	VA		*		*	*	20 clerks of court serve both the supreme and county courts. 20 trial court administrators serve both the supreme and county courts.
North Carolina	GJ	Superior	*		*	*	*	*		*	*	*	*	*			*	
North Carolina	LJ	District	*		*	*	*	*		*	*	*	*	*			*	Trial court administrators serve both the superior and district courts
North Dakota	GJ	District	*		*	*	*	*				*	*	*			*	
Oklahoma	GJ	District				N/S	N/S	N/S	N/S	N/S	N/S	N/S	N/S	N/S	N/S	N/S	N/S	
Oregon	GJ	Circuit			*	~	*	~	*	~	*	~	*	~	*	~	*	
Oregon	LJ	County				~	N/S	~	N/S	~	N/S	~	N/S	~	N/S	~	N/S	
Rhode Island	GJJ	Superior		*	*	*	*	*	*			*	*	*	*	*	*	
Rhode Island	LJ	District		*	*	*	*	*	*					*		*	*	
South Dakota	GJ	Circuit		*	*	*	*	*	*	*	*	*	*	*	*	*	*	
South Dakota	LJ	Magistrate				*	*	*		*	*	*	*	*				Clerks of court and trial court administrators serve both the circuit and magistrate courts
Utah	GJ	District		*	*	*	*	*	*		*	*	*	*	*			Clerks of court are appointed by the trial court administrator. Nine clerks of court and five trial court administrators serve both the district and juvenile courts.
Utah	LJ	Justice			*	~	VA	~	VA	~	VA	~	VA	~	VA	~	VA	
Vermont	GJ	Superior		*	*	*	*	*	*	*		*	*	*		*	*	
Vermont	GJ	District		*	*	*	*	*	*	*	*	*	*	*	*	*	*	Clerks of court are appointed by the state court administrator. Vermont employs one statewide trial court administrator that oversees all trial courts and is appointed by the state court administrator.
Washington	LJ	District			*	*	*	*	*	*	*	*	*	*	*	*	*	The district and municipal courts use the terms clerk of court and trial court administrator interchangeably
Wisconsin	GJ	Circuit	*		*	*	*	*	*	*	*	*	*	*	*		VA	

Source: Rottman, D. & Strickland, S. (2006). *State Court Organization 2004*. Washington D.C.: U.S. Dept. of Justice.

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; N/S=Not stated; VA=Varies.

Table 14: Clerks and trial court administrators in Group 2 states

State	Responsibilities of clerks of court	Responsibilities of trial court administrators	Interaction	Effects of reform on clerks (if any)
Alabama	<p>Clerks are elected. The duties of the circuit court clerks include:</p> <p>(1) To sign and issue all summons, subpoenas, writs, executions, and other processes, under the authority of the court.</p> <p>(2) To keep a consolidated docket sheet of civil and criminal cases, the names of the parties, the character of action or offense, the names of the attorneys and the sheriff's return, which shall be entered in all civil and criminal cases standing for trial, in the order in which they are brought, and the bench notes, orders, rulings on motions and pleadings, other preliminary matters and final judgment which have been made in each case by the judge, which shall be the official minutes.</p> <p>(3) To keep all papers, books, dockets, and records belonging to their office with care and security, with the papers filed, arranged, numbered, and labeled, so as to be of easy reference, and the books, dockets and records properly lettered. Parties shall be allowed to inspect the records free of charge.</p> <p>(4) To make out and deliver, on application and payment of the legal fees therefore, to any person applying for the same, a correct transcript, properly certified, of any paper or record in their offices.</p> <p>(5) To exercise such duties as are, or may be, conferred upon them by law, including administrative rules promulgated by order of the Supreme Court of Alabama.</p> <p>(6) To monitor compliance with court orders issued by a state court which assess court costs, fines, and other related court-ordered money against criminal defendants and to utilize accounts receivable systems and other procedures, including notice processes, to ensure payment of court-ordered money.</p>	<p>There only are a handful of courts appoint administrators</p>		
Alaska	<p>"A clerk or deputy clerk of court shall perform such duties as are or may be required by the presiding judge, by the rules of the supreme court, and by law. A clerk or deputy clerk of court shall issue all process and notices required to be issued except as otherwise provided by rule or statute and may:</p> <p>(1) Administer oaths;</p> <p>(2) Take and certify proofs or acknowledgements of documents, affidavits, or depositions; and</p> <p>(3) Exercise other powers as may be permitted by law or by the rules of the supreme court."</p> <p>Other duties, among others, involve jury management and maintaining an index to cases.</p>	<p>The area court administrator of each district helps the presiding judge fulfill his or her administrative responsibilities. The duties include, among others, maintaining a list of all matters that are under advisement, destroying court records with the approval of the administrative director, and handling media relations.</p>		
Colorado	<p>"Upon approval by the chief justice of the supreme court, the chief judge of a judicial district may authorize, either generally or in specific cases, the clerk of the county court to do the following:</p> <p>(a) Issue bench warrants, misdemeanor or felony warrants, and writs of restitution upon written or oral order of a judge;</p> <p>(b) Advise defendants in criminal cases of their procedural and constitutional rights;</p> <p>(c) Accept pleas of not guilty in all criminal cases and set dates for hearings or trials in such cases;</p> <p>(d) Subject to the requirements of the Colorado rules of civil procedure, enter default and default judgments and issue process for the enforcement of said judgments;</p> <p>(e) Under the direction of a judge, grant continuances, set motions for hearing, and set cases for trial; and</p> <p>(f) With the consent of the defendant, accept pleas of guilty and admissions of liability and impose penalties pursuant to a schedule approved by the presiding judge in misdemeanor cases involving violations of wildlife and parks and outdoor recreation laws for which the maximum penalty in each case is a fine of not more than one thousand dollars, and in misdemeanor traffic and traffic infraction cases involving the regulation of vehicles and traffic for which the penalty specified in section 42-4-1701, C.R.S., or elsewhere in articles 2 to 4 of title 42, C.R.S., in each case is less than three hundred dollars. A clerk shall not levy a fine of over said amounts nor sentence any person to jail. If, in the judgment of the clerk, a fine of over said amounts or a jail sentence is justified, the case shall be certified to the judge of the county court for re-</p>	<p>Each district has an administrator, with the following duties, a district administrator:</p> <ul style="list-style-type: none"> <li>• "Supervises and directs court employees including: Clerk of Court staff, jury commissioner, and other administrative staff for the district</li> <li>• Provides case flow management in conjunction with the Clerk's office, ensuring proper docket management</li> <li>• Develops and implements new policies in conjunction with judges and court staff. Implements policy changes from the State Court Administrator's Office and Chief Justice Directives.</li> <li>• Ensures maintenance of law library materials</li> <li>• Responsible for recruitment, selection and termination of court employees</li> <li>• Establishes expectations and provides employee performance feedback on an ongoing and annual basis. Assists subordinates in establishing goals. Evaluates subordinates' goal achievement through conferences or informal meetings. Makes decisions regarding subordinate's employment probationary/trial period.</li> <li>• Provides orientation and ongoing training, mentoring and coaching to existing subordinates. Makes provisions for subordinates to attend outside training. May provide cross-training and interdepartmental training.</li> <li>• Assigns duties and responsibilities to staff; develops and establishes procedures for operating and maintaining required administrative systems</li> </ul>		

Table 14: Clerks and trial court administrators in Group 2 states

State	Responsibilities of clerks of court	Responsibilities of trial court administrators	Interaction	Effects of reform on clerks (if any)
Colorado (continued)	<p>arraignment and trial de novo.”</p> <p>Other duties include indexing court records, keeping the seal, and keeping financial records.</p>	<ul style="list-style-type: none"> <li>• Develops and manages the budget, purchasing and accounting functions. Authorizes expenditures.</li> <li>• Participates in the design, acquisition, and implementation of automation for court processes and proceedings</li> <li>• Provides for facility maintenance and space needs, ensuring that staff have adequate equipment and safe working environment</li> <li>• Coordinates the activities of the court and maintains productive relationships with judges, County Commissioners, State Court Administrator's Office personnel, other courts, the bar association, law enforcement agencies, general public, and correction institutions.</li> <li>• Appraises the Chief Judge on all administrative matters</li> <li>• Attends meetings and training as required</li> <li>• Performs other duties as assigned”</li> </ul>		
Delaware	<p>The Prothonotary's Office is the Clerk of Court for Superior Court. Each County (3) has their own Clerk's office for the Superior Courts. The Prothonotary oversees the daily functions of the clerk's office. The judges appoint the Prothonotary. There are approximately 80 employees currently working in New Castle County's office. Our office at the present time works off an independent Case Management System and Lexis Nexis for certain Civil case types. We have six main departments that are responsible for the following:</p> <p>Administration Dept.- acceptance of civil cases and filings and various misc. filings, issue all writs, maintain business name registration docket, process and monitor all civil appeals from various courts, boards and agencies, etc.</p> <p>Civil Dept. – civil case managers oversee their assigned judge's case load, attend all hearings for those cases, process miscellaneous civil cases, issue commissions, process pro hac vice filings and maintain pro hac log, process and monitor all complex civil cases (Asbestos, Seroquel, Benzene)</p> <p>Criminal Dept. – acceptance of criminal cases and filings, bail, criminal costs, issuance of summons, subpoenas, capias and Rule 9 warrants, process criminal motions, arraignments, case reviews, trial, diversion, TASC and Plea calendars, process continuance requests for criminal trials, the criminal case managers and sentencing clerks attend all criminal Court proceedings, swear in witnesses, are responsible for recording and safe-keeping of all evidence, prepare commitment and release documents for prisoners, etc.</p> <p>Accounting Dept. – Maintain records for all Superior Court filing fees, reconcile daily revenue, record and collect all fines, court costs and restitution payments, disburse restitution payments, process tax intercept appeals, etc.</p> <p>Judgment Dept. – Record all judgments and liens, issue judgment writs, monitor the satisfaction of judgments, maintain and process permits to carry a concealed deadly weapon, etc.</p> <p>Records Dept. – Maintain all the pleadings and files (both Civil and Criminal), prepare all files for courtroom proceedings, maintain official court record on criminal and civil cases, assist the public with requests in obtaining information from files, prepare all closed civil and criminal cases for archival storage, process requests from outside agencies and courts for New Castle County Superior Court criminal information from files, etc.</p> <p>Our office also handles various miscellaneous duties including overseeing the Board of Canvass, issuing all certificates of election to the elected officials in New Castle County, and prepare court schedules and calendars to be used for scheduling.</p>	<p>The superior court employs court administrators and managers as needed</p>	<p>Dependent on issues such as caseload</p>	<p>The position of the Prothonotary was originally an elected position. That changed to an appointment by the Judges many years ago. We are in the process of changing from our independent case management system to a statewide, courtwide system. Sussex County has been using the system for several months and we are to begin using the same system in the fall. This will cause changes for staff in work and business practices.</p>
Florida	<p>The chief role of the clerk of court is to maintain court records. Also, the clerk, among other things, serves as the clerk of county board of commissioners and county recorder. According to the state AOC, it has proven somewhat problematic that clerks of court are not directly responsible to the chief judges.</p>	<p>The local court administrator and staff provide “legal research for the judiciary, information and technology development and support, fiscal and court operations, human resource development, procurement management and facilities planning, and physical security of the courts”</p>		

Table 14: Clerks and trial court administrators in Group 2 states

State	Responsibilities of clerks of court	Responsibilities of trial court administrators	Interaction	Effects of reform on clerks (if any)
Iowa	<p>“Clerks of district court are the chief supervisors of the physical and automated court records filed in the county; of course they also supervise all clerk’s office staff. Most clerks supervise the records and staff in a single county, but several of them supervise records and staff in two or three (mostly rural) counties. We have about 75 clerks of district court for 99 counties.”</p> <p>“Clerks of district court are hired by the chief judge and district administrator (usually with some input from any resident judges in a given county). They can be fired only if approved by a majority of the district court judges in the judicial election district.”</p>	<p>Each of 8 judicial districts “has a chief district court judge and a district court administrator. The district court administrator (DCA) has general management responsibilities over the clerks of district court, budget, case management, and personnel matters within their respective districts”.</p>	<p>The clerks serve recordkeeping functions and administrators provide management services. The district court administrator manages the clerks</p>	<p>The Court Reorganization Act of 1983 removed clerks of court from partisan elections and placed them under the authority of each district’s chief judge.</p>
Kentucky	<p>Circuit court clerks function at the county level. Each county has a circuit court clerk for both the circuit and district court in the county. Clerks are elected officials (constitutional officers) serving 6-year terms. The 120 county clerks of the circuit courts oversee documentation of trial court activities in each county. They maintain all trial court records, files, dockets, and indexes as prescribed by statute or rule, enter data into the Court of Justice case management system, notify counsel of record, parties, and other agencies as required or necessary, issue driver’s licenses and state identification cards, assist the public concerning the status of court cases, attend court and serve as bench clerks, collect and process fines and fees and other monies, and perform other duties as assigned. They are subject to the administrative control of the Chief Justice and are removable upon good cause.</p>	<p>Trial court administrators function at a court level. They are non-tenured AOC personnel who are appointed by, and serve at the pleasure of, the judges who appoint them. Their duties tend to support the administrative business of the court and may include monitoring case flow to ensure efficient processing and making recommendation for improvement of case flow management, compiling statistical reports, scheduling hearings and other court proceedings, managing dockets, interpreting services, managing jury pool, supervising staff and job assignments, acting as a liaison with the public, and performing other duties as assigned by the judge(s).</p>	<p>The clerks serve recordkeeping functions and administrators provide management services</p>	<p>Prior to the transition to a unified court system, county courts may have had court administrators.</p> <p>Prior to the transition in 1978, circuit court clerks were fee-based; they received their compensation entirely from the fees they collected. They paid fees into the state (or county) treasury and were compensated out of the treasury. In 1978, clerks became state officers by statute, and their deputy clerks state employees. They began being paid on a straight salary basis out of the state treasury. It does not appear that their duties changed drastically; they have always been responsible for maintaining the records of the court.</p>
Minnesota	<p>The clerk of the district court is referred to as the court administrator. Court administrators are responsible for day-to-day operations in each county. The duties include, among others, keeping court records; managing the jury program; overseeing the accounting and distribution of fines, fees, trust funds, restitution, and bail; and safekeeping trial exhibits.</p>	<p>Judicial District administrators are responsible for district wide programs, policies, budget, etc. Judicial District Administrators supervise the court administrators in each district</p>		<p>State funding resulted in a switch in which entity is ultimately responsible for the budget. Prior to state funding court administrators often worked directly with county boards to obtain funding for local court staff and operations. After state funding this is all coordinated at the district level and each court is given a budget.</p>
Montana	<p>(1) The clerk of the district court, in addition to keeping the records and performing the duties prescribed elsewhere, shall:</p> <ul style="list-style-type: none"> <li>(a) take charge of and safely keep or dispose of according to law all books, papers, and records that are filed or deposited in the clerk’s office;</li> <li>(b) act as clerk of the district court and attend each term or session of the court and upon the judges at chambers when required;</li> <li>(c) issue all process and notices required to be issued;</li> <li>(d) enter all orders, judgments, and decrees proper to be entered;</li> <li>(e) keep in each court a register of actions, as provided in 3-5-504;</li> <li>(f) keep for the district court two separate indexes, one labeled ‘General Index—Plaintiffs’ and the other labeled ‘General Index—Defendants’ (g) keep a minute book, which must contain the daily proceedings of court, which may be signed by the clerk;</li> <li>(h) keep a fee book, in which must be shown in an itemized form all fees received for any services rendered in the capacity as clerk.</li> </ul> <p>(2) The clerk of the district court may elect to keep court documents by means of electronic filing or storage, or both, as provided in 3-1-114 and 3-1-115, in lieu of or in addition to keeping paper records.”</p>	<p>These functions are examples of the duties of a court administrator. Any one position may not include all of the duties listed, nor do the examples cover all the duties which may be performed.</p> <ul style="list-style-type: none"> <li>• Plans, organizes, schedules, assigns, directs, and evaluates the work of judicial staff such as assistants to judges, law clerks, court reporters, and bailiffs; coordinates and review judges’ daily schedules and coordinates with judicial assistants and court reporters and assigns courtrooms; coordinates caseload with judges, assistants, and attorneys to maximize efficiency.</li> <li>• Provides managerial guidance to supervisory staff in the district such as chief juvenile probation officer and family court services supervisor; meets with supervisors to discuss department activities, assist with the preparation and administration of their budgets, and assist in solving management or personnel problems; attends department meetings.</li> <li>• Prepares the annual budget for several judicial departments; prepares or reviews and integrates budgets for other district court departments such as probation and family services; reviews all district court fund expenditures; approves claims for payment; approves and coordinates leave schedules for smooth operation of the court.</li> <li>• Establishes, monitors, and modifies trial calendars for all judges’ civil jury, criminal jury, and non-jury terms including law and motion days; ensures that jury rooms are available for trials. Meets with clerk of the court to discuss and resolve scheduling and procedural problems and decisions; meets with public defenders and county attorney staff, sheriff and detention staff, and others regarding scheduling and other administrative matters; contacts members of the bar regarding substantive and procedural problems involving cases and serves on committees at the request of district judges.</li> <li>• Serves as judges’ liaison for CASA/GAL programs; monitors program for compliance, troubleshoots individual case problems, and resolves conflicts between parties.</li> <li>• Analyzes and prepares court security plans; plans and organizes space management</li> </ul>		

Table 14: Clerks and trial court administrators in Group 2 states

State	Responsibilities of clerks of court	Responsibilities of trial court administrators	Interaction	Effects of reform on clerks (if any)
Montana (continued)		<p>programs; prepares reports of activities to promote the more efficient and effective management of the court system; conducts research and evaluation of court programs and operations, including the development and application of improved methods of administration for the purposes of increasing the efficiency and effectiveness of court administration; resolves complaints on court-related matters from the public, law enforcement, attorneys and others.</p> <ul style="list-style-type: none"> <li>Serves as the judges' liaison with court-related programs such as corrections, public defenders, citizens review, Guardians Ad Litem, treatment court, pro bono legal services, strategic planning, detention, mental health advisory council, and bar association."</li> </ul>		
New York	Clerks of court are appointed by the judicial branch. In some cases, clerks serve either the Supreme or County courts. In others, the same clerk serves both. Court clerks generally deal with cases, scheduling, and record keeping issues.	Trial court administrators serve both the Supreme and County courts. Court administrators generally deal with court operations (human resources), jury services, preparing budget, technology, public safety, and facilities issues.	<p>These personnel are managed by the chief administrative judge for the judicial district.</p> <p>The interaction of these positions depends greatly on the size and docket pressures (number of filings, variety of cases, etc.) of that judicial district.</p>	
North Carolina	The clerk of the superior court has many duties related to both superior courts and district courts. The clerk's responsibilities include, among other things, keeping court records, overseeing the collection and distribution of court fees and fines, and serving as an <i>ex officio</i> judge of probate.	The responsibilities of the trial court administrators are to oversee civil dockets, to improve the use of juries and to do tasks as directed by the senior resident superior court judge. Only a dozen judicial districts have trial court administrators. The senior resident superior court judges and the chief district court judges hire the trial court administrators.		
North Dakota	To put it simplistically, the Clerk of Court manages the clerk's office at the individual county level. He or she is responsible for case flow management, personnel management, maintaining court facilities, and general administration at the county level.	The trial court administrator is a regional administrator and is responsible for overseeing and directing the clerks of court.	The trial court administrator is a regional administrator and is responsible for overseeing and directing the clerks of court	Prior to August 1, 2004, the clerk of court was supervised by the presiding judge. Trial court administrators and Assistants to the Presiding Judge were employed but they functioned as case flow management specialists and assistants to the judges and were not responsible for clerk of court operations.
Wisconsin	The duties of the clerk of courts include keeping court records, overseeing the collection of court-related fees or fines, and supplying jury management	The district court administrator assists the chief judge in the administration of the judicial district		

Source: Survey of various state court administrators conducted by the Center for Urban Policy and the Environment. Citations and complete data can be found in Appendix D.

Table 15. Responsibility for preparation of budget for state funds for Groups 1 and 3 states

State	Who prepares the budget?		
	Administrative office of courts	Supreme court	Other
Alabama*	•		
Alaska*			• <sup>1</sup>
Arkansas	•		
California*	•		
Colorado*	•		
Connecticut	•		
Delaware*	•		
Florida*	•		
Hawaii			• <sup>14</sup>
Idaho	•		
Illinois*	•		
Iowa*	•		
Kansas	•		
Kentucky*	•		
Maine	NR	NR	NR
Maryland	•		
Massachusetts	•		
Minnesota*	•		
Mississippi		•	
Montana*	•		
Nevada	•		
New Hampshire	•		
New Jersey	•		
New Mexico	• <sup>27</sup>		• <sup>27</sup>
New York*			• <sup>29</sup>
North Carolina*	•		
North Dakota*	•		
Oregon*	•		
Rhode Island	•		
South Dakota	•		
Utah*	•		
Vermont	•		
Wisconsin*	•		

Source: Rottman, D., & Strickland, S., (2006). *State court organization 2004*. Washington, D.C.: U.S. Department of Justice.

Legend: NR=No response

Notes: \*=Group 2 states

Notes from source material:

Alaska —<sup>1</sup> Trial court administrators prepare the budget.

Hawaii —<sup>14</sup> Individual courts prepare the budget.

New Mexico —<sup>27</sup> The AOC prepares the magistrate court budget. Appellate and district courts prepare their own budgets.

New York —<sup>29</sup> Individual courts prepare the budget.



Table 16: Budget making in Group 2 states

State	Policies or guidelines governing the state trial court budget preparation proposal process	Entity or individual responsible for preparing the state trial court budget for legislative consideration	Budget proposal preparation process, including specific roles	Organization of budget proposal (by geographic region, individual court, type of court, or function)	Budget proposal approval (entity and by vote or by consensus)
Alabama		The administrative director of the courts prepares and submits budget recommendations for state appropriations necessary for the maintenance and operation of the Unified Judicial System, with the exception of appellate courts.			
Alaska		A statewide budget for all trial courts, the appellate courts and court administration is prepared centrally by the administrative office.	The budget process for the court system begins with the submission of budget requests by the trial and appellate courts to the administrative director. The requests are reviewed with each judicial district's area court administrator and the clerk of the appellate courts. These requests are modified to conform to the overall court budget plan. The court's budget request is reviewed and approved by the supreme court. Following legislative review and appropriation, funds are then allocated to the judicial districts, the appellate courts and the administrative office.		The court's budget request is reviewed and approved by the supreme court
California	The judicial council is responsible for improving the statewide administration of justice. The council is a broad-based body. Under the leadership of the chief justice, the judicial council promulgates rules of court administration and allocates the judicial branch budget.		The Trial Court Budget Working Group advises the administrative director on trial court budget issues		
Colorado	Subject to the approval of the chief justice, the state court administrator creates procedures for: “(1) the preparation of budget requests; (2) the disbursement of funds appropriated to the judicial department by the general assembly; (3) the purchase of forms, supplies, equipment, and other items as authorized in the judicial department operating budget; and (4) any other matter relating to fiscal administration.”		Subject to the approval of the chief justice, the court administrator prepares an annual budget request for all of the courts of record, which does not include the municipal courts. After the court administrator's preparation and chief justice's approval, the budget request is submitted to the executive and legislative branches.		Chief justice approves the proposal to the executive and legislative branches
Delaware	Budget preparation is conducted according to the <i>State of Delaware Office of Management and Budget – Operating and Capital Budget Preparation Guidelines</i> .		The Council of Court Administrators (consisting of 10 individuals, including 6 court administrators, the state court administrator, 2 deputy state court administrators and the judicial information resource manager) develops and prioritizes the budget requests and presents them to the chief justice and the 5 presiding judges of the courts of the judiciary (the court of chancery, superior court, family court, court of common pleas, and the justice of the peace court). The chief justice and presiding judges review the requests and determine which requests will be incorporated into the budget request for the judicial branch, with the chief justice having final approval.	The budget request is organized by court (supreme court, court of chancery, superior court, family court, court of common pleas, and the justice of the peace court), and by function – consisting of (1) the operating budget, which includes expenditures such as personnel costs, travel expenses, contractual services, supplies and materials, etc., and (2) the capital budget.	The chief justice and the 5 presiding judges of the courts of the judiciary – court of chancery, superior court, family court, court of common pleas, and the justice of the peace court – approve the budget by consensus, with the chief justice having the final approval.
Florida	The state-level Trial Court Budget Commission (TCBC) sets budget policies for the development of budget requests.	The TCBC creates a preliminary budget proposal.	The TCBC creates a preliminary budget proposal. Trial courts make requests. The TCBC analyzes the requests and creates preliminary recommendations. The TCBC consists of 21 voting members, who are either trial court judges or trial court administrators representing various parts of the state. The Supreme Court either approves the recommendations or sends parts of it back to the TCBC for changes. The state legislature considers the recommendation and appropriates money for the trial courts. The TCBC allocates the appropriated funds to each trial court.		The supreme court approves the budget proposal.

Table 16: Budget making in Group 2 states

State	Policies or guidelines governing the state trial court budget preparation proposal process	Entity or individual responsible for preparing the state trial court budget for legislative consideration	Budget proposal preparation process, including specific roles	Organization of budget proposal (by geographic region, individual court, type of court, or function)	Budget proposal approval (entity and by vote or by consensus)
Illinois		The Budget Unit of the produces reports that track spending, contractual obligations, and projected needs in order to produce and implement the judicial branch budget			
Iowa	The state court administrator establishes budgeting procedures. The state court administrator has indicated that Iowa does not have “permanent written guidelines or policies. Rather, the policies have been fiscal year specific. For example, Iowa transitioned into state funding in the 1980s over a four year period. The transition was done by functional component, e.g., jury and witness fees, court reporters, juvenile court services, clerks of courts. So early on the policies reflected that transition. Later on and up to the current time the policies are shaped for each fiscal year based on other factors such as the political or fiscal climate in state government, or priorities established in advance by the supreme court (e.g., this is a year to request additional judgeships, or this is a year not to request additional judgeships).”	The supreme court has the statutory responsibility to prepare and submit an annual operating budget request for the judicial branch (including the trial courts). [In fact,] the court merely approves a budget for submission. The actual preparation of the document is done by the state court administrator with assistance from the district court administrators.	This process has evolved over time. When state funding was first implemented, each judicial district built its budget request based on instructions from and submitted to the state court administrator. “The state court administration produced a combined budget request for the eight judicial districts, along with requests from state court administration and the appellate courts. For a number of years, the supreme court then held administrative en banc budget hearings where each judicial district” presented its request and responded to questions. Following the budget hearings, the court [gave] direction to the state court administrator on what to include in the final budget submission.  Over time, the court has moved away from the budget hearing process. Budgets are developed (and managed) by the chief judge and district court administrator in each of [the] 8 judicial districts, but the court takes up the final version of the budget request without having hearings.  Following the current preparation process, “the legislature appropriates back to the judicial branch a lump sum appropriation... With input from our judicial council (judicial conference) and upon recommendations from the state court administrator, the supreme court then adopts the actual operating budget for the new fiscal year.	Within each district, the budget request is broken down by operating components and line items as directed by the state court administrator.	The supreme court gives final approval to the state courts’ budget proposal that is presented to the legislature. The supreme court discusses the proposal and the approval is by a majority vote of the court.
Kentucky	Governed by statute	The court system is fully unified. The budget director for the judicial branch prepares the budget and the chief justice approves it.	The process involves meetings with the budget director. The director of the administrative office of the courts (AOC) and the chief justice are present. No one else is involved. Concerning additional funding items, the chief justice has the discretion to gather a group of judges and circuit court clerks together to see what they think should be the top priority.	As a unified court system, budget preparation and discussion is centralized at the level of the AOC. The budget is prepared by appropriation unit (salaries, other operating costs) and is not broken out by court or even type of court.	The chief justice approves the budget
Minnesota	The judicial council has administrative policy-making authority for, among other things, “budget priorities, budget request, and submission of the judicial branch budget request to the executive legislative branches.” The judicial council annually sets guidelines for budget requests from each judicial district. They vary by biennium, depending on the current fiscal state of the state.	The state court administrator “prepare[s] and submit[s] budget estimates of state appropriations necessary for the maintenance and operation of the judicial system and makes [related] recommendations”.	The state is divided into 10 administrative judicial districts. The district administrator for each district works with state court administration management to develop the proposed budget for the trial courts which is submitted to the judicial council for consideration. Each district has an internal process for soliciting requests from the judges and administrators in that district.	The budget submitted to the legislature is submitted by level of court. The budget submitted “assumes” the base level funding and only addresses “change requests” to the base level of funding. <ul style="list-style-type: none"> <li>• Supreme court – includes supreme court justices and staff; state law library; clerk of appellate courts; state court administration</li> <li>• Court of appeals – includes court of appeals judges and staff</li> <li>• Trial court – Includes all trial court judges, personnel and operating expenses</li> </ul>	The judicial council approves the budget by vote for submission to the legislature
Montana	Subject to supreme court approval, the district court council sets policies and procedures related to the administration of state funds	The office of the court administrator prepares the judiciary’s budget request and submits it to the legislature. Court staff and district court judges have input in the budget request process.			

Table 16: Budget making in Group 2 states

State	Policies or guidelines governing the state trial court budget preparation proposal process	Entity or individual responsible for preparing the state trial court budget for legislative consideration	Budget proposal preparation process, including specific roles	Organization of budget proposal (by geographic region, individual court, type of court, or function)	Budget proposal approval (entity and by vote or by consensus)
New York		The budget is prepared by individual courts. The chief administrative judge (AJ) compiles the budget on behalf of the office of court administrator (OCA). While setting the budget proposal is a collaborative, collective process, the chief AJ presents the line item budget for the trial courts.	The budget preparation and proposal process works through the 12 judicial districts and four judicial departments. Each district makes its budget report/request through its chief judge. The proposal would, for example, include a request and full proposal for adding court security and the costs of this improvement. The districts' reports go to the respective departments and the OCA for review and development of the final budget proposal. This happens on an annual basis, with every budget cycle/fiscal year (April 1 – March 31).  Individual trial court judges, at times, serve on commissions or working groups to address a particular issue (adding a drug court, for example).	The judicial budget, submitted by OCA to legislature for review and appropriations, is a comprehensive policy and fiscal document and is broken down by: geographic region, judicial division, and function.	While budget process is collaborative and collective, the budget proposal is submitted by the chief administrative judge, on behalf of OCA
North Carolina	The director of the administrative office of the courts (AOC) establishes fiscal policies	The director of the AOC establishes prepares a budget to present to the General Assembly	The director of the AOC establishes fiscal policies and prepares a budget to present to the General Assembly. The state judicial council reviews the budget that the AOC director prepared and advises the chief justice. While the chief justice is involved in the process of preparing the budget, neither the chief justice nor the supreme court has official review of the budget request. Officials at the local level have some involvement in the budget process.		Director of the AOC
North Dakota	The state court administrator establishes general guidelines	The state court administrator prepares the budget	Trial court administrators will work with their presiding judges to create a budget for the unit. Unit requests are submitted to the office of the state court administrator. The office staff can make adjustments to the district court budgets. There is a state-level administrative council, consisting of judges from across the state that serves in an advisory capacity to review trial court component of the state's judicial budget. The chief justice can make the final adjustments to the state's judicial budget before the state's legislature considers it.	It is written as proposed legislation and is collapsed into a single "Court" budget that is divided between supreme court, district court, and Judicial Conduct Commission and Disciplinary Board. It does not identify specific amounts for any court, district, or unit or program unless it is a special pilot project.	The chief justice has complete and final authority over the entire court system budget
Oregon		The chief justice establishes and maintains consistent with applicable provisions of law a plan for budgeting, accounting and other fiscal management and control applicable to expenditures made and revenues received by the state in respect to courts.			
Wisconsin	The chief justice establishes general procedures and policy for the budget process	The director of the state courts creates a budget request for the overall court system.	The chief judge of a judicial administrative district proposes a budget for the district. The director of the state courts creates a budget request for the overall court system.		The supreme court has final approval of the budget proposal, which the chief justice presents to the state legislature with the help of the director of state courts.

Sources: Survey of various state court administrations conducted by Center for Urban Policy and the Environment. Citations and complete data can be found in Appendix D. Citations and complete data for Phase 1 data appear in Appendix A.



**Table 17. Security in Group 4 states**

State	Entities governing, managing, providing, and paying for security detail at the trial court level
Delaware	State pays for security. Capitol police (a state agency) governs and manages security for trial courts. Each court office has bailiffs, who are state employees.
Florida	Security of trial courts in Florida is the responsibility of each county. Most counties provide additional funds to the county sheriff to provide for court security. Each sheriff manages court security contingent in those counties in which the sheriff is responsible for court security. A few counties contract with non law enforcement security companies to provide for security services. The chief judge in the trial courts often provides policy direction with regard to level and implementation of the court security program.
Illinois	Funding for trial court security is appropriated by the various county boards. Consistent with Illinois statute, the sheriff of the county provides for courtroom and courthouse security. Illinois statute also provides for the assessment of a court security fee, pursuant to court order, to be paid to the county for the provision of security.
Iowa	County sheriffs are responsible for daily security in the courthouses. In 1999, the supreme court issues a directive that each county should establish a county courthouse security committee (CCSC) and a written courthouse security plan consistent Iowa's Guidelines for Courthouse Security. The directive said that each CCSC should include a judge, clerk of district court, a local legislator from the board of supervisors, county sheriff, and representatives from other county or state offices that might be located in the courthouse.
Kentucky	<p>The sheriff of each county is responsible for providing security services to the court and its facilities, i.e., deputies, certified court security officers [specially trained by Department of Criminal Justice Training], and ordinary equipment. These officers are compensated by the finance cabinet, out of the state treasury. They are not administrative office of the courts (AOC) employees. Additionally, in order to help defray the cost of providing security services to the court, the sheriff's office in each county is supplemented with 10.1 percent of the court costs collected by the circuit court clerk of the county.</p> <p>While the county sheriff has primary responsibility for providing security, if the sheriff fails or refuses to provide certified peace officers or certified court security officers, the AOC is obligated to contract with a local county government or an agency of the city government for the provision of security services. If the chief justice believes that local law enforcement personnel should be supplemented, the Governor may provide through the Department of Kentucky State Police the necessary security personnel and services for any person or facility in the Court of Justice.</p> <p>Additionally, the AOC employs 13 court security inspectors (CSIs) across the state. CSIs are former state police officers and are also commissioned as special law enforcement officers. They assist with court security statewide (particularly in high-profile and high-risk security situations), with the assessment of facility security on an ongoing basis, with court security training, and with the performance of other security duties as needed by the chief justice or the AOC. CSIs routinely assist local court security personnel.</p> <p>In the newer courthouses and judicial centers where there is monitoring equipment, including both a walk-through metal detector/scanner and hand-held detectors, the AOC provide the metal detectors as well as a monitoring station with all attendant equipment.</p>
Minnesota	The county sheriff provides bailiffs for court. The sheriff also is responsible for general courthouse security and for security in high profile cases.
New York	<p>The Office of the Court Administrator (OCA) governs, manages, and pays for security detail for trial courts. The court security officers are specially trained and paid for through the OCA budget. Security needs for New York's diverse trial court jurisdictions vary and in some districts, the local sheriffs provide security, but that cost is reimbursed by the judicial district budget. In Cayuga County, OCA switched from reimbursing for the cost of local security officers (pursuant to an MOU) for the Cayuga County courts to paying for state court security officers directly. This switch happened in 2005, due, in part, to the expiration of the MOU between OCA and the Cayuga County Sheriff's Department.</p> <p>As indicated above, security officers (local or state) are trained for court security situations, transferring of prisoners, evidence protection, juror protection, judicial security, etc. The trial court security personnel cover all court security issues.</p>
North Dakota	<p>The county sheriff provides for security of the courthouse, including installing and monitoring metal detectors, cameras, and duress buttons. The county sheriff will provide courtroom security on an as-needed basis for specific cases. No county provides bailiffs for routine court hearings. There are no state funds allocated for security, with three minor exceptions:</p> <ol style="list-style-type: none"> <li>1. A full-time security coordinator under contract to the office of the state court administrator provides regular security checks at all courthouses and makes recommendations on security improvements.</li> <li>2. Counties can apply for grants through the court facility improvement and maintenance fund to purchase security equipment or remodel facilities to enhance security.</li> <li>3. If funds are available, the county can apply to the office of the state court administrator for up to 50 percent match on security equipment.</li> </ol>



Table 18: Court facilities, ownership, management, and funding in Group 4 states

State	Ownership of property	Management and funding of maintenance of buildings and property	Selection and funding of upgrades and expansions	Selection and funding of facility-related services (telephone, facsimile, copy machines, computers, IT professional support, software management, IT upgrades)
Delaware	State government owns trial court facilities	The Division of Facilities Management of the Office of Management and Budget (state agency) manages and funds the maintenance of buildings and property used by trial courts.	Proposals for upgrades and expansions are made at the state level, and the proposals work through state agencies. Upgrades/expansions are funded by state money or by grants.	These services are funded by state money. Many of them are part of state contracts.
Florida	County governments own the trial court facilities	County governments manage and fund maintenance		County governments fund most, if not all, of these facility-related expenses/services.
Illinois	The various county boards appropriate funds to pay for the cost of trial court facilities. Counties own/lease the facilities and provide courtroom space, office space and equipment.	Counties maintain facilities, and select support staff to aid with the day-to-day operations of the trial courts	All courthouse and/or courtroom modifications and expansions are financed at the county level; courtroom modifications or construction are consistent with applicable Supreme Court courtroom standards.	
Iowa	The county governments own the trial court facilities. The state does not pay rent for the use of the facilities.	The county is responsible for maintaining the courthouse facility	Expansion or remodeling of a courthouse is paid by the county. The state judicial branch covers the cost of equipment and wiring necessary for maintaining the Iowa Court Information System.	The state judicial branch is responsible for selecting and paying for all telecommunications equipment and software used by the courts. The IT division of the state court administrator's office sets standards for all computer and information technology equipment and software.
Kentucky	<p>The county government owns the property on which trial courts conduct judicial business. State statute requires the county government to provide reasonably available space in the county courthouse or other county facility for courtrooms, chambers, circuit court clerks' offices, etc. If for some reason county space is limited, the city or state may provide facilities or, alternatively, the AOC may lease or even purchase space.</p> <p>The administrative office of the courts (AOC)/judicial branch pays the county an operating costs allowance plus a use allowance. The legislature sets the specific definitions and changes them from time to time. Operating costs allowance is defined as compensation equivalent to the annual expenses borne by the county for utilities, janitorial service, rent, insurance, and necessary maintenance, repair and upkeep of the court facility which do not increase the permanent value or expected life of the court facility, but keeps it in efficient operating condition, and, at the election of the AOC, capital costs of interior or mechanical renovations for the benefit of the court. Use allowance is defined as a percentage of the total original capital costs and the cost of capitalized renovation of the court facility or the court's proportional share of the annual principal and interest cost in connection with the renovation or construction for projects built after 1994.</p>	The detailed day-to-day management lies with the county government. Operating costs, as defined in the previous question, are reimbursed by the AOC to the county	Proposals are made by the AOC and submitted to the legislature for budgetary purposes. Complete renovations or reconstruction are funded at the state level. Non recurring capital expenses are funded at the local level, but when approved by the AOC are reimbursed by the state.	The Technology Services Division of the AOC selects the other facility services, in anticipation to renovation or reconstruction, or as otherwise needed. These services are funded at the state level.
Minnesota	County owns the property on which the trial courts conduct business. The state does not reimburse the county for the property costs. The costs are not accounted for among the trial courts.	The county is responsible for building maintenance.	Upgrades, expansions, etc. are proposed at the county level and are funded at the county level.	<ul style="list-style-type: none"> <li>• Telephone: Varies. In some counties the county maintains the telephone system and bills the court. In others, the system is maintained by the court.</li> <li>• Facsimile: Fax machines are chosen, paid for, and maintained by the courts</li> <li>• Copy Machines: The court is responsible for copy machines in court area of the county buildings</li> <li>• Computers: One statewide computer system funded by the Judicial Branch</li> <li>• IT Professional Support: Paid for and supervised by each judicial district and by State Court Administration</li> <li>• Software Management: Paid for and supervised by each judicial district and by State Court Administration</li> <li>• IT Upgrades: Paid for by each judicial district and by State Court Administration</li> </ul>
New York	Local governments own the property housing the trial courts. Neither the state nor office of court administration (OCA) generally owns the property, nor does the state reimburse (in the form of lease payments, etc.) for use of the property. This gets more confusing (one person used the term "wildly complicated") when it comes to building a new building or other direct capital expenses. It seems that the locally borne property costs can be considered in the overall budget process.	The county/city/borough government manages and funds the maintenance of the buildings. Some of these costs may be reimbursed by OCA.	Proposals for upgrades, expansions are made at the local level through the normal budget process. As indicated above, most of these costs are borne at the local level.	Other facility related services are funded at the state level: telephone, facsimile, IT support and management, etc. All addressed in state budget process.

Table 18: Court facilities, ownership, management, and funding in Group 4 states

State	Ownership of property	Management and funding of maintenance of buildings and property	Selection and funding of upgrades and expansions	Selection and funding of facility-related services (telephone, facsimile, copy machines, computers, IT professional support, software management, IT upgrades)
North Dakota	County governments own the court facilities. Some counties have asked the legislature to require that the court pay the counties rent. However, the legislature has not done so.	Each county is responsible for the district court facility located in each county.	Upgrades, expansions, remodels, and new construction are done at the local level. A legislative proposal to assist a county with funding a new courthouse was soundly defeated this session.	<ul style="list-style-type: none"> <li>• Telephone: County. Although, they may elect to use the state network for telephone service. If they choose this option, they work directly with the Information and Technology Department in the Executive Branch.</li> <li>• Facsimile: The state provides the equipment and pays the line charges.</li> <li>• Copy Machines: The state provides the equipment and pays the line charges.</li> <li>• Computers: The state provides the equipment and pays the line charges.</li> <li>• IT Professional Support: The court has its own IT Department which provides support to the local courts. When on-site support is required it may be done by the county IT staff, the court IT staff, or through a vendor contract – it just depends on the type and urgency of the issue. If not provided by the court's IT staff, the court is billed for the services.</li> <li>• Software Management: The court has its own IT Department. At least 80% of our users are on Citrix, which allows for remote management of software installation, patches, upgrades, etc.</li> <li>• IT Upgrades: The court has its own IT Department. At least 80% of our users are on Citrix, which allows for remote management of software installation, patches, upgrades, etc.</li> </ul>

Source: Survey of officials from various state court administrations conducted by Center of Urban Policy and the Environment. Complete citations and data can be found in Appendix D.

Table 19: Personnel systems in Group 4 states

State	Setting standard recruitment, qualifications, job descriptions, and employment and discipline policies	Setting standard personnel policies (staffing and salaries)	Creation and implementation of pay scales for trial court judges and court personnel	Normalization of uneven staffing or salaries upon reform (if available)
Alabama			The supreme court and the courts of appeal consult with the administrative office of the courts (AOC) to identify the procedures for the appointment of employees and fix all salaries under the state judicial personnel system. The chief administrative officers of the department are the court administrator and the assistant court administrator which are appointed by the chief justice. The chief justice shall appoint such other employees and their compensation shall be fixed by the chief justice under the provisions of the state merit system.	
Colorado	The supreme court establishes these policies by rule.	The supreme court establishes these policies by rule.	For non-judicial staffing, the supreme court establishes these policies by rule.	
Delaware	Personnel rules are statewide for the judicial branch.	These are statewide and are based on the Judicial and merit rules.	Pay scales for trial court judges are set every four years by a compensation commission which meets every four years.  Pay scales for court personnel are established by the executive branch as a range for each pay grade. Each court has some flexibility within that to set the salary, but above a certain point within the pay grade must obtain permission from the chief justice and, in some circumstances, also from the Executive Branch.	The Wilmington Municipal Court was merged into the state system and some employees became state employees and others remained as city employees (I believe, at their choice), but these positions will become state positions as these employees leave.  In the past, also, the Prothonotary (clerk) of the superior court and the register in the court of chancery were moved from county to state funding.
Florida	There are statewide personnel rules for all levels of court. Those rules are recommended by the administrative office of the courts (AOC), with input from the trial and appellate courts, and ultimately approved by the chief justice.	In the trial courts, staffing levels are recommended by the Trial Court Funding Methodology Committee and must be approved by the Trial Court Budget Commission. Salaries issues are in accordance with personnel regulations and annual instructions from the chief justice with recommendations from the TCBC.	Judges salaries are set by the legislature in the annual general appropriations act. Court personnel salaries are governed by the salary schedule and personnel regulations.	County employees who were retained in state positions created before implementation of full state funding for the courts (Revision 7) retained the salaries they were paid by the court. When positions become vacant, salary levels revert to the state level. These employees were eligible to enroll in the state benefit package. They could not retain their county benefits. The retirement system was the same for county and state employees.
Illinois	Personnel systems are governed by either the supreme court's policies or a county personnel code, dependent upon whether the employee is a county paid or state paid employee. Regardless, if the employee is state or county paid, both systems include a comprehensive inventory of personnel practices.			
Iowa	The state court administrator establishes personnel policy. "The state judicial branch employs all staff and judicial officers in the Iowa court system. State level policies. Personnel job descriptions, classifications, salaries, codes of conduct, and discipline policies are established at the state level. Recruiting, however, is done at the local level. Unions represent approximately 50% of the staff (excluding judicial officers) in clerk of court offices. Union contracts are negotiated on a statewide basis."  All these personnel policies are statewide policies. Staff problems/issues that arise at the local level are handled by the district court administrator according to state policies. Appeals from decisions by the district court administrator are processed according to the applicable union contract for contract covered staff and by the state court administrator's personnel office for noncontract staff. Iowa is an employment-at-will state and policies for noncontract staff reflect this fact.	State level policies (see previous response).	"The state legislature establishes all judicial salaries. Rates of pay for contract covered staff are negotiated in the applicable collective bargaining agreement. Pay grades for noncontract job classifications are set by the state court administrator based upon comparable worth principles using a multifactor job analysis tool. Pay increases for noncontract staff are set by the Supreme Court based on legislative appropriations."	Since unification in the mid-1980s, "all court staff and judicial officers in the state's district courts (one courthouse in each county) are paid on the same statewide pay and benefits schedule for their given job classification. Staffing has been normalized using the weighted caseload staffing formulas we have developed."
Kentucky	Elected officials (justices, judges, and clerks) recruit and hire differently; some advertise in local papers, accept application ongoing, and some hire through word of mouth recruitment. The administrative office of the courts (AOC) applies consistent advertising and hiring for all tenure positions. Standard job descriptions qualifications and disciplinary advisement is statewide. The Judicial Branch also has statewide personnel policies.	The AOC has a budget department responsible for the consistent staffing and salary of all courts and personnel statewide.	When the Kentucky Court of Justice was formed in 1987 salaries were set for judges and court personnel at that time. Since then, any changes to the salary scale require additional funding from the legislature.	When the salary scale was set initially, the people who made below the amount for their grade were brought up. People above were grandfathered in at their rate of pay at the time. Since that time, pay equalization is a constant problem in the Court of Justice that AOC tries to rectify by asking the legislature for additional money.

Table 19: Personnel systems in Group 4 states

State	Setting standard recruitment, qualifications, job descriptions, and employment and discipline policies	Setting standard personnel policies (staffing and salaries)	Creation and implementation of pay scales for trial court judges and court personnel	Normalization of uneven staffing or salaries upon reform (if available)
Minnesota	<p>The judicial branch has a statewide compensation and classification system. The judicial branch has statewide human resources rules.</p> <p>The state court administrator prepares “uniform standards and procedures for the recruitment, evaluation, promotion, in-service training and discipline of all personnel in the court system other than judges, referees, judicial officers, court reporters and court services officers.”</p> <p>The judicial council has administrative policy-making authority for, among other things, human resources.</p>	<p>The judicial branch has a statewide compensation and classification system. The judicial branch has statewide human resources rules.</p> <p>The state court administrator prepares “uniform standards and procedures for the recruitment, evaluation, promotion, in-service training and discipline of all personnel in the court system other than judges, referees, judicial officers, court reporters and court services officers.”</p> <p>The judicial council has administrative policy-making authority for, among other things, human resources.</p> <p>The district administrator and the local county court administrator make these decisions within the parameters set in the branchwide rules.</p>	<p>Pay for judges is set by law. Pay for local court personnel is set pursuant to judicial branch classification and compensation system.</p>	<p>Minnesota normalized unevenly paid trial court personnel at the time they employees because state funded. This was done by asking for state funds to accomplish this task.</p> <p>We are normalizing unevenly funded districts over time. We are normalizing unevenly staffed districts over time.</p>
Montana	<p>The District Court Council is tasked with workload, hiring policies, and the work schedules for court reporters.</p>	<p>The court administrator’s office (CAO) directs the judicial branch personnel plan.</p>	<p>CAO office indicated that a single pay plan (i.e., a position is paid the same across the state and not left to the individual Courts to determine) is essential. To do otherwise would wreak havoc on the budget.</p>	
New York	<p>Trial court personnel recruitment, qualifications, job descriptions and employment and discipline policies are set and implemented at the state level.</p>	<p>Standard staffing and salary issues managed by Office of the Court Administrator since 1977.</p>	<p>Trial court judges’ salaries are set by legislature. State judges have not received a salary increase (including cost of living) since 1998. Salary grades for non-judicial court positions are implemented at state level. Currently, all salaries are capped due to the economic downturn.</p>	<p>All salaries normalized in 1977.</p>
North Carolina	<p>The director of the administrative office of the courts (AOC) has the responsibility of establishing personnel policy statewide.</p>			
North Dakota	<p>A Personnel Policy Board consisting of representatives from the supreme court and the district court (including judges and court staff) recommends policy changes, final authority rests with the Chief Justice to accept, deny or modify those recommendations.</p> <p>These policies are standard and administered through the office of the state court administrator.</p>	<p>These are addressed at the state level. We use a weighted caseload model to determine judge and referee need, a workload assessment model to determine clerk of court need, and a juvenile staffing study to determine juvenile court needs.</p>	<p>District court judge and supreme court justice pay is set by the legislature. Referee pay has been set by the chief justice at 80 percent of a district court judge’s annual salary. Non-classified employees (clerk of the supreme court, state court administrator, assistant state court administrator, trial court administrators, law librarian, director of central legal services, and supreme court and district court law clerks) are set by the chief justice using a market rate comparison.</p> <p>All other employees are paid on a step-system based on a pay grade determined by a point-factor method, and length of time with the court system.</p>	<p>Pay adjustments were made across the board at the time state funding occurred. Normalization of staffing occurred over time. As positions became vacant they were left unfilled or the position was moved to another division.</p>
Wisconsin	<p>The director of state courts has the duty to establish personnel policy. The personnel manual includes policies for the following: (1) vacation and other leave situations; (2) overtime and compensatory time; (3) fringe benefits; (4) promotion and position designation; (5) merit or other performance awards; (6) recruitment and hiring procedures; (7) employee evaluations; (8) salary determination and pay ranges; and (9) an appeal procedure for personnel grievances.”</p>			

Source: Survey of various state court administrators conducted by the Center for Urban Policy and the Environment. Citations and complete data can be found in Appendix D.

**Table 20. Fee generation/allocation in Group 4 states**

State	Allocation of trial court fees	Effect of reform on the allocation of fees (if any)
Delaware		Prior to 1966, the justices of the peace funded their operations through a portion of the fees collected.
Illinois	Collection and disbursement of fees are established pursuant to statutes. There are a broad range of fees that are either mandatory or assessed by judicial discretion, each of which is governed by disbursement formulas.	
Iowa	Court filing fees go to the state general fund	Prior to unification, municipal court filing fees remained with the city or county.
Kentucky	<p>Trial court filing fees are set out in the Kentucky's Supreme Court Rules of Civil Procedure (CRs).</p> <p>The filing and other fees collected by the clerks are deposited into the state treasury with the exception of the law library fee and the court technology fee (which are distributed at the local level) and third party money. The state then allocates the money.</p> <p>Master commissioners, officials who are appointed in each county by the chief circuit court judge to assist with judicial sales, generate fees. They and their staffs are paid a salary and any fees in excess of compensation are remitted to the administrative office of courts (AOC) to be used to hire deputy circuit clerks or AOC personnel.</p> <p>While these are not technically trial court fees, court costs are controlled and allocated by statute.</p>	
Minnesota	Set by statute	Filing fees went to state general fund before state funding. Distribution of court fines was allocated between prosecution, law enforcement and county. Since state funding occurred the state general fund gets the county portion of the fine.
New York	<p>Pursuant to New York State Finance Law, with one exception, all civil filing fees are submitted to the state treasury and deposited in the state general fund. \$26 of the \$210 filing fee (collected by the supreme and county courts) is retained at the local level (the county and/or New York City) to pay for indexing the case.</p> <p>Bail monies remain at the local level. Sanctions (costs imposed on parties and lawyers who do not play by the rules) are allocated in the following manner: (1) if the person who is sanctioned is <u>not</u> an attorney, the sanction fee (which must be less than \$10K) goes to the state fund; (2) If the sanctioned party is an attorney, the sanction fee goes to the state's Lawyers' Fund for Client Protection (which is also administered at the state level).</p>	Trial court fees did not exist before 1977
North Dakota	Allocation is established by statute. Fees that existed prior to January 1, 2001, continue to go to the individual county, those established after January 1, 2001, go to the state.	See response to left. There was no impact to other entities because fee splits such as domestic violence surcharges continued as they were. The counties lost fee revenue but were also relieved of the responsibility for clerk of court and juvenile court salaries and operating costs.



Table 21: Specialized courts and programs in Group 4 states

State	Specialized courts linked to the trial court system	Specialized programs linked to the trial court system	Responsible for budget and management issues for specialized local courts and programs	Effects of reform on specialized courts and programs (if available)
Iowa		<ul style="list-style-type: none"> <li>• CASA (Court Appointed Special Advocate): Paid by the executive branch's Division of Inspections and Appeals.</li> <li>• Mediation programs: No court-sponsored mediation programs; some local mediation programs are supported with funding from the local and/or state bar associations.</li> <li>• Re-entry programs: Paid by the executive branch's Department of Corrections.</li> <li>• Drug and alcohol programs: The judicial branch obtains some funding from the legislature to support drug courts; federal grant funding also supports them.</li> <li>• Indigent defense: Paid by the executive branch's Division of Inspections and Appeals.</li> <li>• Probation: Juvenile probation officers (called "juvenile court officers" in Iowa) are judicial branch employees.</li> </ul>	Not applicable.	All courts became part of the unified state system.
Kentucky	<p>Family Courts: Our family court divisions are part of the circuit court.</p> <p>Drug Courts: Our adult drug courts are operated by the administrative office of courts (AOC)/Court of Justice and are staffed by AOC personnel. They are not actual constitutional courts of record. Rather, they are supervised programs that combine a strong treatment component with the legal weight of law enforcement. Drug court judges serve voluntarily, and may be either a district or circuit court judge. Adult drug court is authorized by and subject to administrative procedures (APs) of the Court of Justice, adopted by the supreme court.</p> <p>Problem Solving Courts: The AOC/Court of Justice operates juvenile drug court, family drug court, and teen court; however, like adult drug court, these courts are not courts of record but, rather, are programs designed to address specific issues. They are addressed under special programs to the right.</p>	<ul style="list-style-type: none"> <li>• GAL (Guardian ad Litem): The AOC's Family and Juvenile Services department, Dependent Children's Services division, operates the GAL program, which provides training and educational materials to attorneys across the state in order to better prepare them for the representation of abused and neglected children.</li> <li>• CASA (Court Appointed Special Advocate): While CASA volunteers work within the Court of Justice; the AOC does not administer or oversee the programs. The CASA programs are governed by local Boards of Directors.</li> <li>• Mediation programs: The AOC/Court of Justice operates mediation programs in several counties. The mediators are employed by the AOC and they assist both the circuit and district courts.</li> <li>• Drug and alcohol programs: See adult, family, and juvenile drug courts.</li> <li>• Pauper defense: The executive branch, not the judicial branch, administers the public defender program.</li> <li>• Probation: The Kentucky Department of Corrections in the executive branch (not the judicial branch) administers the probation program.</li> <li>• Pretrial Services program: The Court of Justice operates the state's pretrial services program, with pretrial officers in all 120 counties. They interview defendants within hours of arrest, perform background checks, use a risk assessment tool to help anticipate future conduct, and make recommendations to the judge concerning release.</li> <li>• Misdemeanor Diversion program: Operated by Pretrial Services for district courts. Resolves minor offenses outside of court, reduces the number of cases on the court's docket, allowing the court system to reserve its resources for more serious cases.</li> <li>• Monitored Conditional Release program: Operated by Pretrial Services. Addresses the overcrowding of Kentucky's jails, advocating the safe release of defendants into the community to ensure court appearances and reduce the risk of defendants committing additional crimes while their cases are pending.</li> <li>• Citizen Foster Care Review Board: The Dependent Children's Services division of the AOC oversees this Board, which is a statutory board made up of nearly 800 volunteers across the state who help ensure that children receive the necessary services while in alternative placement, and make every effort to locate permanent homes for these children.</li> <li>• Juvenile Drug Court and Family Drug Court: These programs address, respectively, (1) juvenile substance abuse in order to deter future drug and alcohol problems and enhance the child's potential for success in school; (2)</li> </ul>	Kentucky's court system is unified, so the Court of Justice is responsible for these issues within the programs it operates.	

Table 21: Specialized courts and programs in Group 4 states

State	Specialized courts linked to the trial court system	Specialized programs linked to the trial court system	Responsible for budget and management issues for specialized local courts and programs	Effects of reform on specialized courts and programs (if available)
Kentucky (continued)		<p>parental substance abuse that has contributed to the removal of children from the home.</p> <ul style="list-style-type: none"> <li>• Court Designated Worker Program: CDWs are statutorily-mandated workers. They are employed by the AOC in all of our 120 counties to process juvenile complaints and assist juveniles under age 18 who are charged with offenses to enter a diversion program.</li> <li>• Truancy Diversion Program: The AOC offers this program to help communities address their truancy problems. The program uses education, prevention, accountability, and treatment, if applicable, to help meet the needs of truant students.</li> <li>• Law Related Education programs: Provides training programs to juvenile justice practitioners, law enforcement officials, educators, court personnel, and attorney statewide. These programs include the Kentucky Mock Trial program (which hosts an annual mock trial tournament for high school students) and the Kentucky Teen Court program which allows first-time juvenile offenders who qualify to participate in a less formal court process administered by their peers.</li> <li>• Divorce Education: The Court of Justice has joined other states in offering divorce education programs that help parents and their children maintain a healthy relationship throughout the divorce process. The programs vary in length and cover a variety of topics.</li> <li>• Interpreting Services Division: The Kentucky Court of Justice provides interpreting services for individuals who have a limited ability to understand English, are deaf or hard of hearing, or are unable to speak.</li> <li>• Jury Service program: The Court of Justice administers the state's jury service program.</li> <li>• Judicial Branch Education: This division provides continuing judicial and professional education seminars for judges and court support personnel.</li> <li>• Kentucky Legal Education Opportunity (KLEO) program: provides scholarships to law students who are underrepresented, low-income, or educationally disadvantaged, with a goal of making the state's attorneys, judges, and prosecutors more representative of Kentucky's citizens.</li> </ul>		
Minnesota	<p>Family Courts: Part of judicial branch - division of district court in each county.</p> <p>Drug Courts: Part of judicial branch</p> <p>Problem Solving Courts: Part of judicial branch</p>	<ul style="list-style-type: none"> <li>• GAL (Guardian ad Litem): Part of judicial branch</li> <li>• CASA (Court Appointed Special Advocate): Not applicable</li> <li>• Mediation programs: Outside judicial branch</li> <li>• Re-entry programs: Outside judicial branch</li> <li>• Drug and alcohol programs: Outside judicial branch</li> <li>• Pauper defense: Outside judicial branch</li> <li>• Probation: Outside judicial branch</li> </ul>	There are no specialized local courts outside the Judicial Branch.	
New York	Models for separate courts established or adopted by OCA. OCA works with Chief Administrative Judges throughout the state in developing and implementing these courts at the local level through the budget process.	Other court programs are established and implemented similarly. Each is developed from a state model plan or program. Each is implemented, developed, or modified at the local level through the annual budget process.	It seems that budget and management issues for special courts and programs are consolidated through the Administrative Judge for each of 12 judicial districts and implemented through OCA. According to respondents, this seems to happen "naturally" through the budget process.	No information currently available.

Table 21: Specialized courts and programs in Group 4 states

State	Specialized courts linked to the trial court system	Specialized programs linked to the trial court system	Responsible for budget and management issues for specialized local courts and programs	Effects of reform on specialized courts and programs (if available)
North Dakota	<p>Family Courts: We have one pilot court in place that is integrated into the district court.</p> <p>Drug Courts: We have numerous drug courts for both juveniles and adults and they are integrated into the district court.</p> <p>Problem Solving Courts: Not applicable</p>	<ul style="list-style-type: none"> <li>• GAL (Guardian ad Litem): This is a statewide program administered by the University of North Dakota under contract to the office of the state court administrator.</li> <li>• CASA (Court Appointed Special Advocate): Not applicable.</li> <li>• Mediation programs: We have a statewide program for family cases administered by office of the state court administrator We do not have a mediation program for other types of cases.</li> <li>• Re-entry programs: This is a Department of Corrections program.</li> <li>• Drug and alcohol programs: Not applicable.</li> <li>• Pauper defense: This is a state program administered by the Commission on Indigent Defense, which is a legislative branch entity.</li> <li>• Probation: Juvenile probation is part of the juvenile court, which is a division of the district court. Adult probation is under the Department of Corrections.</li> </ul>	<p>Budgets for these courts and programs are incorporated into either the district court or the supreme court budget.</p>	<p>None that respondent was aware of.</p>

Source: Survey of various state court administrators conducted by the Center for Urban Policy and the Environment. Citations and complete data can be found in Appendix D.



Table 22. Trial court public defender programs in Group 1 states

State	Type of state trial court public defense System						Year established	Structural location of trial court police department programs				Source of funding			
	State public defender with commission	State director with commission	State public defender without commission	State commission partial authority	State appellate commission or agency	No state commission		State government-judicial	State government-executive	State government-independent agency	Local government	Full state funding	More than 50 percent state funding	Full county funding	More than 50 percent county funding
Alabama						*	n/a				*			*	
Alaska			*				1980		*			*			
Arkansas			*				1997		*			*			
California					*		n/a				*			*	
Colorado	*						1969	*				*			
Connecticut	*						1974	*				*			
Delaware			*				1953		*			*			
Florida						*	n/a				*	*			
Hawaii	*						1972	*				*			
Idaho					*		n/a				*			*	
Illinois					*		n/a				*			*	
Iowa			*				1981		*			*			
Kansas				*			1981		*		*	*			
Kentucky	*						1972		*			*			
Maine*		*					2009			*		*			
Maryland	*						1971		*			*			
Massachusetts		*					1983	*				*			
Minnesota	*						1986	*				*			
Mississippi					*		n/a				*			*	
Montana	*						2005		*			*			
New Hampshire	*						1972	*				*			
New Jersey			*				1967		*			*			
New Mexico			*				1973		*			*			
New York						*	n/a				*			*	
North Carolina		*					2000	*				*			
North Dakota		*					2005		*			*			
Oregon		*					2001	*				*			
Rhode Island			*				1942		*			*			
South Dakota						*	n/a				*			*	
Utah						*	n/a				*		*		
Vermont			*				1972		*			*			
Wisconsin	*						1977		*			*			

Sources: National Right to Counsel Committee. (2009). *Justice denied: America's continuing neglect of our constitutional right to counsel*. Washington D.C.: The Constitutional Project and the National Legal Aid and Defender Association.  
 The Spangenburg Group. (2006). *State indigent defense commissions*. Newton, MA: American Bar Association.

Note: \*The State of Maine established the Maine Commission on Indigent Legal Services on June 17, 2009. This change is not reflected in the sources listed above.

**Table 23. Probation programs in Group 1 states**

State	Probation agency	Executive branch		Judicial branch		Funding sources
		State	Local	State	Local	
Alabama	Alabama Board of Pardons and Parole	*				State and offender fees
Alaska	Division of Community Corrections of the Alaska Dept. of Corrections	*				State
Arkansas	The Dept. of Community Punishment is an agency under the Arkansas Board of Correction and Community Punishment. The Dept. of Correction also is under the board.	*				State and offender fees
California	Counties provide probation services. The structure within county government varies. Some counties put in executive or the local judiciary. Others operate joint executive/judicial program.		*		*	Local and offender fees
Colorado	Each judicial district has a separate probation department					State and local
Connecticut	Office of Adult Probation is part of the Court Support Services Division of the Judicial Branch			*		State
Delaware	The Division of Probation and Parole under the Bureau of Community Custody and Supervision within the Dept. of Corrections	*				State
Florida	Office of Community Corrections within the Dept. of Corrections	*				State
Hawaii	Within each of the four judicial districts, each level of court has offices that manage probations			*		State
Idaho	Division of Field and Community Services within the Dept. of Corrections	*				State
Illinois	70 county departments provide services under the direction of the chief circuit judge				*	State, local, and offender fees
Iowa	Eight multi-county correctional services departments governed by a board		*			State and offender fees
Kansas	Probation departments in each judicial district			*		State and local
Kentucky	Division of Probation and Parole within the Dept. of Corrections	*				State
Maine	Division of Adult Community Corrections within the Dept. of Corrections	*				State
Maryland	Division of Parole and Probation within the Dept. of Public Safety and Correctional Services	*				State
Massachusetts	Office of the Commissioner of Probation Services manages program. Services provided at the local level			*		State
Minnesota	Varied agencies provide probation services.	*	*		*	State and local
Mississippi	Division of Community Services within the Dept. of Corrections	*				State and offender fees
Montana	Probation and Parole Bureau under the Community Corrections Division of the Dept. of Corrections	*				State
New Hampshire	Division of Field Services within the Dept. of	*				State

**Table 23. Probation programs in Group 1 states**

State	Probation agency	Executive branch		Judicial branch		Funding sources
		State	Local	State	Local	
	Corrections					
New Jersey	Administrative Office of the Courts. Services are provided through each district of the superior court.			*		State and local
New Mexico	Probation and Parole Division of the New Mexico Corrections Dept.	*				State and offender fees
New York	Local governments including counties and New York City provide this service at the local level		*			State
North Carolina	Division of Community Correction within the Dept. of Corrections	*				State
North Dakota	Division of Field Services within the Dept. of Corrections	*				State and offender fees
Oregon	County executive establishes services		*			State
Rhode Island	Adult Probation and Parole is a unit of Community Corrections under the Division of Rehabilitation Services within the Dept. of Corrections	*				State
South Dakota	Provided within Court Services Dept. in each judicial district			*		State and local
Utah	Division of Adult Probation and Parole within the Dept. of Corrections	*				State and offender fees
Vermont	Program Services within the Dept. of Corrections	*				State and offender fees
Wisconsin	Division of Community Corrections within the Dept. of Corrections	*				State and offender fees

Source: Krauth, B., & Lenke, B. (1999). *State organizational structures for delivering adult probation services*. Washington, D.C.: National Institute of Corrections, U.S. Department of Justice.



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# Appendix A: Phase I Data

Table A1. Data collection matrix: Alabama

System Element	Description	Citations/Sources
<b>Court Unification</b>		
Has the state reformed the court system by moving to state funding? If so, when?	Yes. The state reformed the trial court system by moving it to state funding. The state did this over a three-year period, starting in fiscal year 1975-76.	Ala. Code § 12-19-3.
Has the state reformed the court system by unifying the trial court system? If so, when?	The Judicial Article Implementation Act of 1975 reorganized the trial courts into a unified system and granted uniform jurisdiction for the trial courts	Alabama Unified Judicial System, FY 2008 Annual Report and Statistics 4, <a href="http://www.alacourt.gov/Annual%20Reports/2008AOCAnnualReport.pdf">http://www.alacourt.gov/Annual%20Reports/2008AOCAnnualReport.pdf</a> ; see Thomas, J. D. & Stewart, W. H. (1988). <i>Alabama Government and Politics</i> . 101-04. Location: University of Nebraska Press.
Has the state reformed the courts system by establishing state level management over the trial court system? If so, when?	A constitutional amendment that was effective on January 17, 1977, created a unified judicial system with state level management	Alabama Unified Judicial System, FY 2008 Annual Report and Statistics 4, <a href="http://www.alacourt.gov/Annual%20Reports/2008AOCAnnualReport.pdf">http://www.alacourt.gov/Annual%20Reports/2008AOCAnnualReport.pdf</a>
<b>Description of Trial Courts</b>		
Principal trial courts of general and limited jurisdiction	The circuit court	Ala. Const. art. VI, § 142; see Ala. Code §§ 12-11-1 to -61; see U.S. Department of Justice, State Court Organization 2004 268, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
Other trial courts	The district court, probate court, and municipal court	Ala Const. art. VI, § 143 (district court), 144 (probate court), 145 (municipal court); see Ala Code §§ 12-12-1 to -73 (district court), 12-13-1 to -70 (probate court), 12-14-1 to -71 (municipal court); see U.S. Department of Justice, State Court Organization 2004 268, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a> .
<b>Funding</b>		
What system elements are funded at the state level?	<ul style="list-style-type: none"> <li>• Salaries and expenses of circuit court judges</li> <li>• Salaries of state-funded court reporters</li> <li>• State contribution to judicial retirement</li> <li>• Public defender programs</li> <li>• Fees and expenses for jurors, jury commissions and witnesses</li> <li>• Salaries and expenses for district judges</li> <li>• Salaries of circuit clerks and registers</li> <li>• Clerical office supplies</li> <li>• Salaries of magistrates and trial court administrators</li> <li>• Long-distance telephone charges for trial court judges and staff</li> </ul>	Ala. Code § 12-19-3 (state funding responsibilities); Ala. R. of Jud. Admin. 3 (long-distance telephone charges); see U.S. Department of Justice, State Court Organization 2004 83-85, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a> .

Table A1. Data collection matrix: Alabama

System Element	Description	Citations/Sources
What system elements are funded at the local level?	<ul style="list-style-type: none"> <li>Judges' salaries and expenses in the probate court</li> <li>Municipal court operations and employees</li> <li>Furnishing and maintaining courtrooms and court offices</li> <li>Utilities, generally</li> </ul>	Ala. Code §§ 12-13-19 to -20 (probate court expenses and salaries), 12-14-2 (municipal court operations), 12-19-4 (facilities for some district courts); Ala. R. of Jud. Admin. 3 (physical facilities).
<b>Trial Court Governance</b>		
What body is the administrative head of the state judiciary? (chief justice, supreme court, other)	Chief justice	Ala. Const. art. VI, § 149.
What body sets administrative policy (makes rules) for the administration of the trial court system? (chief justice, supreme court, commission/council, other)	Supreme court	Ala. Const. art. VI, § 150.
What other bodies have a role in administrative policymaking? (councils, work groups, etc.)	<p>The judicial system consists of various boards and commissions. One of these groups is the Judicial System Study Commission, which makes recommendations about the administration of justice.</p> <p>For example, in 2008, the 45-member commission studied several topics including the funding of drug courts and the funding of courthouse security needs.</p>	Ala. Code §§ 12-9-1 to -9; see Alabama Unified Judicial System, FY 2008 Annual Report and Statistics 26, <a href="http://www.alacourt.gov/Annual%20Reports/2008AOCAnnualReport.pdf">http://www.alacourt.gov/Annual%20Reports/2008AOCAnnualReport.pdf</a>
<b>Trial Court Administration</b>		
What role is given to the Director of Administration? Who appoints the director?	<p>The administrative director of courts has the following duties:</p> <p>(1) To require the filing of reports, the collection and compilation of statistical data and other information on the judicial and financial operation of the courts and on the operation of other offices directly related to and serving the courts;</p> <p>(2) To determine the state of the dockets and evaluate the practices and procedures of the courts and make recommendations concerning the number of judges and other personnel required for the efficient administration of justice;</p> <p>(3) To prescribe uniform administrative and business methods, systems, forms and records to be used in the offices of the clerks and registers of courts;</p> <p>(4) To prepare and submit budget recommendations for state appropriations necessary for the maintenance and operation of the Unified Judicial System, with the exception of appellate courts, and to authorize expenditures from funds appropriated for these purposes as permitted or authorized by law;</p> <p>(5) To investigate, make recommendations concerning and assist in the securing of adequate physical accommodations for the Unified Judicial System;</p> <p>(6) To procure, distribute, exchange, transfer and assign such equipment, books, forms and supplies as are acquired with state funds</p>	Ala. Const. art. VI, § 149; Ala. Code § 12-5-4 (appointment, duties, etc., of court administrator), -9 (administrative director of courts to assist chief justice with duties as administrative head of judicial system) to -10 (list of powers and duties of the administrative director of the courts).

**Table A1. Data collection matrix: Alabama**

System Element	Description	Citations/Sources
	<p>or grant funds or otherwise for the Unified Judicial System;</p> <p>(7) To make recommendations for the improvement of the operations of the Unified Judicial System;</p> <p>(8) To prepare and submit an annual report on the work of the Unified Judicial System to the chief justice;</p> <p>(9) To assist the Chief Justice in performing his duties relating to the transfer and assignment of justices and judges for temporary or specialized duty;</p> <p>(10) To assist the Judicial Conference in its tasks;</p> <p>(11) To promote, carry on and assist in programs designed to aid in the continuing education of justices, judges and other court personnel;</p> <p>(12) To take necessary steps in the collection of unpaid court costs, fines and forfeitures;</p> <p>(13) To serve as a liaison with the executive and legislative branches of the state government; and</p> <p>(14) To perform such additional administrative duties as may be assigned by the Chief Justice.</p> <p>The chief justice appoints the administrative director of the courts.</p>	
<p><b>What intermediate management structures exist for managing the trial court system? (regions/districts, presiding judges) What roles/powers are given to intermediate administrative functions?</b></p>	<p>The state is divided into 41 judicial circuits composed of as few as one county and as many as five counties. The circuit judges select a president judge by a majority vote of the circuit judges in a circuit. If they cannot reach a majority, then the supreme court chooses a presiding judge. The presiding circuit judge shall exercise a general supervision of the judges, clerks, registers, court reporters, bailiffs, sheriffs and other court employees of the circuit and district courts within the circuit, except employees of the clerk, and see that they attend strictly to the prompt, diligent discharge of their duties.</p>	<p>Ala. Code §§ 12-11-2 (circuits established), 12-17-23 (presiding judge selection), 12-17-24 (presiding judge duties); Ala. R. of Jud. Admin. 6 (selection of presiding judges); see Ala. Code § 12-12-10 (supervision of district courts).</p>
<p><b>What is the role of elected or appointed clerks?</b></p>	<p>The duties of the circuit court clerks include:</p> <p>(1) To sign and issue all summons, subpoenas, writs, executions, and other processes, under the authority of the court.</p> <p>(2) To keep a consolidated docket sheet of civil and criminal cases, the names of the parties, the character of action or offense, the names of the attorneys and the sheriff's return, which shall be entered in all civil and criminal cases standing for trial, in the order in which they are brought, and the bench notes, orders, rulings on motions and pleadings, other preliminary matters and final judgment which have been made in each case by the judge, which shall be the official minutes.</p> <p>(3) To keep all papers, books, dockets, and records belonging to their office with care and security, with the papers filed, arranged, numbered, and labeled, so as to be of easy reference, and the books, dockets and records properly lettered. Parties shall be allowed to inspect the records free of charge.</p> <p>(4) To make out and deliver, on application and payment of the legal fees therefore, to any person applying for the same, a correct transcript, properly certified, of any paper or record in their offices.</p> <p>(5) To exercise such duties as are, or may be, conferred upon them by law, including administrative rules promulgated by order of the Supreme Court of Alabama.</p>	<p>Ala. Code § 12-17-94; see Ala. R. of Jud. Admin. 4.</p>

Table A1. Data collection matrix: Alabama

System Element	Description	Citations/Sources
	(6) To monitor compliance with court orders issued by a state court which assess court costs, fines, and other related court-ordered money against criminal defendants and to utilize accounts receivable systems and other procedures, including notice processes, to ensure payment of court-ordered money.”	
What is the role of local court administrators?	<p>Duties:</p> <ul style="list-style-type: none"> <li>• Manage a wide range of non-judicial functions relevant to trial court operations</li> <li>• Direct and coordinate all activities of jury management for the court</li> <li>• Evaluate department needs and formulate and administer plans, policies and programs to meet the needs of the court</li> <li>• Serve as an administrative supervisor providing personnel, purchasing and supervisory functions for courthouse employees</li> <li>• Contract with and manage attorneys doing indigent defense work for the court</li> <li>• Work with the county commission on all matters affecting the judges and courthouse</li> <li>• Serve as a member of various committees like a county drug court committee</li> </ul> <p>Only the judicial circuits in the six most populated counties have trial court administrators</p>	Sachar, R. (court administrator for Alabama’s 15th judicial circuit) (2009, July 29). Re: Request from a Researcher. Email to Elliott McKinnis; <i>see also</i> Ala. Code § 12-5-13 (the administrative director of courts coordinates the functions of the trial court administrators).
<b>Supplemental Information on Governance of Trial Court System</b>		
<b>Decisionmaking body – Administrative policy</b>	Supreme court	Ala. Const. art. VI, § 150.
<b>How are members selected?</b>	There are nine members who are elected statewide, including the chief justice	Ala. Const. art. VI, § 152.
<b>What are term lengths?</b>	All supreme court justices serve six-year terms. Terms are staggered.	Ala. Const. art. VI, § 154.
<b>Does the chief justice vote?</b>	The chief as well as the other justices vote on administrative issues	
<b>Roles in Specific Administrative Functions</b>		
<b>Describe state and local roles in budgeting for trial courts? (top-down, bottom-up, combination)</b>	Top-down. The administrative director of courts “prepare[s] and submit[s] budget recommendations for state appropriations necessary for the maintenance and operation of the Unified Judicial System, with the exception of appellate courts, and . . . authorize[s] expenditures from funds appropriated for these purposes as permitted or authorized by law.”	Ala. Code § 12-5-10(4).
<b>What are the state and local roles in establishing personnel policy for trial courts? (top-down, bottom-up, combination)</b>	Topdown. The supreme court shall make and promulgate rules governing the administration of all courts.	Ala. Const. art. VI, § 150.

**Table A1. Data collection matrix: Alabama**

<b>System Element</b>	<b>Description</b>	<b>Citations/Sources</b>
<b>What are the state and local roles in managing judicial assignments for trial courts? (top-down, bottom-up, combination)</b>	The presiding judge assigns cases to circuit court judges	U.S. Department of Justice, State Court Organization 2004 160, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>State Court Website (general)</b>	<a href="http://www.judicial.state.al.us/">http://www.judicial.state.al.us/</a>	
<b>State Court Administrative Agency Website</b>	<a href="http://www.alacourt.gov/">http://www.alacourt.gov/</a>	
<b>Notes</b>	<p>Comment to R. of Jud. Admin. 3 (physical facilities):            “This rule is based on Ala. Code 1975, Section 11-3-11 (a)(1), which gives the county commission the power to house the courts in the rooms of the courthouse and to designate the rooms to be occupied by the court officials entitled to rooms therein, and on Ala. Code 1975, Section 12-19-4, which directs municipalities to furnish courtrooms and related facilities where the district courts are required to sit for the enforcement of municipal ordinances.</p> <p>Historically, counties have provided and maintained control of the courthouse and the offices therein. Upon state assumption of the judicial system, this rule was implemented to ensure that adequate facilities are maintained for trial courts without interruption in judicial services.”</p>	

Table A2. Data collection matrix: Alaska

System Element	Description	Citations/Sources
<b>Court Unification</b>		
Has the state reformed the court system by moving to state funding? If so, when?	The state court system was state funded at the time of its creation	The Alaska Court System, First Annual Report 26-33, 37-41 (1960).
Has the state reformed the court system by unifying the trial court system? If so, when?	Before statehood, the local courts were not unified. When the state court system was established in 1960, the trial courts existed in a unified system.	The Alaska Court System, First Annual Report 42-43 (1960).
Has the state reformed the courts system by establishing state level management over the trial court system? If so, when?	State level management existed at the establishment of the state court system in 1960	The Alaska Court System, First Annual Report 13-15 (1960).
<b>Description of Trial Courts</b>		
Principal trial courts of general and limited jurisdiction	Superior court	Alaska Stat. § 22.10.020; see U.S. Department of Justice, State Court Organization 2004 269, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
Other trial courts	District court	Alaska Stat. §§ 22.15.030-070; see U.S. Department of Justice, State Court Organization 2004 261, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>Funding</b>		
What system elements are funded at the state level?	“The Alaska Legislature annually appropriates from the state's general fund all monies for the operation of the Alaska Court System”	About the Alaska Court System, <a href="http://www.state.ak.us/courts/ctinfo.htm#budget">http://www.state.ak.us/courts/ctinfo.htm#budget</a> (last visited June 23, 2009); see U.S. Department of Justice, State Court Organization 2004 83-85, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
What system elements are funded at the local level?	None	About the Alaska Court System, <a href="http://www.state.ak.us/courts/ctinfo.htm#budget">http://www.state.ak.us/courts/ctinfo.htm#budget</a> (last visited June 23, 2009); see U.S. Department of Justice, State Court Organization 2004 83-85, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>Trial Court Governance</b>		
What body is the administrative head of the state judiciary? (chief justice, supreme court, other)	Chief justice	Alaska Const. art. IV, § 16.

Table A2. Data collection matrix: Alaska

System Element	Description	Citations/Sources
What body sets administrative policy (makes rules) for the administration of the trial court system? (chief justice, supreme court, commission/council, other)	Supreme court	Alaska Const. art. IV, § 15; Alaska R. of Admin. 44.
What other bodies have a role in administrative policymaking? (councils, work groups, etc.)	Judicial council. The council analyzes the administration of justice and periodically makes recommendations to the supreme court and to the legislature. The council consists of seven members. Three are attorneys that the state bar appoints. Three are non-attorneys that the governor selects with the approval of the legislature. The seventh member is the chief justice, who is the chair of the council.	Alaska. Const. art. IV, §§ 8, 9; see Alaska Judicial Council, <a href="http://www.ajc.state.ak.us/">http://www.ajc.state.ak.us/</a> (last visited June 23, 2009).
<b>Trial Court Administration</b>		
What role is given to the Director of Administration? Who appoints the director?	<p>In general terms, the administrative director of courts oversees the administrative operations of the state court system.</p> <p>There shall be an administrative director of courts who shall, under policy guidelines provided by the supreme court:</p> <ul style="list-style-type: none"> <li>(a) Supervise the administrative operation of the judicial system;</li> <li>(b) Establish the administrative methods and systems to be employed in the offices of the clerks and other offices of the courts;</li> <li>(c) Periodically inspect and examine the administrative methods and systems in use and make recommendations to the chief justice for the improvement of such administrative methods and systems;</li> <li>(d) Establish a system of prescribed accounting practices for all courts including uniform procedures, consistent with existing law, for calculating interest on judgments and allocating payments to costs, interest, and principal;</li> <li>(e) Examine the state of the calendars of all courts, determine the need for assistance by any court and confer with the justices and judges on the status of their calendars and administrative matters;</li> <li>(f) When authorized by the chief justice, make assignments of judges to other judicial districts where the courts are in need of assistance and where the judge consents to the assignment;</li> <li>(g) When directed by the supreme court, prescribe methods for the assignment and calendaring of cases in the superior or district court in any court location;</li> <li>(h) Collect and compile statistical and other data and transmit copies of the same to the supreme court to the end that proper action may be taken in respect thereto;</li> <li>(i) Prepare budget estimates of state appropriations necessary for the maintenance and operation of the judicial system and submit the budget request, as approved by the supreme court, to the legislature;</li> <li>(j) Draw all requisitions requiring the payment of state monies appropriated for the maintenance and operation of the judicial system;</li> <li>(k) Collect statistical and other data and make reports relating to the expenditure of public monies for the maintenance and operation of the</li> </ul>	Alaska Const. art. IV, § 16; Alaska Stat. § 22.20.300; Alaska R. of Admin. 1 (list of director's duties)

**Table A2. Data collection matrix: Alaska**

System Element	Description	Citations/Sources
<p><b>What role is given to the Director of Administration? Who appoints the director? (continued)</b></p>	<p>judicial system and the offices connected therewith;                      (l) Obtain reports from presiding judges, area court administrators, and clerks of court in accordance with the requirements of the supreme court on cases and other judicial business in which action has been delayed beyond periods of time specified by law or rules of court and make report thereof to the chief justice and the supreme court;                      (m) Formulate and submit to the chief justice and the supreme court recommendations of policies for the improvement of the judicial systems; and                      (n) Be legal advisor for the chief justice and the supreme court in all legal matters not adjudicatory in nature, such as:                          (1) Preparation of memoranda on statutes which may affect the judiciary;                          (2) Drafting of rules of practice, procedure and administration;                          (3) Conducting and supervising research on procedure and court administration;                          (4) Instruction of court personnel concerning rules or statutes governing ministerial and other non-adjudicatory duties;                          (5) Preparing of syllabi for the basic legal instruction of magistrates and other lay personnel;                          (6) Providing for the publication, annotation and editing of revisions and supplements to the Alaska Rules of Court; and                          (7) Rendering legal opinions in any non-adjudicatory matters as directed from time to time by the chief justice.                      (o) Adopt and publish procedures to govern the procurement of supplies, services, professional services, and construction by the judicial branch.                      (p) Attend to such other matters as may be assigned by the chief justice.”</p> <p>The chief justice, with the supreme court’s approval, chooses the administrative director of the court system.</p>	
<p><b>What intermediate management structures exist for managing the trial court system? (regions/districts, presiding judges) What roles/powers are given to intermediate administrative functions?</b></p>	<p>There are four judicial districts in Alaska. The same set of districts applies to both the superior and district courts.</p> <p>Alaska Rule of Administration 27 provides that a presiding judge has the following duties:                      (1) Supervise the assignment of cases pending to the judges;                      (2) Supervise the administrative actions of judges and court personnel;                      (3) Expedite and keep current the business of the courts;                      (4) Review and recommend budgets; and                      (5) Review the operations of all trial courts to assure adherence to statewide court objectives and policies.</p> <p>A presiding judge has the discretion to do the following:                      (1) Assign judges and magistrates to locations within their district of residence as necessary to maintain balanced workloads or to expedite the business of those courts; and                      (2) Perform any other duties and exercise any other powers as may be provided by law or by these rules.</p>	<p>Alaska Stat. §§ 22.10.010 (judicial districts for the superior courts), .10.130 (duties of presiding judge), .15.010 (judicial districts for the district courts); Alaska R. of Admin. 27 (duties of the presiding judge); see U.S. Department of Justice, State Court Organization 2004 159-60, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a></p>

Table A2. Data collection matrix: Alaska

System Element	Description	Citations/Sources
What is the role of elected or appointed clerks?	A clerk or deputy clerk of court shall perform such duties as are or may be required by the presiding judge, by the rules of the supreme court, and by law. A clerk or deputy clerk of court shall issue all process and notices required to be issued except as otherwise provided by rule or statute and may: (1) Administer oaths; (2) Take and certify proofs or acknowledgements of documents, affidavits, or depositions; and (3) Exercise other powers as may be permitted by law or by the rules of the supreme court. Other duties, among others, involve jury management and maintaining an index to cases.	Alaska R. of Admin. 29 (trial court clerks-appointments and duties); see Alaska Stat. §§ 22.20.30-35; see also Alaska R. of Admin. 15 (jurors), 40 (index to cases).
What is the role of local court administrators?	The area court administrator of each district basically helps the presiding judge fulfill his or her administrative responsibilities. The duties include, among others, maintaining a list of all matters that are under advisement, destroying court records with the approval of the administrative director, and handling media relations.	See, e.g., Alaska R. of Admin. 3 (information to be furnished), 37 (records retentions), 50 (media coverage).
Roles in Specific Administrative Functions		
Describe state and local roles in budgeting for trial courts? (top-down, bottom-up, combination)	The budget process for the court system begins with the submission of budget requests by the trial and appellate courts to the administrative director. The requests are reviewed with each judicial district's area court administrator and the clerk of the appellate courts. Then, these requests are modified to conform to the overall court budget plan. The court's budget request is reviewed and approved by the supreme court. Following legislative review and appropriation, funds are then allocated to the judicial districts, the appellate courts and the administrative office.	About the Alaska Court System, <a href="http://www.state.ak.us/courts/ctinfo.htm#budget">http://www.state.ak.us/courts/ctinfo.htm#budget</a> (last visited June 23, 2009); see Alaska R. of Admin. 1 (i) (list of director's duties), 27 (b) (4) (presiding judge's duties)
What are the state and local roles in establishing personnel policy for trial courts? (top-down, bottom-up, combination)	Top-down. It comes from the administrative director of the court system	See Alaska R. of Admin. 1
What are the state and local roles in managing judicial assignments for trial courts? (top-down, bottom-up, combination)	In general, the presiding judge of the judicial district makes judicial assignments for superior court judges and district court judges.  Alaska Statutes section 22.10.130 grants the chief justice the power to assign a superior court judge to anywhere in the state for up to 90 days out of a year.  Alaska Rules of Administration 24 (b) gives the administrative director of the court system the power to temporarily assign superior or district court judges to other districts. Subject to the approval of the chief justice and the consent of the trial judge, Rule 1 (f) gives the administrative director of the court system the power to assign a trial judge to a different district.	Alaska Stat. §§ 22.10.130(1) (duties of presiding judge), .10.130 (chief justice power to make temporary assignments), .15.190 (assignment of district court judges); Alaska R. of Admin. 1 (f) (administrative director's duties), 24 (assignment of judicial officers), 27 (c) (duties of presiding judge).
State Court Website (general)	<a href="http://www.state.ak.us/courts/">http://www.state.ak.us/courts/</a>	

**Table A2. Data collection matrix: Alaska**

System Element	Description	Citations/Sources
<b>State Court Administrative Agency Website</b>	<a href="http://www.state.ak.us/courts/ctinfo.htm#admin">http://www.state.ak.us/courts/ctinfo.htm#admin</a>	
<b>Notes</b>	<p>The First annual report cited above is available on microform in the law library of Indiana University School of Law-Indianapolis</p> <p>That report, which was published in 1960, stated that the Alaska court system is probably the most unified court system in the nation. It credits this to two things: the state constitution and state statutes, and the characteristics of the state (low number of courts and low amount of metropolitan areas that would require multiple local courts).</p>	<p>The Alaska Court System, First Annual Report 42 (1960).</p>

Table A3. Data collection matrix: California

System Element	Description	Citations/Sources
<b>Court Unification</b>		
<b>Has the state reformed the court system by moving to state funding? If so, when?</b>	<p>In the Trial Court Funding Act of 1997, the state assumed fully responsibility for funding trial court operations, including judicial officers' salaries and benefits, jury services, court reporting services, interpreter services, alternative dispute resolution, non-criminal court-appointed counsel, court security, information technology, staffing and operating expenses, and other indirect costs. Local governments remained responsible for other costs.</p> <p>The Trial Court Employment Protection and Governance Act of 2000 gave the court the status of independent employers, making trial court staff employees of the courts. Previously, they were county employees.</p> <p>The Trial Court Facilities Act of 2002 provided for the transfer of ownership and management of all trial court facilities from individuals to the state. The implementation has been extended through the end of 2009.</p>	<p>Administrative Office of the Courts. (1997). <i>Special Report – Trial Court Funding</i>, <a href="http://www.courtinfo.ca.gov/reference/documents/tcfnews.pdf">http://www.courtinfo.ca.gov/reference/documents/tcfnews.pdf</a>; Administrative Office of the Courts. <i>Facilities Initiatives</i>, <a href="http://www.courtinfo.ca.gov/programs/innovations/documents/Sl_Brief_Facilities.pdf">http://www.courtinfo.ca.gov/programs/innovations/documents/Sl_Brief_Facilities.pdf</a>; see Cal. Gov't Code §§ 70301-70404 (Trial Court Facilities Act of 2002), 71600-71675 (Trial Court Employment Protection and Governance Act of 2000), 77200-77213 (Trial Court Funding Act of 1997).</p>
<b>Has the state reformed the court system by unifying the trial court system? If so, when?</b>	<p>On June 2, 1998, voters passed a constitutional amendment, Proposition 220 - Courts Superior and Municipal Court Consolidation. It provided for consolidation of superior court and municipal court in a county upon approval by majority of superior court judges and of municipal court judges in that county. By 2001, unification had been adopted in each of the state's 58 counties. This unification reduced the number of individual trial courts from 267 to 58.</p>	<p>Mary A. Lahey et al. (2000). <i>Analysis of Trial Court Unification in California</i>. p. 1., <a href="http://www.courtinfo.ca.gov/reference/documents/928rept.pdf">http://www.courtinfo.ca.gov/reference/documents/928rept.pdf</a>; California Trial Courts Effective Dates of Unification (2001), <a href="http://www.courtinfo.ca.gov/reference/documents/unidate.pdf">http://www.courtinfo.ca.gov/reference/documents/unidate.pdf</a>; see Cal. Const. art. VI, § 5 <i>repealed by</i> Prop. 48 to reflect unification of the municipal and superior courts pursuant to former subdivision (e) (2002); see also Gov't Code §§ 70200-70223 (statutes to implement Prop. 220).</p>
<b>Has the state reformed the courts system by establishing state level management over the trial court system? If so, when?</b>	<p>A significant reform involving the state and local roles in trial court management is decentralization. The Trial Court Funding Act of 1997 required the judicial council to establish rules for a “decentralized system of trial court management.” On June 19, 1998, the judicial council satisfied this mandate.</p>	<p>Judicial Council of California (1998). <i>Judicial Council Approves New Rules On Trial Court Administration</i>, <a href="http://www.courtinfo.ca.gov/presscenter/newsreleases/NR49-98.HTM">http://www.courtinfo.ca.gov/presscenter/newsreleases/NR49-98.HTM</a> (last visited August 22, 2009); see Cal. Gov't Code § 77001 (decentralized system of trial court management); Cal. R. of Jud. Admin. 10.670(b).</p>
<b>Description of Trial Courts</b>		
<b>Principal trial courts of general and limited jurisdiction</b>	<p>Superior courts (58, one court per county; 1,498 judges) – general jurisdiction</p>	<p>see Cal. Const. art. VI, §§ 1 (court system generally), 4 (superior courts); U.S. Department of Justice, State Court Organization 2004 272, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>.</p>
<b>Other trial courts</b>	<p>None</p>	<p>See U.S. Department of Justice, State Court Organization 2004 272, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>.</p>

Table A3. Data collection matrix: California

System Element	Description	Citations/Sources
<b>Funding</b>		
What system elements are funded at the state level?	<ul style="list-style-type: none"> <li>• Trial court operations, including judicial officers' salaries and benefits, jury services, court reporting services, interpreter services, alternative dispute resolution, non-criminal court-appointed counsel, court security, information technology, staffing expenses (including salaries for clerks, administrators, and reporters), operating expenses, and other indirect costs</li> <li>• In 2002, the state began a process to assume ownership of court facilities. In 2009, this process is not yet complete.</li> </ul>	Cal. Gov't Code § 77200 (state assumption of court costs); see Cal. Gov't Code § 77003 (court operations defined); Cal. Jud. Admin. R. 10.810 (court operations defined); U.S. Department of Justice, State Court Organization 2004 83-85, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
What system elements are funded at the local level?	<ul style="list-style-type: none"> <li>• Juvenile detention</li> <li>• Indigent defense</li> <li>• Buildings, subject to the assumption of facilities begun in 2002</li> <li>• Other personnel</li> </ul>	
<b>Trial Court Governance</b>		
What body is the administrative head of the state judiciary? (chief justice, supreme court, other)	The chief justice is the chair of the judicial council and has specific administrative authority	See Cal. Const. art. VI, § 6.
What body sets administrative policy (makes rules) for the administration of the trial court system? (chief justice, supreme court, commission/council, other)	The judicial council is responsible for improving the statewide administration of justice. The council is a broad-based body. Under the leadership of the chief justice, the judicial council: establishes direction and set priorities for the continual improvement of the court system; promulgates rules of court administration, practice, and procedure; sponsors and takes positions on legislation that affects the California judicial system; allocates the judicial branch budget; and responds to legislative mandates.	Cal. Const. art. VI, § 6; see Cal. Jud. Admin. R. 10.1-.22; California Courts: Court Admin: Judicial Council, <a href="http://www.courtinfo.ca.gov/jc/">http://www.courtinfo.ca.gov/jc/</a> (last visited August 14, 2009).
What other bodies have a role in administrative policymaking? (councils, work groups, etc.)	<p>The chair of the judicial council (the chief justice) may appoint advisory committees and task forces, comprising judges, court officials, attorneys, and members of the public, to advise the council in studying the condition of court business, improving judicial administration, and performing other council responsibilities. Advisory committees monitor areas of continuing significance to the justice system, whereas task forces handle particular projects or proposals. Both make recommendations to the council.</p> <p>For example, the Trial Court Budget Working Group advises the administrative director on trial court budget issues.</p>	See Cal. Jud. Admin. R. 10.30-70 (judicial council advisory committees and task forces).
<b>Trial Court Administration</b>		
What role is given to the Director of Administration? Who appoints the director?	<p>The administrative director of the courts is appointed by the judicial council and serves as the secretary to the judicial council. The administrator directs the administrative office of the courts (AOC).</p> <p>AOC Total Staff: 491</p>	Cal. Const. art. VI, § 6; Cal. Jud. Admin. R. 10.80; U.S. Department of Justice, State Court Organization 2004 126-29, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>

**Table A3. Data collection matrix: California**

System Element	Description	Citations/Sources
<p><b>What role is given to the Director of Administration? Who appoints the director? (continued)</b></p>	<p>Total Responsibility:</p> <ul style="list-style-type: none"> <li>• Audits</li> <li>• Judicial education</li> <li>• Legal representation/general counsel</li> <li>• Legal services (other)</li> </ul> <p>Shared Responsibility:</p> <ul style="list-style-type: none"> <li>• Accounting</li> <li>• Alternative dispute resolution</li> <li>• Supplemental judges</li> <li>• Budget preparation</li> <li>• Facilities management</li> <li>• Human resources</li> <li>• Data entry</li> <li>• IT staff (technical)</li> <li>• Liaison with legislature</li> <li>• Public information</li> <li>• Purchasing</li> <li>• Research/ planning</li> <li>• Security</li> <li>• Technical assistance to courts</li> <li>• Improving court services</li> </ul> <p>No responsibility:</p> <ul style="list-style-type: none"> <li>• Assisting sitting judges</li> <li>• Foster care review</li> <li>• Records management</li> <li>• Law libraries</li> <li>• Legal research (law clerks)</li> <li>• Probation—adult</li> <li>• Probation—juvenile</li> </ul>	
<p><b>What intermediate management structures exist for managing the trial court system? (regions/districts, presiding judges) What roles/powers are given to intermediate administrative functions?</b></p>	<p>Each superior court has a presiding judge who is elected by the other judges and whose general role is to ensure the “effective management and administration of the court.</p> <p>The presiding judge is authorized to:</p> <p>(A) Assign judges to departments and designate supervising judges for divisions, districts, or branch courts;</p> <p>(B) Apportion the business of the court, including assigning and reassigning cases to departments;</p> <p>(C) Call meetings of the judges;</p> <p>(D) Appoint standing and special committees of judges;</p> <p>(E) Act as the spokesperson for the court;</p> <p>(F) Authorize and direct expenditures from the court's Trial Court Operations Fund; and</p> <p>(G) Perform all acts necessary to accomplish the duties specified by the rules of court.</p>	<p>Cal. Gov't Code § 69508; Cal. Jud. Admin. R. 10.603.</p>

**Table A3. Data collection matrix: California**

System Element	Description	Citations/Sources
<p><b>What is the role of elected or appointed clerks?</b></p>	<p>California has county clerks, but legislation in 2002 removed the clerk of court responsibilities from them. The court executive officers (the local court administrators) now have those duties.</p>	<p>See Cal. Gov't Code §§ 26800-26810 (county clerk duties).</p>
<p><b>What is the role of local court administrators?</b></p>	<p>The court executive officer is responsible for helping the presiding judge in the management of the non-judicial operations of the court.</p> <p>The court executive officer must perform the following duties:</p> <ul style="list-style-type: none"> <li>(1) provide general direction to and supervision of the employees of the court, and draft for court approval and administer a personnel plan for court employees that complies with rule 10.670. The court executive officer has the authority, consistent with the personnel plan, to hire, discipline, and terminate nonjudicial employees of the court;</li> <li>(2) make recommendations to the presiding judge on budget priorities; prepare and implement court budgets, including accounting, payroll, and financial controls; and employ sound budget and fiscal management practices and procedures to ensure that annual expenditures are within the court's budget;</li> <li>(3) negotiate contracts on behalf of the court, in accordance with established contracting procedures and all applicable laws;</li> <li>(4) supervise and employ efficient calendar and case flow management systems, including analyzing and evaluating pending caseloads and recommending effective calendar management techniques;</li> <li>(5) analyze, evaluate, and implement technological and automated systems to assist the court;</li> <li>(6) manage the jury system in the most efficient and effective way;</li> <li>(7) plan physical space needs, and purchase and manage equipment and supplies;</li> <li>(8) create and manage uniform record-keeping systems, collecting data on pending and completed judicial business and the internal operation of the court, as required by the court and the Judicial Council;</li> <li>(9) identify problems, recommending procedural and administrative changes to the court;</li> <li>(10) provide a clearinghouse for news releases and other publications for the media and public;</li> <li>(11) act as liaison to other governmental agencies;</li> <li>(12) provide staff for judicial committees; and</li> <li>(13) perform other duties as the presiding judge directs.</li> </ul>	<p>Cal Jud. Admin. R. 10.610.</p>

Table A3. Data collection matrix: California

System Element	Description	Citations/Sources
<b>Roles in Specific Administrative Functions</b>		
<b>Describe state and local roles in budgeting for trial courts? (top-down, bottom-up, combination)</b>	<p>Combination. The judicial council develops the overall budget request for the judiciary. Nonetheless, the trial courts have input in the budget process.</p> <p>A Trial Court Budget Working Group, which consists of presiding judges and court executives, advises the administrative director of the courts on budget issues. After conferring with other judges and with the recommendations of the court executive officers, the presiding judges establish budget priorities and submit budget requests.</p>	<p>Cal. Gov't Code § 68502.5 (trial court budget process); Cal. Jud. Admin. R. 10.101 (role of judicial council and AOC), 10.603 (presiding judges' duties), 10.801 (superior court budget procedures); Judicial Council of California, In the Name of Justice: Report of the California Courts 28 (2008), <a href="http://www.courtinfo.ca.gov/reference/documents/2008ar.pdf">http://www.courtinfo.ca.gov/reference/documents/2008ar.pdf</a></p>
<b>What are the state and local roles in establishing personnel policy for trial courts? (top-down, bottom-up, combination)</b>	<p>Bottom-up. The superior court in each county creates personnel plans for their court employees, so long as the plans are consistent with statewide statutes, rules and standards.</p>	<p>Cal. Gov't Code § 77001(c)(2); Cal. Jud. Admin. R. 10.670(b).</p>
<b>What are the state and local roles in managing judicial assignments for trial courts? (top-down, bottom-up, combination)</b>	<p>Bottom-up. The presiding judge has the ultimate authority in making judicial assignments.</p>	<p>Ca. Jud. Admin. R. 10.603(c)(1).</p>
<b>State Court Website (general)</b>	<p><a href="http://www.courtinfo.ca.gov/">http://www.courtinfo.ca.gov/</a></p>	
<b>State Court Administrative Agency Website</b>	<p><a href="http://www.courtinfo.ca.gov/courtadmin/">http://www.courtinfo.ca.gov/courtadmin/</a></p>	
<b>Notes</b>		

Table A4. Data collection matrix: Colorado

System Element	Description	Citations/Sources
<b>Court Unification</b>		
<b>Has the state reformed the court system by moving to state funding? If so, when?</b>	Yes. Effective January 1, 1970, the state of Colorado moved to a trial court system that is significantly state funded.	Colo. Rev. Stat. Ann. § 13-3-104 (West, Westlaw through laws effective April 9, 2009).
<b>Has the state reformed the court system by unifying the trial court system? If so, when?</b>	<p>Colorado voters adopted an amendment in the 1962 general election to repeal and replace article VI of the state constitution. The amendment, which became effective January 12, 1965, eliminated the justice of the peace courts and gave the Denver Juvenile and Probate courts constitutional status.</p> <p>Currently, Colorado's trial courts are not unified in the sense that the system includes several different trial courts. However, in some ways the trial courts are connected to each other. For example, a chief judge of a judicial district has administrative duties over all trial courts in the district.</p>	Colo. Const. art. VI, §§ 1 (judicial system structure), 5 (court administration); <i>see also</i> Colorado Judicial Council, Implementation of the New Judicial Article (1963).
<b>Has the state reformed the courts system by establishing state level management over the trial court system? If so, when?</b>	Yes. Colorado voters adopted an amendment to article VI, section 5 of the state constitution in the 1966 general election. The change became effective January 17, 1967. The amendment granted state level management over the trial court system.	Colo. Const. art. VI, § 5; <i>see also</i> Colorado Judicial Department, 1968-69 Judicial Budget 8, 9.
<b>Description of Trial Courts</b>		
<b>Principal trial courts of general and limited jurisdiction</b>	The district court is the court of general jurisdiction	Colo. Const. art. VI, § 9(1); <i>see</i> Colorado Judicial Branch, Colorado Courts at a Glance 3, 4 (2008), <a href="http://www.courts.state.co.us/userfiles/File/Media/Brochures/2008webglance.pdf">http://www.courts.state.co.us/userfiles/File/Media/Brochures/2008webglance.pdf</a> ; U.S. Department of Justice, State Court Organization 2004 273, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>Other trial courts</b>	Courts of limited jurisdiction are the Denver probate and juvenile courts, water court, county court, and municipal court	Colo. Const. art. VI, §§ 9(3) (Denver probate court), 15 (Denver juvenile court), 17 (county court); Colo. Rev. Stat. §§ 13-6-101 to -106 (county court), 13-10-104 (municipal court), 37-92-203 (water court); <i>see</i> Colorado Judicial Branch, Colorado Courts at a Glance 4 (2008), <a href="http://www.courts.state.co.us/userfiles/File/Media/Brochures/2008webglance.pdf">http://www.courts.state.co.us/userfiles/File/Media/Brochures/2008webglance.pdf</a> ; U.S. Department of Justice, State Court Organization 2004 273, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>Funding</b>		
<b>What system elements are funded at the state level?</b>	<p>At the trial court level, the state funds:</p> <ul style="list-style-type: none"> <li>the salaries of the judicial officers and the other court staff; and</li> <li>the equipment, operating expenses and court services</li> </ul> <p>The state does not pay for the costs related to the court facilities.</p> <p>The state does not fund the municipal courts.</p>	Colo. Rev. Stat. § 13-3-104; <i>see</i> U.S. Department of Justice, State Court Organization 2004 83-85, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>

Table A4. Data collection matrix: Colorado

System Element	Description	Citations/Sources
<b>What system elements are funded at the local level?</b>	Local governmental entities pay for the costs related to court facilities, and they fund the costs related to the municipal courts and the Denver County Court (the Denver County Court is essentially considered a municipal court)	Colo. Rev. Stat. §§ 13-3-108 (court facilities), -10-107 (municipal judges' salaries), -10-110 (municipal court facilities and supplies); see Colorado Judicial Branch, Colorado Courts at a Glance 4 (2008), <a href="http://www.courts.state.co.us/userfiles/File/Media/Brochures/2008webglance.pdf">http://www.courts.state.co.us/userfiles/File/Media/Brochures/2008webglance.pdf</a> ; U.S. Department of Justice, State Court Organization 2004, 83-85, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a> .
<b>Trial Court Governance</b>		
<b>What body is the administrative head of the state judiciary? (chief justice, supreme court, other)</b>	Chief justice	Colo. Const. art. VI, § 5(2).
<b>What body sets administrative policy (makes rules) for the administration of the trial court system? (chief justice, supreme court, commission/council, other)</b>	Supreme court	Colo. Const. art. VI, § 21.
<b>What other bodies have a role in administrative policymaking? (councils, work groups, etc.)</b>	Colorado does not another group that has a direct role in administrative policymaking as is the case in some states. There are various supreme court committees.	See Colorado State Judicial Branch – Supreme Court – Supreme Court Committees, <a href="http://www.courts.state.co.us/Courts/Supreme_Court/Committees/Index.cfm">http://www.courts.state.co.us/Courts/Supreme_Court/Committees/Index.cfm</a> (last visited June 30, 2009); U.S. Department of Justice, State Court Organization 2004 68, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a> .
<b>Trial Court Administration</b>		
<b>What role is given to the Director of Administration? Who appoints the director?</b>	According to the judicial branch's web site, the state court administrator does the following: <ul style="list-style-type: none"> <li>• supervises the central office that prepares the Branch budget;</li> <li>• manages fiscal operations and purchasing; and oversees personnel and payroll, as well as computer operations, planning and analysis, internal fiscal and management audits and training for the Judicial Branch.”</li> </ul> The office also assigns visiting and senior judges as needed.  The supreme court appoints the court administrator.	Colo. Const. art. VI, § 5(3); Colo. Rev. Stat. § 13-3-101; Colorado State Judicial Branch – State Court Administrator, <a href="http://www.courts.state.co.us/Administration/Unit.cfm/Unit/SCA">http://www.courts.state.co.us/Administration/Unit.cfm/Unit/SCA</a> (last visited June 25, 2009).
<b>What intermediate management structures exist for managing the trial court system? (regions/districts, presiding judges) What roles/powers are given</b>	Colorado includes 22 judicial districts. A district has as few as one county and as many as seven counties. The chief justice appoints one of the district judges in each district to serve as chief judge. A chief judge has administrative authority over all judges of all courts in the district.	Colo. Const. art. VI, § 5(4); Colo. Rev. Stat. §§ 13-5-101 to -123 (division of state into districts); see U.S. Department of Justice, State Court Organization 2004 159-60, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>



**Table A4. Data collection matrix: Colorado**

System Element	Description	Citations/Sources
<p><b>What is the role of local court administrators? (continued)</b></p>	<p>through conferences or informal meetings. Makes decisions regarding subordinate's employment probationary/trial period.</p> <ul style="list-style-type: none"> <li>• Provides orientation and on-going training, mentoring and coaching to existing subordinates. Makes provisions for subordinates to attend outside training. May provide cross-training and interdepartmental training.</li> <li>• Assigns duties and responsibilities to staff; develops and establishes procedures for operating and maintaining required administrative systems</li> <li>• Develops and manages the budget, purchasing and accounting functions. Authorizes expenditures.</li> <li>• Participates in the design, acquisition, and implementation of automation for court processes and proceedings</li> <li>• Provides for facility maintenance and space needs, ensuring that staff have adequate equipment and safe working environment</li> <li>• Coordinates the activities of the court and maintains productive relationships with judges, County Commissioners, State Court Administrator's Office personnel, other courts, the bar association, law enforcement agencies, general public, and correction institutions</li> <li>• Appraises the Chief Judge on all administrative matters</li> <li>• Attends meetings and training as required</li> <li>• Performs other duties as assigned</li> </ul>	
<p><b>Supplemental Information on Governance of Trial Court System</b></p>		
<p><b>Decisionmaking body – Administrative policy</b></p>	<p>Supreme court</p>	
<p><b>How are members selected?</b></p>	<p>All judges in the state of Colorado are selected by a nominating panel who reviews and interviews candidates who would like to be considered for the position. After 2-3 years of sitting on the particular bench, judges are reviewed and their names are placed on the election ballot.</p> <p>The chief justice is selected by members of the supreme court.</p>	
<p><b>What are term lengths?</b></p>	<p>There are seven members who serve 10-year terms</p> <p>The chief justice also serves a 10-year term</p>	
<p><b>Does the chief justice vote?</b></p>	<p>Budget and administrative policies are developed by the court administrator's office. They are presented to the chief justice as well as the other judges. All judges vote but the chief justice has the final say in the process.</p>	
<p><b>Other information</b></p>	<p>While all members of the supreme court vote on budget and administrative matters, the chief justice has the ultimate decisionmaking authority.</p>	

Table A4. Data collection matrix: Colorado

System Element	Description	Citations/Sources
<b>Roles in Specific Administrative Functions</b>		
<b>Describe state and local roles in budgeting for trial courts? (top-down, bottom-up, combination)</b>	<p><i>At the state level:</i>            Subject to the approval of the chief justice, the state court administrator creates procedures for:            (1) the preparation of budget requests;            (2) the disbursement of funds appropriated to the judicial department by the general assembly;            (3) the purchase of forms, supplies, equipment, and other items as authorized in the judicial department operating budget; and            (4) any other matter relating to fiscal administration</p> <p>Subject to the approval of the chief justice, the court administrator prepares an annual budget request for all of the courts of record, which does not include the municipal courts. After the court administrator’s preparation and chief justice’s approval, the budget request is submitted to the executive and legislative branches.</p> <p><i>At the local level:</i>            Court employees at the local level are also involved in budgeting (see the district administrators’ duties above)</p>	<p>Colo. Rev. Stat. § 13-3-106.</p>
<b>What are the state and local roles in establishing personnel policy for trial courts? (top-down, bottom-up, combination)</b>	<p>Topdown.</p> <p>The supreme court, pursuant to section 5(3) of article VI of the state constitution, shall prescribe, by rule, a personnel classification plan for all courts of record to be funded by the state . . . Such personnel classification and compensation plan shall include:            (a) A basic compensation plan of pay ranges to which classes of positions are assigned and may be reassigned;            (b) The qualifications for each position or class of positions, including education, experience, special skills, and legal knowledge;            (c) An outline of the duties to be performed in each position or class of positions;            (d) The classification of all positions based on the required qualifications and the duties to be performed, taking into account, where applicable, the amount and kinds of judicial business in each court of record subject to the provisions of this section;            (e) The number of full-time and part-time positions, by position title and classification, in each court of record subject to the provisions of this section;            (f) The procedures for and the regulations governing the appointment and removal of court personnel; and            (g) The procedures for and regulations governing the promotion or transfer of court personnel”</p> <p>The supreme court shall also prescribe by rule:            (a) The amount, terms, and conditions of sick leave and vacation time for court personnel, including annual allowance and accumulation thereof; and</p>	<p>Colo. Rev. Stat. § 13-3-105</p>

Table A4. Data collection matrix: Colorado

System Element	Description	Citations/Sources
<p><b>What are the state and local roles in establishing personnel policy for trial courts? (top-down, bottom-up, combination) (continued)</b></p>	<p>(b) Hours of work and other conditions of employment”</p> <p>To the end that all state employees are treated generally in a similar manner, the supreme court, in promulgating rules as set forth in this section, shall take into consideration the compensation and classification plans, vacation and sick leave provisions, and other conditions of employment applicable to employees of the executive and legislative departments.</p>	
<p><b>What are the state and local roles in managing judicial assignments for trial courts? (top-down, bottom-up, combination)</b></p>	<p>The chief judge of the district court makes judicial assignments</p>	<p>See U.S. Department of Justice, State Court Organization 2004 159-160, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a></p>
<p><b>State Court Website (general)</b></p>	<p><a href="http://www.courts.state.co.us/">http://www.courts.state.co.us/</a></p>	
<p><b>State Court Administrative Agency Website</b></p>	<p><a href="http://www.courts.state.co.us/Administration/Index.cfm">http://www.courts.state.co.us/Administration/Index.cfm</a></p>	
<p><b>Notes</b></p>	<p>The “clerk of the court” is a separate position than that of the “clerk and recorder.” The clerk and court’s duties are exclusively related to the courts; whereas the clerk and recorder have duties like running elections.</p>	

Table A5. Data collection matrix: Delaware

System Element	Description	Citations/Sources
<b>Court Unification</b>		
<b>Has the state reformed the court system by moving to state funding? If so, when?</b>	<p>Yes and no.</p> <p>The Delaware trial courts are not unified in the sense that six different trial courts exist in the state. However, the trial courts (not including alderman's courts) are unified in the sense that each of them individually is a statewide court system.</p> <p>In 1971, the General Assembly combined the county's family courts into a statewide family court with one chief judge.</p>	
<b>Has the state reformed the court system by unifying the trial court system? If so, when?</b>	<p>The superior court is a statewide court with a president judge. Also, the superior court absorbed the court of oyer and terminer in 1951.</p> <p>The court of chancery is a statewide court with a chancellor.</p> <p>In 1973, the court of common pleas transformed from separate county courts into a statewide system.</p> <p>In 1966, the separate justices of the peace were combined into a statewide system, and in 1980 the state created a position of chief magistrate to oversee the administration of the justice of the peace courts.</p>	<p>Delaware Administrative Office of the Courts, 2008 Annual Report of the Delaware Judiciary 28, 36, 41, 44 available at <a href="http://courts.delaware.gov/AOC/Annual%20Reports/FY08/?2008AnnualReport.pdf">http://courts.delaware.gov/AOC/Annual%20Reports/FY08/?2008AnnualReport.pdf</a></p>
<b>Has the state reformed the courts system by establishing state level management over the trial court system? If so, when?</b>	<p>Yes. The state created the Administrative Office of the Courts in 1971.</p>	<p>Delaware Administrative Office of the Courts, 2008 Annual Report of the Delaware Judiciary 5, <a href="http://courts.delaware.gov/AOC/Annual%20Reports/FY08/?2008AnnualReport.pdf">http://courts.delaware.gov/AOC/Annual%20Reports/FY08/?2008AnnualReport.pdf</a></p>
<b>Description of Trial Courts</b>		
<b>Principal trial courts of general and limited jurisdiction</b>	<p>The trial court of general jurisdiction is the superior court. The principal courts of limited jurisdiction are the court of chancery, the court of common pleas, the family court and the justice of the peace court.</p>	<p>Del Const. art. IV, §§ 5-7 (superior court), 7A (family court), 7B (court of common pleas), 10 (court of chancery), 28-30 (justice of the peace courts); 10 Del. Code §§ 301-375 (court of chancery), 501-568 (superior court), 901-1077 (family court), 1301-1330 (court of common pleas), 9201-9905 (justice of the peace court); see U.S. Department of Justice, State Court Organization 2004 275, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a></p>
<b>Other trial courts</b>	<p>There are also alderman's courts with limited jurisdiction</p>	<p>U.S. Department of Justice, State Court Organization 2004 275, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a></p>

Table A5. Data collection matrix: Delaware

System Element	Description	Citations/Sources
<b>Funding</b>		
<b>What system elements are funded at the state level?</b>	Salaries of judicial officers and court staff, supplies, expenses, and facilities for the court of chancery, superior court, family court, court of common pleas, and justice of the peace court	Del Const. art IV, § 4 (salaries of judicial officers); Del Code §§ 304 (salaries of judicial officers for the court of chancery), 306 (court staff, supplies, equipment and other expenses for the court of chancery), 508 (supplies, equipment and other expenses for the superior court), 904 (family court facilities), 905 (salaries and expenses for family court), 9209 (salaries for the justice of the peace court), 9210(a) (facilities, supplies and equipment for the justice of the peace courts); see U.S. Department of Justice, State Court Organization 2004 83-85, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>What system elements are funded at the local level?</b>	The elements related to alderman’s courts	U.S. Department of Justice, State Court Organization 2004 83-85, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>Trial Court Governance</b>		
<b>What body is the administrative head of the state judiciary? (chief justice, supreme court, other)</b>	Chief justice	Del. Const. art. IV, § 13.
<b>What body sets administrative policy (makes rules) for the administration of the trial court system? (chief justice, supreme court, commission/council, other)</b>	Supreme court	Del. Const. art. IV, § 13.
<b>What other bodies have a role in administrative policymaking ? (councils, work groups, etc.)</b>	No other groups have a direct role in administrative policymaking like is the case in some states	See U.S. Department of Justice, State Court Organization 2004 69, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>

Table A5. Data collection matrix: Delaware

System Element	Description	Citations/Sources
Trial Court Administration	<p>The AOC performs the following functions:</p> <p>(1) <i>Policy Development</i>. Participate in the development and implementation of administrative policy.</p> <p>(2) <i>Judicial Budget</i>. Coordinate the preparation, review, and submission of the judicial budget and make recommendations to the Chief Justice as to items most needed in priority order.</p> <p>(3) <i>Personnel System</i>. Prepare and administer system-wide policies, standards, and procedures for the management of the judicial personnel system.</p> <p>(4) <i>Fiscal System</i>. Prepare and administer system-wide policies, standards, and procedures for the management of the judicial fiscal system.</p> <p>(5) <i>Technology</i>. Design and implement the policies, standards, and procedures for the development and management of the automated judicial information and record keeping systems. Provide technological and management expertise and assistance to the courts and judicial agencies.</p> <p>(6) <i>Records Management</i>. Prepare and administer system-wide policies, standards, and procedures for the management of the judicial records management program.</p> <p>(7) <i>Case Flow</i>. Participate in the development, coordination, and monitoring of system-wide case flow time and clearance standards.</p> <p>(8) <i>Legislative Liaison</i>. Serve as liaison for the entire court system with the legislature, the executive branch, and local government, as well as with the bar, news media, and general public.</p> <p>(9) <i>Program Development</i>. Conduct system-wide planning, research, program development and evaluation, and statistical collection and analysis functions.</p> <p>(10) <i>Executive Coordination</i>. Coordinate with the executive branch the monitoring of facility construction, remodeling, maintenance, and security.</p> <p>(11) <i>Continuing Education</i>. Administer the court system's continuing education programs for judges, judicial officers, administrators, and other court personnel.</p> <p>(12) <i>Facilities</i>. Coordinate statewide facilities issues, including new construction, minor capital improvements, and security.</p> <p>(13) <i>Office Management</i>. Manage the staff and activities of the Administrative Office of the Courts.</p> <p>(14) <i>Secretariat to Meetings</i>. Serve as secretariat for the Judicial Conference, Delaware Courts Planning Committee, and other appropriate administrative meetings as established by the Supreme Court.</p> <p>(15) <i>Annual Report</i>. Prepare the Annual Report of the Judiciary."</p> <p>The chief justice chooses the state court administrator.</p>	<p>10 Del. Code § 128; Del. Sup. Ct. R. 87(b); see Delaware Administrative Office of the Courts, 2008 Annual Report of the Delaware Judiciary 5, <a href="http://courts.delaware.gov/AOC/Annual%20Reports/FY08/?2008AnnualReport.pdf">http://courts.delaware.gov/AOC/Annual%20Reports/FY08/?2008AnnualReport.pdf</a></p>

What role is given to the Director of Administration? Who appoints the director?

Table A5. Data collection matrix: Delaware

System Element	Description	Citations/Sources
<p><b>What intermediate management structures exist for managing the trial court system? (regions/districts, presiding judges) What roles/powers are given to intermediate administrative functions?</b></p>	<p>Each trial court system has its own head judge. The head judges have different titles: chancellor (court of chancery), president judge (superior court), chief judge (family court and for court of common pleas), and chief magistrate (justice of the peace court). The head judges have administrative duties like assigning judges, preparing budgets and serving on a judicial council with representatives from other courts.</p>	<p>Del. Const. art. IV, § 13; see 10 Del. Code §§ 908 (duties of chief judge of the family court), 1302 (chief judge of the court of common pleas), 9209 (chief magistrate of the justice of the peace court); Del. J.P. Ct. R. 109.</p>
<p><b>What is the role of elected or appointed clerks?</b></p>	<p>Delaware calls its clerk the prothonotary. The prothonotary oversees the daily functions of the clerk’s office. The judges appoint the prothonotary. The duties of the office include the following:</p> <ul style="list-style-type: none"> <li>• Accepting civil cases and filings and various misc. filings, issuing all writs, maintaining business name registration docket, processing and monitoring all civil appeals from various courts, boards and agencies, etc.</li> <li>• Overseeing judge’s case load, attending all hearings for those cases, processing miscellaneous civil cases, issuing commissions, processing pro hac vice filings and maintaining pro hac log, processing and monitoring all complex civil cases (Asbestos, Seroquel, Benzene).</li> <li>• Accepting criminal cases and filings, bail, criminal costs, issuance of summons, subpoenas, capiases and Rule 9 warrants, processing criminal motions, arraignments, case reviews, trial, diversion, TASC and Plea calendars, processing continuance requests for criminal trials, the criminal case managers and sentencing clerks attend all criminal court proceedings, swearing in witnesses, recording and safe-keeping of all evidence, preparing commitment and release documents for prisoners, etc.</li> <li>• Maintaining records for all superior court filing fees, reconciling daily revenue, recording and collect all fines, court costs and restitution payments, disbursing restitution payments, processing tax intercept appeals, etc.</li> <li>• Recording all judgments and liens, issuing judgment writs, monitoring the satisfaction of judgments, maintaining and processing permits to carry a concealed deadly weapon, etc.</li> <li>• Maintaining all the pleadings and files (both Civil and Criminal), preparing all files for courtroom proceedings, maintaining official court record on criminal and civil cases, assisting the public with requests in obtaining information from files, preparing all closed civil and criminal cases for archival storage, processing requests from outside agencies and courts for New Castle County superior court criminal information from files, etc.</li> <li>• Performing various miscellaneous duties including overseeing the board of canvass, issuing all certificates of election to the elected officials in New Castle County, and preparing court schedules and calendars to be used for scheduling</li> </ul>	<p>Sprinkle, S. (2009, May 22). Re: Request from a Researcher. Email to Elliott McKinnis; see Del. Const. art. IV, § 26; 10 Del. Code § 2301-2324; Del. Super. Ct. R. Civ. P. 77-80.</p>
<p><b>What is the role of local court administrators?</b></p>	<p>Each trial court system has a court administrator that is a statewide position</p>	

Table A5. Data collection matrix: Delaware

System Element	Description	Citations/Sources
<b>Roles in Specific Administrative Functions</b>		
<b>Describe state and local roles in <u>budgeting</u> for trial courts? (top-down, bottom-up, combination)</b>	The council of court administrators (consisting of six court administrators, the state court administrator, two deputy state court administrators and the judicial information resource manager) develops and prioritizes the budget requests and presents them to the chief justice and the five presiding judges of the state trial courts (the court of chancery, superior court, family court, court of common pleas, and the justice of the peace court). The chief justice and presiding judges review the requests and determine which requests will be incorporated into the budget request for the judicial branch. The chief justice has final approval.	Mooney, B. (2009, May 18). Memo to Elliott McKinnis. Location: Indiana University Center for Urban Policy and the Environment.
<b>What are the state and local roles in <u>establishing personnel</u> policy for trial courts? (top-down, bottom-up, combination)</b>	Topdown. The chief justice establishes personnel rules for the state courts.	Del. Const. art. IV, § 13(1).
<b>What are the state and local roles in <u>managing judicial assignments</u> for trial courts? (top-down, bottom-up, combination)</b>	The head judges of the statewide trial courts for the individual trial courts (chancellor of the court of chancery, the president judge of the superior court, the chief judges of the family court and the court of common pleas, and the chief magistrate of the justice of the peace court) have the power to make judicial assignments.	Del. Sup. Ct. R. 82; Del. J.P. Ct. R. 40.
<b>State Court Website (general)</b>	<a href="http://courts.delaware.gov/">http://courts.delaware.gov/</a>	
<b>State Court Administrative Agency Website</b>	<a href="http://courts.delaware.gov/AOC/?index.htm">http://courts.delaware.gov/AOC/?index.htm</a>	
<b>Notes</b>	To access only individual sections of the annual report go to this page: <a href="http://courts.delaware.gov/AOC/Annual%20Reports/FY08/?index.htm">http://courts.delaware.gov/AOC/Annual%20Reports/FY08/?index.htm</a> .	

Table A6. Data collection matrix: Florida

System Element	Description	Citations/Sources
<b>Court Unification</b>		
<b>Has the state reformed the court system by moving to state funding? If so, when?</b>	<p>Yes. Effective in 2004, the state reformed its structure of funding state trial courts by expanding the areas that the state supported.</p> <p>According to the West Law annotations to article V, section 14 of the Florida constitution in West's online database, Florida amended that section on November 3, 1998, "to clearly and substantially shift the burden of the funding of the state courts system from the counties to the state." In subsequent years, the state legislature implemented the amended constitutional section by statute.</p>	<p>Howells, D. (2008, November 12). Re: Request for Info from a Researcher. Email to Elliott McKinnis; see 2003 Fla. Sess. Law Serv. Ch. 2003-402 (H.B. 113-A); see also Fla. Const. art V, § 14.</p>
<b>Has the state reformed the court system by unifying the trial court system? If so, when?</b>	<p>Yes. Florida adopted a constitutional amendment on March 14, 1972. According to the West Law annotations to article V, section 1 of the Florida constitution in West's online database, the constitutional amendment unified the trial court system by "vesting judicial power of the state in a supreme court, district courts of appeal, circuit courts, and county courts. In addition, it dramatically reorganized the trial court by consolidating the 14 different types of trial courts into a two-tier trial court system consisting of circuit courts and county courts. Equally significant, the resolution eliminated municipal courts and justices of the peace. To ensure the integrity of this simpler structure of the courts in Florida, the [constitutional amendment] explicitly prohibit[s] the establishment of additional courts by the state, any political subdivision, or any municipality."</p>	<p>Fla. Const. art V, § 1.</p>
<b>Has the state reformed the courts system by establishing state level management over the trial court system? If so, when?</b>	<p>Yes. Florida Supreme Court created the Office of the State Courts Administrator on July 1, 1972.</p>	<p>Court Administration, <a href="http://www.flcourts.org/courts/crtadmin/crtadmin.shtml">http://www.flcourts.org/courts/crtadmin/crtadmin.shtml</a>; see also Fla. Const. art. V, § 2 (Adopted, special election, March 14, 1972, granting the supreme court authority to create the office by drafting a rule); Fla. Rules of Jud. Admin. § 2.205(e) (2008).</p>
<b>Description of Trial Courts</b>		
<b>Principal trial courts of general and limited jurisdiction</b>	<p>All of Florida's 67 counties have a county court, which is a limited jurisdiction court. Also at the trial level, the state is divided into 20 circuits. A circuit is section of the state consisting of as few as one county and of as many as seven counties. In addition to being a general jurisdiction court, each circuit court generally has appellate jurisdiction over county court decisions.</p>	<p>Fla. Const. art. V, §§ 5 (circuit courts), 6 (county courts); Fla. Stat. §§ 26.01 (number of judicial circuits), 26.012 (subject matter jurisdiction of circuit courts), 26.021 (territorial jurisdictions of circuit courts), 34.01 (jurisdiction of county courts); see U.S. Department of Justice, State Court Organization 2004 277, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a></p>
<b>Other trial courts</b>	None	<p>U.S. Department of Justice, State Court Organization 2004 277, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a></p>
<b>Funding</b>		
<b>What system elements are funded at the state level?</b>	<p>Judges, magistrates, court administration, court reporters, judicial assistants, law clerks, juror expenses, interpreters/translators, court-appointed expert witnesses, and mediation and arbitration programs</p>	<p>Fla. Stat. § 29.004; see Fla. Const. art. V, § 14(a); see U.S. Department of Justice, State Court Organization 2004 83-85, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a></p>

Table A6. Data collection matrix: Florida

System Element	Description	Citations/Sources
<b>What system elements are funded at the local level?</b>	Communications services, facility expenses, and court security	Fla. Const. art. V, § 14(c); Fla. Stat. § 29.008; Fla. Stat. § 29.004; see Fla. Const. art. V, § 14(a); see U.S. Department of Justice, State Court Organization 2004 83-85, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>Trial Court Governance</b>		
<b>What body is the administrative head of the state judiciary? (chief justice, supreme court, other)</b>	The Chief justice	Fla. Const. art V, § 2(b); Fla. Rules of Jud. Admin. § 2.205(a)(2)(B)(i) (2008).
<b>What body sets administrative policy (makes rules) for the administration of the trial court system? (chief justice, supreme court, commission/council, other)</b>	The Supreme court	Fla. Const. art V, § 2(a).
<b>What other bodies have a role in administrative policymaking? (councils, work groups, etc.)</b>	The governors of the Florida Bar Association appoint attorneys and judges to a Rules of Judicial Administration Committee to consider amending the Rules of Judicial Administration. The committee and the governors make recommendations to the supreme court.	Fla. Rules of Jud. Admin. § 2.140 (2008).

**Table A6. Data collection matrix: Florida**

System Element	Description	Citations/Sources
<b>Trial Court Administration</b>	<p>(1) Appointment. The supreme court shall appoint a state courts administrator who shall serve at the pleasure of the court and perform such duties as the court directs. The state courts administrator's compensation shall be fixed by law.</p> <p>(2) Duties. The state courts administrator shall supervise the administrative office of the Florida courts, which shall be maintained at such place as directed by the supreme court; shall employ such other personnel as the court deems necessary to aid in the administration of the state courts system; shall represent the state courts system before the legislature and other bodies with respect to matters affecting the state courts system and functions related to and serving the system; shall supervise the preparation and submission to the supreme court, for review and approval, of a tentative budget request for the state courts system and shall appear before the legislature in accordance with the court's directions in support of the final budget request on behalf of the system; shall assist in the preparation of educational and training materials for the state courts system and related personnel, and shall coordinate or assist in the conduct of educational and training sessions for such personnel; shall assist all courts in the development of improvements in the system, and submit to the chief justice and the court appropriate recommendations to improve the state courts system; and shall collect and compile uniform financial and other statistical data or information reflective of the cost, workloads, business, and other functions related to the state courts system. The state courts administrator is the custodian of all records in the administrator's office.</p>	<p>Fla. Rules of Jud. Admin. § 2.205(e) (2008).</p>
<p><b>What role is given to the Director of Administration? Who appoints the director?</b></p>	<p>Each of Florida's 20 judicial circuits has a chief judge. The chief judge has the duty of supervising the administration of the courts in each circuit. The chief judge is responsible to the chief justice of the supreme court. The chief judge serves two-year terms and is elected by a majority of the county court and circuit court judges in the circuit. If there is no majority, then the chief justice selects the chief judge. Subject to a concurrence of a majority of the county court and circuit court judges, the chief judge appoints a trial court administrator to carry out the administration of the courts.</p>	<p>Fla. Const. art. V, § 2(c)-(d); Fla. Stat. § 43.26; Fla. Rules of Jud. Admin. § 2.215 (2008); <i>see</i> U.S. Department of Justice, State Court Organization 2004 159-60, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a></p>
<p><b>What intermediate management structures exist for managing the trial court system? (regions/districts, presiding judges) What roles/powers are given to intermediate administrative functions?</b></p>	<p>A main role of the clerk of court is to maintain court records. Also, the clerk, among other things, serves as the clerk of county board of commissioners and county recorder.</p> <p>Sidenote: The AOC says it is somewhat problematic that the clerks of court are not directly responsible to the chief judges.</p>	<p>Fla. Stat. §§ 28.001-28.44; <i>see also</i> Fla. Const. art. V, § 16.</p>

Table A6. Data collection matrix: Florida

System Element	Description	Citations/Sources
What is the role of local court administrators?	The local court administrator and staff provide “legal research for the judiciary, information and technology development and support, fiscal and court operations, human resource development, procurement management and facilities planning, and physical security of the courts. Non-judicial staff assist in chambers, in court, or provide a myriad of services through the numerous court-related programs developed to address the needs of the Circuit’s citizens. This includes court reporting and interpreting, case management, mediation, courtroom operations, public information services, law libraries, and more.”	Fifteenth Judicial Circuit of Florida – Trial Court Administrator, <a href="http://15thcircuit.co.palm-beach.fl.us/web/guest/admin">http://15thcircuit.co.palm-beach.fl.us/web/guest/admin</a> (last visited July 15, 2009).
Roles in Specific Administrative Functions		
Describe state and local roles in budgeting for trial courts? (top-down, bottom-up, combination)	A state-level Trial Court Budget Commission (TCBC) sets budget policies for the development of budget requests. Beyond this, the process is bottom-up. The TCBC consists of 21 voting members, who are either a trial court judge or trial court administrator representing various parts of the state. After the TCBC sets policies, each trial court sends a budget request to the TCBC. Then, the TCBC analyzes the requests and creates preliminary recommendations. Next, the Supreme Court either approves the recommendations or sends parts of it back to the TCBC for changes. Next, the state legislature considers the recommendation and appropriates money for the trial courts. Then, the TCBC allocates the appropriated funds to each trial court.	See Fla. Rules of Jud. Admin. § 2.230 (2008); see also Supreme Court of Florida, Amendments to Florida Rules of Judicial Administration SC00-429 (2000), available at <a href="http://www.flcourts.org/gen_public/funding/bin/tcbc/admin%20orders/sc00-429.pdf">http://www.flcourts.org/gen_public/funding/bin/tcbc/admin%20orders/sc00-429.pdf</a>
What are the state and local roles in establishing personnel policy for trial courts? (top-down, bottom-up, combination)	Florida has statewide policies regarding trial court personnel. With input from the trial and appellate courts, the AOC creates a recommendation for personnel rules. The chief justice ultimately approves these personnel rules.	Howells, D. (2008, November 24). Re: Request for Info from a Researcher. Email to Elliott McKinnis
What are the state and local roles in managing judicial assignments for trial courts? (top-down, bottom-up, combination)	The chief judge of a circuit has the duty to assign judges to any division of the court and to determine the length of the assignment and to supervise dockets and calendars	Fla. Stat. § 43.26(2).
State Court Website (general)	<a href="http://www.flcourts.org/">http://www.flcourts.org/</a>	
State Court Administrative Agency Website	<a href="http://www.flcourts.org/courts/crtadmin/crtadmin.shtml">http://www.flcourts.org/courts/crtadmin/crtadmin.shtml</a>	

**Table A6. Data collection matrix: Florida**

System Element	Description	Citations/Sources
<b>Notes</b>	<p>The AOC says that recent state budget deficits have made it very difficult to continue the new plan that was effective in 2004 for the state to fund the operations of the trial courts. The AOC says that in some situations, there has been a return to local funding of some services that the state had previously paid like traffic magistrates.</p> <p>The AOC says it is somewhat problematic that the clerks of court are not directly responsible to the chief judges.</p>	<p>Howells, D. (2008, November 12). Re: Request for Info from a Researcher. Email to Elliott McKinnis.</p>

Table A7. Data collection matrix: Illinois

System Element	Description	Citation/Sources
<b>Court Unification</b>		
<b>Has the state reformed the court system by moving to state funding? If so, when?</b>	The Illinois court system was reformed in 1970 through a new state constitution. Among other things, the reforms moved the state closer to a trial court system that is state funded.	
<b>Has the state reformed the court system by unifying the trial court system? If so, when?</b>	Illinois unified its trial court system in 1964 through a constitutional amendment. Before the unification, there were multiple trial courts with concurrent jurisdiction. The extreme example was Cook County, which had 208 trial courts. The constitutional amendment in 1964 created one unified trial court, the circuit court.	Supreme Court of Illinois, 2007 Annual Report of the Illinois Courts 12, <a href="http://www.state.il.us/court/SupremeCourt/AnnualReport/2007/AdminSumm/2007_Administrative_Summary.pdf">http://www.state.il.us/court/SupremeCourt/AnnualReport/2007/AdminSumm/2007_Administrative_Summary.pdf</a>
<b>Has the state reformed the courts system by establishing state level management over the trial court system? If so, when?</b>	The Illinois court system was reformed in 1970 through Constitutional Amendment. It unified the management of the court system.	See Ill Const. art. VI, § 16.
<b>Description of Trial Courts</b>		
<b>Principal trial courts of general and limited jurisdiction</b>	The circuit court is the principal trial court of general jurisdiction.	Ill. Const. art VI, § 9; see U.S. Department of Justice, State Court Organization 2004 281, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>Other trial courts</b>	None.	
<b>Funding</b>		
<b>What system elements are funded at the state level?</b>	<ul style="list-style-type: none"> <li>Salaries and benefits of circuit court judges</li> <li>A small number of support staff in circuit courts</li> <li>Mandatory arbitration staff in several counties</li> <li>About 26% of the cost of operating probation services</li> </ul>	State & Local Funding for the Illinois Courts, <a href="http://www.state.il.us/court/General/Funding.asp">http://www.state.il.us/court/General/Funding.asp</a> (last visited June 5, 2009); see U.S. Department of Justice, State Court Organization 2004 83-85, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>What system elements are funded at the local level?</b>	<ul style="list-style-type: none"> <li>Office and courtroom space</li> <li>Maintenance</li> <li>Circuit court support staff</li> </ul> <p>(Court fees and fines help pay for local and state government programs.)</p>	State & Local Funding for the Illinois Courts, <a href="http://www.state.il.us/court/General/Funding.asp">http://www.state.il.us/court/General/Funding.asp</a> (last visited June 5, 2009); see U.S. Department of Justice, State Court Organization 2004 83-85, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>Trial Court Governance</b>		
<b>What body is the administrative head of the state judiciary? (chief justice, supreme court, other)</b>	Chief justice	Ill. Const. art. VI, § 16; Ill. Sup. Ct. R. 30; Supreme Court of Illinois, 2007 Annual Report of the Illinois Courts 13, <a href="http://www.state.il.us/court/SupremeCourt/AnnualReport/2007/AdminSumm/2007_Administrative_Summary.pdf">http://www.state.il.us/court/SupremeCourt/AnnualReport/2007/AdminSumm/2007_Administrative_Summary.pdf</a>
<b>What body sets administrative policy (makes rules) for the administration of the trial court system? (chief justice, supreme court, commission/council, other)</b>	Supreme court	Ill. Const. art. VI, § 16; Supreme Court of Illinois, 2007 Annual Report of the Illinois Courts 13, <a href="http://www.state.il.us/court/SupremeCourt/AnnualReport/2007/AdminSumm/2007_Administrative_Summary.pdf">http://www.state.il.us/court/SupremeCourt/AnnualReport/2007/AdminSumm/2007_Administrative_Summary.pdf</a>

Table A7. Data collection matrix: Illinois

System Element	Description	Citation/Sources
<p><b>What other bodies have a role in administrative policymaking ? (councils, work groups, etc.)</b></p>	<p>There is a judicial conference, which includes 82 judges. The conference makes recommendations to the supreme court about court administration. There are also various supreme court committees that make recommendations that are reviewed by an executive committee of the judicial conference.</p>	<p>Ill. Const. art. IV, § 17; Ill. Sup. Ct. R. 41; Supreme Court of Illinois, 2007 Annual Report of the Illinois Courts, at 13, 17-19  <a href="http://www.state.il.us/court/SupremeCourt/AnnualReport/2007/AdminSumm/2007_Administrative_Summary.pdf">http://www.state.il.us/court/SupremeCourt/AnnualReport/2007/AdminSumm/2007_Administrative_Summary.pdf</a>; <i>see also</i> Judicial Conference of Illinois, <a href="http://www.state.il.us/court/SupremeCourt/Jud_Conf/default.asp">http://www.state.il.us/court/SupremeCourt/Jud_Conf/default.asp</a> (last visited June 5, 2009).</p>
<p><b>Trial Court Administration</b></p>		
<p><b>What role is given to the Director of Administration? Who appoints the director?</b></p>	<p>“The Administrative Director of the courts shall be generally responsible for the enforcement of the rules, orders, policies and directives of the Supreme Court and the chief justice relating to matters of administration. At the direction of the chief justice and the Supreme Court, the Administrative Director shall develop, compile and promulgate administrative rules and directives relating to case processing, records and management information services, personnel, budgeting and such other matters as the chief justice and the Supreme Court shall direct. The Administrative Director also shall perform such other functions and duties as may be assigned by the chief justice or by the Supreme Court.”</p>	<p>Ill. Sup. Ct. R. 30; <i>see also</i> Ill. Const. art. VI, § 16.</p>
<p><b>What intermediate management structures exist for managing the trial court system? (regions/districts, presiding judges) What roles/powers are given to intermediate administrative functions?</b></p>	<p>The circuit court is divided into twenty-three circuits. The circuits include as few as one county and as many as twelve counties.</p> <p>Each circuit has a chief judge who is selected by the judges in the circuit and who serves as an administrative head for that circuit under authority of the supreme court.</p>	<p>705 Ill. Comp. Stat. 35/1; <i>see</i> Supreme Court of Illinois, 2007 Annual Report of the Illinois Courts 12-13, <a href="http://www.state.il.us/court/SupremeCourt/AnnualReport/2007/AdminSumm/2007_Administrative_Summary.pdf">http://www.state.il.us/court/SupremeCourt/AnnualReport/2007/AdminSumm/2007_Administrative_Summary.pdf</a>; U.S. Department of Justice, State Court Organization 2004 161-62, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>; Illinois Circuit Court General Information, <a href="http://www.state.il.us/court/CircuitCourt/CCInfoDefault.asp">http://www.state.il.us/court/CircuitCourt/CCInfoDefault.asp</a> (last visited June 5, 2009).</p>
<p><b>What is the role of elected or appointed clerks?</b></p>	<p>The clerks shall attend the sessions of their respective courts, preserve all the files and papers thereof, make, keep and preserve complete records of all the proceedings and determinations thereof, except in cases otherwise provided by law, and do and perform all other duties pertaining to their offices, as may be required by law or the rules and orders of their courts respectively. Other duties include, among other things, to administer an oath to a witness, to assess damages on an interlocutory judgment, to certify the number of days a person has served as a juror, and to prepare a record for appeal.</p>	<p>705 Ill. Comp. Stat. 105/13 (general duties of clerks); <i>see</i> 5 Ill. Comp. Stat. 255/1 (administering an oath); 735 Ill. Comp. Stat. 5/2-1206; Ill. Sup. Ct. R. 324 (record for appeal).</p>

Table A7. Data collection matrix: Illinois

System Element	Description	Citation/Sources
<p><b>What is the role of local court administrators?</b></p>	<p>The duties of the local court administrators are not outlined in Illinois's constitution, statutes, or supreme court rules.</p> <p>The following is from a job posting for a trial court administrator position in the twenty-second judicial circuit of Illinois: "Currently, the administrator is charged with many of the basic duties normally associated with trial court managers, including but not limited to budgeting, facilities planning, special projects, adjudication support (interpreters, clerical staffing for judges), law library oversight, statistical analysis, policy and procedure development, human resources, and interaction with county, state and federal agencies. Expanded responsibilities targeted to be overseen by the court administrator include heightened management of a developing electronic integrated case management system, enhanced caseflow management analysis, development of problem-solving courts, and promoting customer improvements for jury operations, self-represented litigants, and Internet services to the public. Also, the court would like to see a closer, more formal relationship between court administration and court services (probation department), ending in a possible restructuring under the Trial Court Administrator."</p>	<p>Trial Court Administrator Job Descriptions, <a href="http://www.ncsconline.org/d_kis/jobdeda/Jobs_TrialAdmin(3).htm">http://www.ncsconline.org/d_kis/jobdeda/Jobs_TrialAdmin(3).htm</a> (last visited July 14, 2009).</p>
<p><b>Roles in Specific Administrative Functions</b></p>		
<p><b>Describe state and local roles in budgeting for trial courts? (top-down, bottom-up, combination)</b></p>	<p>Both the state and the counties play roles in budgeting for the trial courts because the state and counties share the responsibility of funding the operations of the trial courts. The budget unit of the AOIC produces reports that track spending, contractual obligations, and projected needs in order to produce and implement the state's portion of the judicial branch budget.</p>	<p>Ill. Sup. Ct. R. 30; Tardy, M. J. (2009, July 8). Memo to Elliott McKinnis. Location: Indiana University Center for Urban Policy and the Environment; Administrative Office of the Illinois Courts – Administrative Services Division, <a href="http://www.state.il.us/court/Administrative/AdminServ.asp">http://www.state.il.us/court/Administrative/AdminServ.asp</a> (last visited July 14, 2009).</p>
<p><b>What are the state and local roles in establishing personnel policy for trial courts? (top-down, bottom-up, combination)</b></p>	<p>Not all employees at the trial court level are state employees. For those who are, the personnel policy is topdown; supreme court policies govern the personnel system for state employees. Supreme Court Rule 30 gives the administrative director authority to develop personnel policies at the direction of the chief justice and the supreme court.</p> <p>For the county employees, the personnel policies are established at the county level. Nevertheless, both the state-employee and county-employee systems include a "comprehensive inventory of personnel practices."</p>	<p>Ill. Sup. Ct. R. 30; Tardy, M. J. (2009, July 8). Memo to Elliott McKinnis. Location: Indiana University Center for Urban Policy and the Environment; see Administrative Office of the Illinois Courts – Administrative Services Division, <a href="http://www.state.il.us/court/Administrative/AdminServ.asp">http://www.state.il.us/court/Administrative/AdminServ.asp</a> (last visited July 14, 2009).</p>
<p><b>What are the state and local roles in managing judicial assignments for trial courts? (top-down, bottom-up, combination)</b></p>	<p>The chief judge of each circuit makes assignments of the circuit court judges</p>	<p>Ill. Sup. Ct. R. 21(b); see <i>People v. Joseph</i>, 495 N.E.2d 501, 507 (Ill. 1986) (Rule 21 (b) gives the chief judge authority to enter general orders, including orders for the assignment of judges.).</p>

**Table A7. Data collection matrix: Illinois**

<b>System Element</b>	<b>Description</b>	<b>Citation/Sources</b>
<b>State Court Website (general)</b>	<a href="http://www.state.il.us/court/default.asp">http://www.state.il.us/court/default.asp</a>	
<b>State Court Administrative Agency Website</b>	<a href="http://www.state.il.us/court/Administrative/Director.asp">http://www.state.il.us/court/Administrative/Director.asp</a>	
<b>Notes</b>		

Table A8. Data collection matrix: Iowa

System Element	Description	Citations/Sources
<b>Court Unification</b>		
<b>Has the state reformed the court system by moving to state funding? If so, when?</b>	Yes. Enacted legislation created a plan to phase in state funding for the trial court system. By October 1983, the state funded jury expenses. By July 1984, the state funded the expenses related to witnesses in criminal actions, funded the positions of court reporters. By January 1985, the state funded the positions of court attendants. By July 1985, the state provided funding for juvenile probation officers and juvenile court referees. By July 1986, the state funded clerks of the district courts and other court positions and expenses.	Iowa Code § 602.11101.
<b>Has the state reformed the court system by unifying the trial court system? If so, when?</b>	Yes. "The passage of the Unified Trial Court Act of 1973 reformed the state court system by establishing a unified trial court known as the 'Iowa District Court.' This legislation abolished over 500 justice-of-the-peace courts, 899 mayor's courts, 14 municipal courts, and 34 police courts. The Act established the positions of judicial magistrates and district associate judges."	Iowa Judicial Branch, 20th Century Reforms, <a href="http://www.iowacourts.gov/Public_Information/Iowa_Courts_History/20th_Century_Reforms/">http://www.iowacourts.gov/Public_Information/Iowa_Courts_History/20th_Century_Reforms/</a> ; see Iowa Const. art. V, § 1.
<b>Has the state reformed the courts system by establishing state level management over the trial court system? If so, when?</b>	Yes. Reform efforts led to the creation of the administrative office of the judicial branch in 1971.	Iowa Judicial Branch, 20th Century Reforms, <a href="http://www.iowacourts.gov/Public_Information/Iowa_Courts_History/20th_Century_Reforms/">http://www.iowacourts.gov/Public_Information/Iowa_Courts_History/20th_Century_Reforms/</a> ; see Iowa Code § 602.1208.
<b>Description of Trial Courts</b>		
<b>Principal trial courts of general and limited jurisdiction</b>	The district court is the only trial court and it has general jurisdiction	Iowa Code § 602.6101; see U.S. Department of Justice, State Court Organization 2004 283, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a> ; see also Iowa Const. art V, §§ 1, 6; Iowa Code §§ 602.6102-602.6112
<b>Other trial courts</b>	None	See U.S. Department of Justice, State Court Organization 2004 283, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>Funding</b>		
<b>What system elements are funded at the state level?</b>	The state pays for all operations of the trial courts, except the aspects that are the responsibilities of the counties and except for the portions funded by fines and fees	Iowa Code § 602.1302.
<b>What system elements are funded at the local level?</b>	Counties must pay for trial court facilities, maintenance, certain utilities, expenses related to certain commissions, security personnel, certain juvenile justice expenses, expenses related to grand juries, costs related to depositions in criminal actions, and witnesses' travel expenses in the prosecution of county ordinance violations.	Iowa Code § 602.13.03.
<b>Trial Court Governance</b>		
<b>What body is the administrative head of the state judiciary? (chief justice, supreme court, other)</b>	According to the text of the Iowa Constitution and Iowa Code section 602.1201, the supreme court has administrative authority over the judicial branch. Nonetheless, the Iowa Code specifies certain administrative duties to the chief justice, such as supervising the state court administrator. Pursuant to the direction of the chief justice, the state court administrator is the administrative head of the judicial system.	Iowa Const. art. V, § 4; Iowa Code §§ 602.1201, 602.1208; see also Iowa Code §§ 602.1203, 602.1204.

Table A8. Data collection matrix: Iowa

System Element	Description	Citations/Sources
What body sets administrative policy (makes rules) for the administration of the trial court system? (chief justice, supreme court, commission/council, other)	Supreme court	Iowa Const. art. V, § 4; Iowa Code § 602.1201.
What other bodies have a role in administrative policymaking? (councils, work groups, etc.)	A judicial council advises the supreme court in issues related to the supervision and administration of the judicial branches. The chief justice chairs the council, and the council members also include the chief judge of the court of appeals and the chief judges of each judicial district.  NOTE: In addition to the judicial council there are dozens of committee that also assist in making recommendations related to the administration of the judicial system.	Iowa Code § 602.1202.
<b>Trial Court Administration</b>		
What role is given to the Director of Administration? Who appoints the director?	The state court administrator shall: 1. Manage the judicial branch. 2. Administer funds appropriated to the judicial branch. 3. Authorize the filling of vacant court employee positions, review the qualifications of each person to be employed within the judicial branch, and assure that affirmative action goals are being met by the judicial branch. The state court administrator shall not approve the employment of a person when either the proposed terms and conditions of employment or the qualifications of the individual do not satisfy personnel policies of the judicial branch. The administrator shall implement the comparable worth directives issued under section 602.1204, subsection 2 in all court employment decisions. 4. Supervise the employees of the supreme court and court of appeals, and the clerk of the supreme court. 5. Administer the judicial retirement system as provided in article 9. 6. Collect and compile information and statistical data, and submit reports relating to judicial business, including juvenile court activities and other matters relating to the judicial branch. 7. Formulate and submit recommendations for improvement of the judicial system, with reference to the structure of the judicial branch and its organization and methods of operation, the selection, compensation, number, and tenure of judicial officers and court employees, and other matters as directed by the chief justice or the supreme court. 8. Call conferences of district court administrators as necessary in the administration of the judicial branch. 9. Provide a secretary and clerical services for the board of examiners of shorthand reporters under article 3. 10. Act as executive secretary of the commission on judicial qualifications under article 2. 11. Act as custodian of the bonds and oaths of office of judicial officers and court employees.	Iowa Code §§ 602.1208, 602.1209.

Table A8. Data collection matrix: Iowa

System Element	Description	Citations/Sources
What role is given to the Director of Administration? Who appoints the director? (continued)	<p>12. Issue vouchers for the payment of per diem and expenses from funds appropriated for purposes of articles 2, 3, and 10.</p> <p>13. Collect and account for fees paid to the board of examiners of shorthand reporters under article 3.</p> <p>14. Collect and account for fees paid to the board of bar examiners under article 10.</p> <p>15. Distribute notices of interest rates and changes to interest rates as required by section 668.13, subsection 3.</p> <p>16. Perform other duties as assigned by the supreme court, or the chief justice, or by law.</p> <p>The supreme court, by a majority vote, appoints the state court administrator.</p>	
What intermediate management structures exist for managing the trial court system? (regions/districts, presiding judges) What roles/powers are given to intermediate administrative functions?	<p>There are eight judicial districts of the district court. A district is composed of as few as five counties and as many as 22 counties. Every two years, the chief justice selects a district court judge in each district to serve as the chief judge of the district. A chief judge has the duty to supervise all judges and staff and to oversee the administrative operations in the judicial district.</p>	<p>Iowa Code §§ 602.1210, 602.1211; Iowa Ct. R. 22.3, 22.5; see U.S. Department of Justice, State Court Organization 2004 160-62, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>; see also Iowa Judicial Branch – Iowa District Courts, <a href="http://www.iowacourts.gov/District_Courts/">http://www.iowacourts.gov/District_Courts/</a> (last visited July 16, 2009).</p>
What is the role of elected or appointed clerks?	<p>Among the many duties of the clerk of the district court are keeping court records and collecting fines and fees.</p>	<p>Iowa Code § 602.8102.</p>
What is the role of local court administrators?	<p>The district court administrator helps the chief judge in supervising the personnel and operations of the judicial district. The chief judge appoints the district court administrator.</p>	<p>Iowa Code § 602.1214.</p>
Supplemental Information on Governance of Trial Court System		
Decisionmaking body – Administrative policy	<p>Supreme court</p>	<p>Iowa Const. art. V, § 4; Iowa Code § 602.1201.</p>
How are members selected?	<p>When there is a vacancy in the supreme court, a judicial nominating commission nominates three people to be the new justice. Within 30 days, the governor has the authority to appoint one of the nominees. After more than 30 days, the chief justice must appoint the new justice.</p> <p>The governor appoints a member to the judicial nominating commission from each congressional district. Also, the resident members of the bar in each congressional district elect a member to serve on the judicial nominating commission. The commission members serve a 6-year term.</p> <p>The supreme court justices elect a chief justice.</p>	<p>Iowa Const. art. V, § 15 (vacancies in court); Iowa Code §§ 46.1 (appointment of state judicial nominating commissioners), 46.2 (election of state judicial nominating commissioners), 602.4101 (supreme court justices), 602.4103 (chief justice); see also Iowa Const. art. V, § 16 (state nominating commissions).</p>

Table A8. Data collection matrix: Iowa

System Element	Description	Citations/Sources
What are term lengths?	<p>A supreme court justice's first term ends on January 1 after the next judicial election after the first year of the appointment. After retention, the justice serves an eight-year term.</p> <p>The chief justice's term is the same as the justice's term in office. A justice may serve consecutive terms as the chief justice.</p>	Iowa Code § 46.16.
Does the chief justice vote?	<p>When making decisions on court rules and budgeting, the supreme court justices generally do not vote, rather they try to form a consensus. If there is a contentious issue, then the supreme court justices, including the chief justice, vote.</p> <p>During judicial council meetings, the chief justice votes.</p>	Goerdt, J. (Iowa's Deputy State Court Administrator) (2009, February 23). Re: Rule making by the Iowa Supreme Court. Email to Elliott McKinnis.
Other information	A judicial council advises the supreme court in issues related to the supervision and administration of the judicial branches. The chief justice chairs the council, and the council members also include the chief judge of the court of appeals and the chief judges of each judicial district. By a majority vote, the members of the court of appeals choose among themselves a chief judge to serve a 2-year term. With approval of the supreme court, the chief justice selects the chief judges of the each district. The chief judge of a judicial district serves 2 years and is eligible for reappointment.	Iowa Code §§ 602.1202 (judicial council), .1210 (chief judges), .5105 (chief judge of the court of appeals).
<b>Roles in Specific Administrative Functions</b>		
Describe state and local roles in budgeting for trial courts? (top-down, bottom-up, combination)	The state court administrator establishes budgeting procedures. The supreme court submits a budget proposal to the General Assembly.	Iowa Code § 602.1301; <i>see also</i> Iowa Judicial Branch – Budget, <a href="http://www.iowacourts.gov/Administration/Budget/">http://www.iowacourts.gov/Administration/Budget/</a> (last visited July 16, 2009).
What are the state and local roles in establishing personnel policy for trial courts? (top-down, bottom-up, combination)	Top-down. The state court administrator establishes personnel policy.	Iowa Code § 602.1209; <i>see also</i> Office of the State Court Administrator, Personnel Policies for Employees of the Iowa Judicial Branch (2006), <a href="http://www.judicial.state.ia.us/wfdata/frame3472-1688/File1.pdf">http://www.judicial.state.ia.us/wfdata/frame3472-1688/File1.pdf</a>
What are the state and local roles in managing judicial assignments for trial courts? (top-down, bottom-up, combination)	Bottom-up. The chief judge of a judicial district has the authority to assign cases in the district or to delegate that responsibility to the district court administrator. The chief justice has the authority to reassign trial court judges or staff to a different judicial district.	Iowa Ct. R. 22.7, 22.8; Iowa Code § 602.6108 (reassignment to a different judicial district); <i>see</i> Iowa Code § 602.6105 (places of holding court).
State Court Website (general)	<a href="http://www.iowacourts.gov/">http://www.iowacourts.gov/</a>	
State Court Administrative Agency Website	<a href="http://www.iowacourts.gov/Administration/">http://www.iowacourts.gov/Administration/</a>	
Notes	<p>Additional Resources: Guide of Iowa's Court System (2005) (available at <a href="http://www.iowacourts.gov/wfdata/files/guidetocourtsystemdec06.pdf">http://www.iowacourts.gov/wfdata/files/guidetocourtsystemdec06.pdf</a>)</p> <p>Iowa Court Rules available in .pdf format at <a href="http://www.legis.state.ia.us/Rules/Current/court/courtrules.pdf">http://www.legis.state.ia.us/Rules/Current/court/courtrules.pdf</a></p>	

Table A9. Data collection matrix: Kentucky

System Element	Description	Citations/Sources
<b>Court Unification</b>		
Has the state reformed the court system by moving to state funding? If so, when?	Kentucky adopted unified court system by constitutional amendment on May 4, 1975, effective January 1, 1976. Implementation was accomplished in stages over two years, as provided in the amendment. Financing of the unified Court of Justice became the responsibility of the state in 1978 with all revenues collected by the courts deposited into the state treasury.	Ky. Const. §§ 109-129; West, P. (1985, October). Unified Court of Justice Celebrated Decade of Progress, <i>Accent on Courts</i> , Vol. 7: No. 4, p. 26, available at <a href="http://www.courts.ky.gov/research/history.htm">http://www.courts.ky.gov/research/history.htm</a>
Has the state reformed the court system by unifying the trial court system? If so, when?	Kentucky adopted unified court system by constitutional amendment on May 4, 1975, effective January 1, 1976. Implementation was accomplished in stages over two years, as provided in the amendment. "The Court of Justice was in full operation with the establishment of 114 district judgeships and the incorporation of over 600 deputy court clerks into the Court of Justice."	Ky. Const. §§ 109 (court of justice), 112 (circuits), 113 (districts); West, P. (1985, October). Unified Court of Justice Celebrated Decade of Progress, <i>Accent on Courts</i> , Vol. 7: No. 4, p. 26, available at <a href="http://www.courts.ky.gov/research/history.htm">http://www.courts.ky.gov/research/history.htm</a>
Has the state reformed the courts system by establishing state level management over the trial court system? If so, when?	Kentucky adopted unified court system by constitutional amendment in 1975. The chief justice was established as the executive head of the court of justice with the ability to appoint administrative assistants as necessary. The chief justice is required to submit a budget for the court of justice and perform other necessary administrative functions.	Ky. Const. § 110(5)(b)
<b>Description of Trial Courts</b>		
Principal trial courts of general and limited jurisdiction	<ul style="list-style-type: none"> <li>• Circuit courts (57 circuits; 111 judges) – general jurisdiction</li> <li>• District courts (60 districts; 129 judges) – limited jurisdiction</li> </ul>	Circuit courts: KY. Const. §§ 112 (circuit court), 113 (district court); see Ky. Rev. Stat. §§ 23A.010-220 (circuit court), 24A.010-360 (district court)
Other trial courts	None	Ky. Const. § 109
<b>Funding</b>		
What system elements are funded at the state level?	<ul style="list-style-type: none"> <li>• Essentially all elements are state funded. A portion of the cost of circuit courts is paid with federal funds.</li> <li>• In 1978, process established by which state reimburses for use and operations of local properties</li> </ul>	Rottman, D., and Strickland, S. (2006). <i>State Court Organization 2004</i> . Washington D.C.: U.S. Dept. of Justice; West, P. (1985, October). Unified Court of Justice Celebrated Decade of Progress, <i>Accent on Courts</i> , Vol. 7 (No. 4), p. 26., available at <a href="http://www.courts.ky.gov/research/history.htm">http://www.courts.ky.gov/research/history.htm</a>
What system elements are funded at the local level?	<ul style="list-style-type: none"> <li>• Cost of ADA compliance is shared</li> </ul>	Rottman, D., and Strickland, S. (2006). <i>State Court Organization 2004</i> . Washington D.C.: U.S. Dept. of Justice.
<b>Trial Court Governance</b>		
What body is the administrative head of the state judiciary? (chief justice, supreme court, other)	Chief justice	Ky. Const. § 110(5)(b)

Table A9. Data collection matrix: Kentucky

System Element	Description	Citations/Sources
What body sets administrative policy (makes rules) for the administration of the trial court system? (chief justice, supreme court, commission/council, other)	Supreme court.  Court administrative policies are found in the Administrative Policies (APs) as well as in portions of the Supreme Court Rules (SCRs), particularly in SCR Part 1, Policy and Administration.	Walker, C., and Hosea, Kimberly (Kentucky Administrative Office of the Courts), (2009, January 20). Email to Jamie Palmer; see Ky. Sup. Ct. R. 1.000-060
What other bodies have a role in administrative policymaking? (councils, work groups, etc.)	None identified	Rottman, D., and Strickland, S. (2006). <i>State Court Organization 2004</i> . Washington D.C.: U.S. Dept. of Justice
<b>Trial Court Administration</b>		
What role is given to the Director of Administration? Who appoints the director?	The administrative office of courts serves as staff to chief justice. The chief justice appoints the director.	Ky. Const. § 110(5)(b); Kentucky: Court of Justice — Overview, <a href="http://www.courts.ky.gov/aoc/">http://www.courts.ky.gov/aoc/</a> (last visited July 16, 2009)
What intermediate management structures exist for managing the trial court system? (regions/districts, presiding judges) What roles/powers are given to intermediate administrative functions?	When there are two or more judges within a court, chief judges for circuit and district are elected by the judges within the respective court. Terms are two years. The chief judge carries out the administrative policy set by the supreme court. These judges supervise the administrative business of the court and provide general direction and supervision to the non-judicial personnel assigned to that court. Chief judges may establish local rules with the approval of the Chief justice and may assign cases among the judges in the court.  Kentucky has a system of chief regional judges for circuit and district courts. These positions are part of the Regional Administration Program Charter created by Supreme Court Order. Three currently are eight administrative regions. Chief regional judges are appointed by the chief justice every two years. Their only authority is to assist the chief justice in assigning special judges in cases of conflicts or vacancies and may serve in the absence of any judge within their region. The vice chief regional judge manages the administrative functions of the court when the chief judge is unavailable.	Ky. Sup. Ct. R. 1.040; Walker, C., and Hosea, K. (Kentucky Administrative Office of the Courts), (2009, January 20). Email to Jamie Palmer.
What is the role of elected or appointed clerks?	Circuit court clerks function at a county level. Each county has a circuit court clerk, who serves as clerk for both the circuit and district court in the county. Clerks are elected officials (constitutional officers) serving 6-year terms. The 120 clerks of the circuit courts oversee documentation of trial court activities in each of Kentucky's counties. They maintain all trial court records, files, dockets, and indexes as prescribed by statute or rule, enter data into the Court of Justice case management system, notify counsel of record and parties and other agencies as required or necessary, issue drivers' licenses and state identification cards, assist the public concerning the status of court cases, attend court and serve as bench clerks, collect and process fines and fees and other monies, and perform other duties as assigned. They are subject to the administrative control of the chief justice and can be removed by the supreme court upon good cause shown.	Walker, C., & Hosea, K. (Kentucky Administrative Office of the Courts), (2009, May 19). Email to Jamie Palmer; Ky. Const. § 114(3), Ky. Rev. Stat. S 30A.010-.250

**Table A9. Data collection matrix: Kentucky**

<b>System Element</b>	<b>Description</b>	<b>Citations/Sources</b>
<b>What is the role of local court administrators?</b>	Trial court administrators function at a court level. They are non-tenured AOC personnel who are appointed by, and serve at the pleasure of, the judges who appoint them. Their duties tend to support the administrative business of the court and may include monitoring case flow to ensure efficient processing and making recommendations for improvement of case flow management, compiling statistical reports, scheduling hearings and other court proceedings, managing dockets, assisting with recruitment/selection/training of court personnel, scheduling interpreting services, managing the jury pool, supervising staff and job assignments, acting as a liaison with the public, and performing other duties as assigned by the judge(s).	Walker, C., and Hosea, K (Kentucky Administrative Office of the Courts), (2009, May 19), Email to Jamie Palmer
<b>Supplemental Information on Governance of Trial Court System</b>		
<b>Decisionmaking body – Administrative policy</b>	Chief justice	
<b>How are members selected?</b>	<p>One supreme court justice is elected from each of seven appellate districts in nonpartisan elections.</p> <p>Candidates for supreme court justices must submit nominations to the secretary of state by a specified date prior to the primary election. All candidates are placed on the primary ballot without reference to party. The two candidates receiving the most votes are considered to be nominated and appear on the general election ballot. The candidate that received the most votes is elected.</p> <p>In the event of a vacancy, under certain circumstances, the governor fills vacancies from a list of three names presented by the supreme court and the court of appeals judicial nominating commission. If the governor fails to make an appointment from the list within 60 days after it is presented to him, the appointment is made by the chief justice from the same list. Under some circumstances, a part of the term may be filled by election. It is possible that, if the length of the vacancy will be long enough, part of a term would be filled by appointment and the remainder by election.</p> <p>The supreme court justices elect one of their members to serve as chief justice.</p>	Ky. Const. §§ 110, 118(1), 152(4)
<b>What are term lengths?</b>	<p>Supreme Court justices hold their offices for 8 year terms. Elections are staggered.</p> <p>The chief justice is selected for a four-years term.</p>	Ky. Const. §§ 110(5)(a), 119; Ky. Rev. Stat. § 21A.020
<b>Does the chief justice vote?</b>	Rules typically are promulgated directly by the chief justice. Whether promulgated by the chief justice or the supreme court, the chief justice participates actively in rulemaking.	
<b>Other information</b>		

**Table A9. Data collection matrix: Kentucky**

<b>System Element</b>	<b>Description</b>	<b>Citations/Sources</b>
<b>Describe state and local roles in <u>budgeting</u> for trial courts? (top-down, bottom-up, combination)</b>	The budget is not based on population or caseload. The budget is administered at the AOC level; each court does not have its own budget. Each circuit or district can make specific requests that are approved (or not) by the AOC.	Walker, C., & Hosea, K. (Kentucky Administrative Office of the Courts), (2009, January 20). Email to Jamie Palmer
<b>What are the state and local roles in <u>establishing personnel</u> policy for trial courts? (top-down, bottom-up, combination)</b>	The supreme court sets personnel rules for the unified court system. The Personnel Policies constitute Part III of the Administrative Procedures of the Court of Justice (aka APs).	Walker, C., & Hosea, K. (Kentucky Administrative Office of the Courts), (2009, January 20). Email to Jamie Palmer; see Ky. Admin. P. Part III (personnel policies)
<b>What are the state and local roles in <u>managing judicial assignments</u> for trial courts? (top-down, bottom-up, combination)</b>	<p>The chief justice is able to appoint temporary judges, as well as being able to request additional permanent judges from the legislature. Heavy caseload is often handled with the appointment of senior judges (recently retired). They can be assigned to fill needs within the circuit and district courts.</p> <p>Circuit and district regional chief judges are able to appoint special judges as well. Circuit and district chief judges can assign judges within their courts.</p>	Walker, C., & Hosea, K. (Kentucky Administrative Office of the Courts), (2009, January 20). Email to Jamie Palmer; Chief Justice: Ky. Const. § 110(5)(b); Ky. Sup. Ct. R. 1.040(4) (circuit and district chief judges)
<b>State Court Website (general)</b>	<a href="http://www.courts.ky.gov">www.courts.ky.gov</a>	
<b>State Court Administrative Agency Website</b>	<a href="http://www.courts.ky.gov/aoc/">http://www.courts.ky.gov/aoc/</a>	
<b>Notes</b>		

Table A10. Data collection matrix: Minnesota

System Element	Description	Citation/Sources
<b>Court Unification</b>		
<b>Has the state reformed the court system by moving to state funding? If so, when?</b>	<p>Yes, it was phased in from 1990 to 2005. In 1989, the legislature created a pilot program for the state to fund trial courts in the eighth judicial district effective January 1, 1990. In 1999, the legislature amended the court-employee-funding statute so that the state would fund trial courts in the fifth, seventh, and ninth judicial districts effective July 1, 2000. The transition to state funding in the second and fourth judicial districts happened on July 1, 2003. The transition to state funding in the first and third judicial districts happened on July 1, 2004. The transition to state funding in the remaining judicial districts, the sixth and tenth, happened on July 1, 2005.</p>	<p>Minn. Stat. § 480.181 (West, WestLaw through 2009 Regular Session, Chapters 1-58); Minnesota State Court System Financial Audit Division, 2002-2004 Audit, <a href="http://www.auditor.leg.state.mn.us/FAD/access/04-35.htm">http://www.auditor.leg.state.mn.us/FAD/access/04-35.htm</a> (last visited June 15, 2009); see Minnesota Judicial Branch, 2005 Report to the Community 6, <a href="http://www.courts.state.mn.us/documents/0/Public/Court_Information_Office/2005_Annual_Report-screen.pdf">http://www.courts.state.mn.us/documents/0/Public/Court_Information_Office/2005_Annual_Report-screen.pdf</a></p>
<b>Has the state reformed the court system by unifying the trial court system? If so, when?</b>	<p>In 1972, the state consolidated most of the municipal, probate, and justice courts into the county court with uniform jurisdiction.</p> <p>The 1977 Court Reorganization Act unified the trial court system to some degree by giving a chief judge administrative authority over all of trial courts in a district and by abolishing all justice courts.</p> <p>By September 1987, the state unified the trial courts in all judicial districts by transitioning them into a single-trial-court system.</p> <p>But the state court administrator, Sue Dosal, states that it was not until 2005 when the system became state-funded throughout the state that the trial courts were actually unified.</p>	<p>Dosal, S. K., McQueen, M. C., &amp; Wheeler, R. R. (2007). Administration of Justice is Archaic – The rise of modern court administration: Assessing Roscoe Pound’s court administration prescriptions. <i>Indiana Law Journal</i> 82, 1301-02.</p> <p>Sheran, R.J. &amp; Amdahl, D. K. (2003). “Minnesota judicial system: Twenty-five years of radical change” <i>Hamline Law Review</i>, 26, 235-36.</p>
<b>Has the state reformed the courts system by establishing state level management over the trial court system? If so, when?</b>	<p>“The 1977 Court Reorganization Act put in place a comprehensive administrative framework for the judicial branch. It did this by clearly giving the Chief Justice superintending authority for the administration of all courts, including the authority to assign any judge to any court within the state. It also gave added responsibility to the State Court Administrator in matters of statewide administration.”</p> <p>But the state court administrator, Sue Dosal, suggests that it was not until 2005 when the system became state-funded throughout the state that the state-level court management had much real authority over the operations at the trial level.</p>	<p>Dosal, S. K., McQueen, M. C., &amp; Wheeler, R. R. (2007). “Administration of justice is archaic” – The rise of modern court administration: Assessing Roscoe Pound’s court administration prescriptions. <i>Indiana Law Journal</i>, 82, 1301-02.</p> <p>Sheran, R.J., &amp; Amdahl, D. K. (2003). “Minnesota judicial system: Twenty-five years of radical change” <i>Hamline Law Review</i>, 26, 235.</p>
<b>Description of Trial Courts</b>		
<b>Principal trial courts of general and limited jurisdiction</b>	<p>The district court is the only trial court and it has general jurisdiction. According to Minnesota Statute section 2.722, the district courts have 283 judges. According to the Minnesota Judicial Branch’s 2007 Report to the Community, the district court has 288 judges. According to the DOJ’s 2004 report, there are 276 district court judges.</p>	<p>Minn. Const. art. VI, § 3; Minn. Stat. §§ 2.722 (West, WestLaw through 2009 Regular Session, Chapters 1-58), 484.01-484.011; Minnesota Judicial Branch, 2007 Report to the Community 6, <a href="http://www.courts.state.mn.us/Documents/0/Public/Court_Information_Office/2007ARFinal.pdf">http://www.courts.state.mn.us/Documents/0/Public/Court_Information_Office/2007ARFinal.pdf</a>; see U.S. Department of Justice, State Court Organization 2004 291, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>; see also Minn. Const. art. VI, § 1.</p>
<b>Other trial courts</b>	None	<p>See U.S. Department of Justice, State Court Organization 2004 291, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a></p>

Table A10. Data collection matrix: Minnesota

System Element	Description	Citation/Sources
<b>Funding</b>		
<b>What system elements are funded at the state level?</b>	<p>At the trial court level, the state pays for:</p> <ul style="list-style-type: none"> <li>• District court referees</li> <li>• Judicial officers</li> <li>• Court reporters</li> <li>• Law clerks</li> <li>• District administration staff</li> <li>• Court interpreters</li> <li>• Guardian ad litem program</li> <li>• Examination costs for mental commitments and similar proceedings</li> <li>• Examination costs related to rule 20 of the Rules of Criminal Procedure</li> <li>• In forma pauperis costs</li> <li>• Expenses related to some transcripts</li> <li>• Jury program</li> <li>• Witness fees and expenses</li> </ul>	<p>Minn. Stat. §§ 480.181, 480.182; see U.S. Department of Justice, State Court Organization 2004 86-88, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a></p>
<b>What system elements are funded at the local level?</b>	Buildings/real property	See U.S. Department of Justice, State Court Organization 2004 86-88, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>Trial Court Governance</b>		
<b>What body is the administrative head of the state judiciary? (chief justice, supreme court, other)</b>	<p>The chief justice. The legislature amended subdivision 2 of Minnesota Statutes section 2.724 in 1977 to read “the chief justice of the Supreme Court of the state shall supervise and coordinate the work of the courts of the state.”</p>	Minn. Stat. § 2.724
<b>What body sets administrative policy (makes rules) for the administration of the trial court system? (chief justice, supreme court, commission/council, other)</b>	<p>Judicial council. By administrative order the chief justice created a judicial council, which was constituted in 2005. State court administrator Sue Dosal stated that “administrative responsibility and accountability for the entire system rests within that one group.”</p> <p>The chief justice is the chair of the judicial council.</p> <p>NOTE: The judicial council is the creation of the chief justice. The state legislature has not codified it. There was apparently some type of judicial council that the legislature created by statute decades ago, but the legislature repealed those code sections in 1975 and in 1981. The current judicial council is governed by bylaws, which are not part of the Minnesota Statutes.</p>	<p>Minn. Jud. Council Bylaws, <a href="http://www.courts.state.mn.us/?page=1260">http://www.courts.state.mn.us/?page=1260</a>; see Dosal, S. K., McQueen, M. C., &amp; Wheeler, R. R. (2007). “Administration of Justice is Archaic” – The Rise of Modern Court Administration: Assessing Roscoe Pound’s Court Administration Prescriptions. <i>Indiana Law Journal</i>, 82, 1302. See generally Judicial Council, <a href="http://www.courts.state.mn.us/?page=297">http://www.courts.state.mn.us/?page=297</a> (last visited June 17, 2009)</p>

Table A10. Data collection matrix: Minnesota

System Element	Description	Citation/Sources
<p><b>What other bodies have a role in administrative policymaking ? (councils, work groups, etc.)</b></p>	<p>The Minnesota Judicial Council has three standing committees:</p> <ul style="list-style-type: none"> <li>• Finance Committee</li> <li>• Court Operations, Policy and Strategy Committee (COPS)</li> <li>• Human Resources/Education and Organization Development Committee (HR/EOD)</li> </ul> <p>The Council forms ad hoc committees as needed.</p> <p>In addition, there are three statewide committees that report to the Judicial Council:</p> <ul style="list-style-type: none"> <li>• Chemical Dependency Task Force (CDTF)</li> <li>• Public Trust and Confidence Committee</li> <li>• Racial Fairness Committee</li> </ul>	<p>Judicial Council Committees,  <a href="http://www.courts.state.mn.us/?page=1261">http://www.courts.state.mn.us/?page=1261</a> (last visited June 17, 2009)</p>
<p><b>Trial Court Administration</b></p>		
<p><b>What role is given to the Director of Administration? Who appoints the director?</b></p>	<p>The state court administrator has the following duties:</p> <p>Examination of methods and systems. The court administrator shall examine the administrative methods and systems employed in the offices of the judges, court administrators, reporters, and employees of the courts and make recommendations, through the chief justice for the improvement of the same.</p> <p>Examination of dockets. The court administrator shall examine the state of dockets of the courts and determine the need for assistance by any court.</p> <p>Judge assignment recommendations. The court administrator shall make recommendations to the chief justice relating to the assignment of judges where courts are in need of assistance and carry out the direction of the chief justice as to the assignments of judges to counties and districts where the courts are in need of assistance.</p> <p>Collection of statistical data. The court administrator shall collect and compile statistical and other data and make reports of the business transacted by the courts and transmit the same to the chief justice and to the respective houses of the legislature to the end that proper action may be taken in respect thereto.</p> <p>Budget estimates. The court administrator shall prepare and submit budget estimates of state appropriations necessary for the maintenance and operation of the judicial system and make recommendations in respect thereto.</p> <p>Expenditure reports. The court administrator shall collect statistical and other data and make reports relating to the expenditure of public money, state and local, for the maintenance and operation of the judicial system and the offices connected therewith.</p> <p>Delay of action reports. The court administrator shall obtain reports from court administrators in accordance with law or rules adopted by the Supreme Court of this state on cases and other judicial business in which action has been delayed beyond periods of time specified by law or rules of court and make report thereof to the Supreme Court of this state and to the respective houses of the legislature.</p> <p>Judicial system improvement recommendations. The court</p>	<p>Minn. Stat. §§ 480.13-480.17</p>

Table A10. Data collection matrix: Minnesota

System Element	Description	Citation/Sources
<p><b>What role is given to the Director of Administration? Who appoints the director? (continued)</b></p>	<p>administrator shall formulate and submit to the respective houses of the legislature recommendations of policies for the improvement of the judicial system.</p> <p>Annual report. The court administrator shall submit annually, as of February 1, to the chief justice and the judicial council, a report of the activities of the Court Administrator's Office for the preceding calendar year.</p> <p>Uniform personnel standards. The court administrator shall prepare uniform standards and procedures for the recruitment, evaluation, promotion, in-service training and discipline of all personnel in the court system other than judges, referees, judicial officers, court reporters and court services officers. The court administrator shall file a report on the uniform standards and procedures with the legislature by June 30, 1978.</p> <p>Uniform requirements; budget and information systems. The court administrator shall promulgate and administer uniform requirements for court budget and information systems, the compilation of statistical information, and the collection, storage and use of court records.</p> <p>Duties delegated by Supreme Court. The court administrator shall attend to such other matters consistent with the powers delegated herein as may be assigned by the Supreme Court of this state.</p> <p>Review of plans. The court administrator shall review plans submitted by a judicial district for office equipment under section 484.68, subdivision 3, clause (5), and shall determine eligibility for state funding or reimbursement for the equipment.</p> <p>The supreme court appoints the state court administrator.</p>	
<p><b>What intermediate management structures exist for managing the trial court system? (regions/districts, presiding judges) What roles/powers are given to intermediate administrative functions?</b></p>	<p>The state is divided into ten judicial districts. The districts have as few as one county and as many as 17 counties. Each district has a chief judge and an assistant chief judge. The chief judge has general administrative authority over the courts within the judicial district including the power to assign judges.</p> <p>"The judges of the district court resident in each of the judicial districts shall meet and elect from among their number a single chief judge and an assistant chief judge. The chief judge and the assistant chief judge shall serve a term of two years beginning July 1 of the year in which they are elected. No judge may serve as chief judge or assistant chief judge for more than two consecutive two year terms . . . The seniority of judges and rotation of the position of chief judge or assistant chief judge shall not be criteria for the election of the chief judge or the assistant chief judge."</p>	<p>Minn. Stat. §§2.722 (judicial districts), 484.69 (chief judge)</p>
<p><b>What is the role of elected or appointed clerks?</b></p>	<p>The clerk of the district court is referred to as the court administrator. The duties include, among others, keeping court records; managing the jury program; overseeing the accounting and distribution of fines, fees, trust funds, restitution, and bail; and safekeeping trial exhibits.</p>	<p>Minn. Stat. §§ 485.01-485.27; <i>see, e.g.</i>, Court Administration – Otter Tail County Minnesota, <a href="http://www.co.otter-tail.mn.us/courtadmin/">http://www.co.otter-tail.mn.us/courtadmin/</a> (last visited July 15, 2009); <i>see also</i> Minn. Const. art. VI, § 13</p>

Table A10. Data collection matrix: Minnesota

System Element	Description	Citation/Sources
<p><b>What is the role of local court administrators?</b></p>	<p>"The district administrator shall:                      (1) assist the chief judge in the performance of administrative duties;                      (2) manage the administrative affairs of the courts of the judicial district;                      (3) supervise the court administrators and other support personnel, except court reporters, who serve in the courts of the judicial district;                      (4) comply with the requests of the state court administrator for statistical or other information relating to the courts of the judicial district;                      (5) with the approval of the chief judge, determine the needs of the judges of the district for office equipment necessary for the effective administration of justice and develop a plan to make the equipment available to the judges of the district; the plan must be submitted to the state court administrator for approval and determination of eligibility for state funding under section 480.15, subdivision 12; and                      (6) perform any additional duties that are assigned by law or by the rules of court."</p>	<p>Minn. Stat. § 484.68</p>
<p><b>Supplemental Information on Governance of Trial Court System</b></p>		
<p><b>Decisionmaking body – Administrative policy</b></p>	<p>Judicial council</p>	<p>Minn. Jud. Council Bylaws,  <a href="http://www.courts.state.mn.us/?page=1260">http://www.courts.state.mn.us/?page=1260</a></p>
<p><b>How are members selected?</b></p>	<p>Section 1. Voting Members. The voting members of the Judicial Council shall be:</p> <ul style="list-style-type: none"> <li>• Chief Justice of the Supreme Court</li> <li>• Associate Justice of the Supreme Court – appointed by the Chief Justice</li> <li>• Chief Judge of the Court of Appeals</li> <li>• Chief Judges of the Judicial Districts</li> <li>• President of the Minnesota District Judges Association</li> <li>• Five At-Large Judges (three of whom must be trial court judges) – appointed by the Chief Justice</li> </ul> <p>Section 2. Non-Voting Members. The non-voting members of the Judicial Council shall be:</p> <ul style="list-style-type: none"> <li>• State Court Administrator</li> <li>• Three Judicial District Administrators – chosen by the District Administrators</li> <li>• One Court Administrator – chosen by the Court Administrators</li> <li>• One At-Large Member – appointed by the Chief Justice from within the Judicial Branch</li> </ul>	<p>Minn. Jud. Council Bylaws art. III</p>

Table A10. Data collection matrix: Minnesota

System Element	Description	Citation/Sources
What are term lengths?	<p>The terms of Judicial Council membership shall be as follows:</p> <ul style="list-style-type: none"> <li>• The following members shall serve during tenure in their positions:               <ul style="list-style-type: none"> <li>○ Chief justice of the supreme court</li> <li>○ Chief judge of the court of appeals</li> <li>○ Chief judges of the judicial districts</li> <li>○ President of the Minnesota District Judges Association</li> <li>○ State court administrator</li> </ul> </li> <li>• The following members shall serve staggered terms following the establishment of the judicial council and thereafter as determined by the chief justice. Appointments for these members afterwards shall be three-year terms, with the opportunity for an additional three-year term at the discretion of the appointing authority.               <ul style="list-style-type: none"> <li>○ Associate justice of the supreme</li> <li>○ Five at-large judges</li> <li>○ Three judicial district administrators</li> <li>○ One court administrator</li> <li>○ One at-large appointment from within the judicial branch</li> </ul> </li> </ul>	Minn. Jud. Council Bylaws art. V, § 1
Does the chief justice vote?	<p>All matters shall be decided by a vote of the majority of voting members present at a meeting at which a quorum is present unless specifically addressed otherwise in these bylaws or in the Rules of Procedure adopted by the Judicial Council. Each member shall be limited to one vote.</p>	Minn. Jud. Council Bylaws art. VI, § 5
Roles in Specific Administrative Functions		
Describe state and local roles in budgeting for trial courts? (top-down, bottom-up, combination)	<p>The state court administrator “prepare[s] and submit[s] budget estimates of state appropriations necessary for the maintenance and operation of the judicial system and make recommendations in respect thereto.”</p> <p>The Minnesota Judicial Council Bylaws article two, section two states that the judicial council has administrative policy-making authority for, among other things, “budget priorities, budget request, and submission of the judicial branch budget request to the executive legislative branches.” Even though the judicial council is a statewide body, a large majority of its members (voting and non-voting) consist of judges or administrators from the district or local level.</p> <p>In a sense, the judicial branch creates a budget through a top-down process because of the role of the state court administrator and the judicial council. However, local judges and administrators seem to have a significant role in budgeting.</p>	Minn. Stat. § 480.15(6) (state court administrator duties); Minn. Jud. Council Bylaws art. II, § 2, <a href="http://www.courts.state.mn.us/?page=1260">http://www.courts.state.mn.us/?page=1260</a>

Table A10. Data collection matrix: Minnesota

System Element	Description	Citation/Sources
<p><b>What are the state and local roles in establishing personnel policy for trial courts? (top-down, bottom-up, combination)</b></p>	<p>The state court administrator prepares “uniform standards and procedures for the recruitment, evaluation, promotion, in-service training and discipline of all personnel in the court system other than judges, referees, judicial officers, court reporters and court services officers.”</p> <p>The Minnesota Judicial Council Bylaws article two, section two states that the judicial council has administrative policy-making authority for, among other things, human resources. Even though the judicial council is a statewide body, a large majority of its members (voting and non-voting) consist of judges or administrators from the district or local level.</p> <p>In a sense, the judicial branch creates personnel policy through a top-down process because of the role of the state court administrator and the judicial council. However, local judges and administrators seem to have a significant role in setting personnel policies.</p> <p>NOTE: Minnesota Statutes section 480.181 indicates that the supreme court adopts the personnel rules. I think that this is an out-of-date provision that does not reflect the changes that happened when the chief justice created the judicial council.</p>	<p>Minn. Stat. § 480.15(10a) (state court administrator duties); Minn. Jud. Council Bylaws art. II, § 2, <a href="http://www.courts.state.mn.us/?page=1260">http://www.courts.state.mn.us/?page=1260</a></p> <p>See Minn. Stat. § 480.181 (indicating that the supreme court adopts personnel rules).</p>
<p><b>What are the state and local roles in managing judicial assignments for trial courts? (top-down, bottom-up, combination)</b></p>	<p>The chief judge of each district makes the judicial assignments</p>	<p>Minn. Stat. § 484.69</p>
<p><b>State Court Website (general)</b></p>	<p><a href="http://www.courts.state.mn.us/">http://www.courts.state.mn.us/</a></p>	
<p><b>State Court Administrative Agency Website</b></p>	<p><a href="http://www.courts.state.mn.us/?page=154">http://www.courts.state.mn.us/?page=154</a></p>	
<p><b>Notes</b></p>	<p>Minn. Stat. 480.181 includes some of the details of the transition to state funding.</p> <p>Minnesota statutes available online at: <a href="https://www.revisor.leg.state.mn.us/revisor/pages/statute/statute_toc.php?year=2006">https://www.revisor.leg.state.mn.us/revisor/pages/statute/statute_toc.php?year=2006</a></p> <p>Additional resource: Susan M. Byrnes, Court Executive Dev. Program, State Funding of Trial Courts: Minnesota’s Transition Experience 54 (2004), available at <a href="http://contentdm.ncsconline.org/cgi-bin/showfile.exe?CISOROOT=/financial&amp;CISOPTR=51">http://contentdm.ncsconline.org/cgi-bin/showfile.exe?CISOROOT=/financial&amp;CISOPTR=51</a></p>	

Table A11. Data collection matrix: Montana

System Element	Description	Citations/Sources
<b>Court Unification</b>		
<b>Has the state reformed the court system by moving to state funding? If so, when?</b>	Yes. The state legislature passed Senate Bill 176 in 2001. The bill, which is also known as the “District Court Assumption Bill”, became effective on July 1, 2002. The legislation shifted hundreds of court workers (i.e. judicial assistants, law clerks, and juvenile probation officers) from county employment to state employment.	Montana Supreme Court, 2002 Annual Report 1, <a href="http://courts.mt.gov/annual_report/2002rpt.pdf">http://courts.mt.gov/annual_report/2002rpt.pdf</a>
<b>Has the state reformed the court system by unifying the trial court system? If so, when?</b>	Generally, the Montana trial courts are not unified in the sense that there are several different types of courts. Furthermore, they are not unified in the sense that the district court is state funded but some of the other courts are not state funded. However, they are all under the same state level management. Also, appeals from the courts of limited jurisdiction go to the district court.	
<b>Has the state reformed the courts system by establishing state level management over the trial court system? If so, when?</b>	The 1972 Constitution establishes that the supreme court has supervisory power over all courts. In October, 1975, the supreme court created the office of court administrator to help the court with administrative duties. The position became a statutory position a couple of years later. The “Assumption Bill” of 2001 created new division of the office of the court administrator and authorized the creation of 8.5 new staff positions. The “Assumption Bill” also created a district court council (for more information on this body see below).	Mont. Const. art. VII, § 2(2) (establishing supreme court as supervisory of all courts); Wood, C. (2002). <i>Montana’s District Courts Have a New Structure. Montana Lawyer, 27-Feb., 7-8</i> (describing the effect of the Assumption Bill); 1988 Annual Report, Montana Supreme Court 17, <a href="http://www.montanacourts.org/annual_report/1988rpt.pdf">http://www.montanacourts.org/annual_report/1988rpt.pdf</a>
<b>Description of Trial Courts</b>		
<b>Principal trial courts of general and limited jurisdiction</b>	District Court	Mont. Const. art. VII, § 4 (district court jurisdiction); see U.S. Department of Justice, State Court Organization 2004 294, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a> ; see also Mont. Const. art. VII, § 1 (courts generally); Mont. Code § 3-1-101 (courts generally)
<b>Other trial courts</b>	Water Court, Workers’ Compensation Court, Justice of the Peace Court, Municipal Court, City Court	Mont. Const. art. VII, § 5 (justice of the peace); Mont. Code §§ 2-4-702 (workers’ compensation court), 3-6-103 (municipal court jurisdiction), 3-7-501 (water court jurisdiction), 3-10-301 to -303 (justice of the peace jurisdiction), 3-11-102 to -104 (city court jurisdiction); see U.S. Department of Justice, State Court Organization 2004 294, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a> ; see also Mont. Const. art. VII, § 1 (courts generally); Mont. Code § 3-1-101 (courts generally)
<b>Funding</b>		
<b>What system elements are funded at the state level?</b>	<p><u>For the district court:</u> Salaries and benefits for:</p> <ul style="list-style-type: none"> <li>• District court judges</li> <li>• Law clerks</li> <li>• Court reporters</li> <li>• Juvenile probation officers</li> <li>• Youth division offices and staff</li> <li>• Assessment Officers of the Youth Court</li> <li>• Other Employees of the district courts</li> </ul>	Mont. Code §§ 3-5-901 (district court expenses), - 7-222 (water court expenses); see Montana Supreme Court – Budget and Finance, <a href="http://www.montanacourts.org/cao/budget.asp">http://www.montanacourts.org/cao/budget.asp</a> ; U.S. Department of Justice, State Court Organization 2004 89-91, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>

Table A11. Data collection matrix: Montana

System Element	Description	Citations/Sources
<p><b>What system elements are funded at the state level? (continued)</b></p>	<p>In criminal cases:</p> <ul style="list-style-type: none"> <li>• Fees for transcripts of proceedings</li> <li>• Witness fees and necessary expenses</li> <li>• Juror fees and necessary expenses</li> <li>• Psychiatric examinations</li> <li>• Cost of transporting defendant to appropriate facilities</li> <li>• District court costs for all post-conviction proceedings</li> </ul> <p>Expenses incurred by state in federal habeas corpus cases that challenge validity of conviction:</p> <ul style="list-style-type: none"> <li>• Transcript fees</li> <li>• Witness fees</li> <li>• Psychiatric examinations</li> </ul> <p>Minor Custody Issues:</p> <ul style="list-style-type: none"> <li>• Fees for transcripts</li> <li>• Witness fees</li> <li>• Expenses for medical and psychological evaluation of youth, parent or guardian</li> <li>• Expenses associated guardian ad litem or child advocate</li> <li>• Expenses associated with alternative dispute resolution</li> </ul> <p>Costs of juror and witness fees and witness expenses before a grand jury</p> <p>Costs of court-sanctioned educational programs of effects of marriage dissolution on children</p> <p>All district court expenses associated with civil jury trials if similar expenses were paid out of the district court fund or the county general fund in any previous year.</p> <p>All cost associated with the operation and maintenance of the district court, including costs for court reporters (who are independent contractors)</p> <p>Costs associated with the operation and maintenance of the youth court</p> <p><u>For the water court:</u>          "The Montana supreme court shall provide in its budget for the salary, expenses, and office and staff requirements of the chief water judge, which money may be appropriated by the legislature from the general fund."</p> <p><u>For the workers' compensation court:</u>          This court is funded by the state but outside of the judiciary's budget.</p>	

Table A11. Data collection matrix: Montana

System Element	Description	Citations/Sources
What system elements are funded at the local level?	<ul style="list-style-type: none"> <li>• Providing and maintaining district court offices and courtrooms</li> <li>• District court clerks, their employees, and their office expenses</li> <li>• Courtroom security</li> <li>• All expenses of the justice of the peace, municipal, and city courts</li> </ul>	Mont. Code §§ 3-1-125 (district court office space), -5-901 (district court expenses), -6-105 (municipal court facilities and supplies), -6-203 (municipal court judges salaries), -10-103 (justice court facilities), -10-703 (justice court constables' salaries), -11-206 (city court judges' salaries), -11-206 (city court facilities and expenses); see U.S. Department of Justice, State Court Organization 2004 89-91, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>Trial Court Governance</b>		
What body is the administrative head of the state judiciary? (chief justice, supreme court, other)	Supreme court	Mont. Const. art. VII, § 2(2); see U.S. Department of Justice, State Court Organization 2004 63, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
What body sets administrative policy (makes rules) for the administration of the trial court system? (chief justice, supreme court, commission/council, other)	Subject to the supreme court's approval, the district court council sets policies and procedures related to issues like workload, resource allocation, and hiring. The district court council consists of five voting members: the chief justice or a designee and four district court judges. It also consists of four non-voting members: a chief juvenile probation officer, a district court clerk, a county commissioner, and a court reporter.	Mont. Code § 3-1-1602
What other bodies have a role in administrative policy making? (councils, work groups, etc.)	No other groups have a direct role in administrative policymaking as is the case in some states. Nevertheless, there are various supreme court commissions.	U.S. Department of Justice, State Court Organization 2004 71, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>Trial Court Administration</b>		
What role is given to the Director of Administration? Who appoints the director?	The court administrator is the administrative officer of the court. Under the direction of the supreme court, the court administrator shall: (1) Prepare and present judicial budget requests to the legislature, including the costs of the state-funded district court program. (2) Collect, compile, and report statistical and other data relating to the business transacted by the courts and provide the information to the legislature on request. (3) Report annually to the law and justice interim committee and at the beginning of each regular legislative session report to the house appropriations subcommittee that considers general government on the status of development and procurement of information technology within the judicial branch, including any changes in the judicial branch information technology strategic plan and any problems encountered in deploying appropriate information technology within the judicial branch. The court administrator shall, to the extent possible, provide that current and future applications are coordinated and compatible with the standards and goals of the executive branch as expressed in the state	Mont. Code §§ 3-1-701 (court administrator's appointment), -702 (court administrator's duties)

Table A11. Data collection matrix: Montana

System Element	Description	Citations/Sources
<p><b>What role is given to the Director of Administration? Who appoints the director? (continued)</b></p>	<p>strategic information technology plan provided for in 2-17-521.                      (4) Recommend to the supreme court improvements in the judiciary.                      (5) Administer legal assistance for indigent victims of domestic violence, as provided in 3-2-714.                      (6) Administer state funding for district courts, as provided in chapter 5, part 9.                      (7) Administer judicial branch personnel plan.                      (8) Perform other duties that the supreme court may assign.</p> <p>The supreme court appoints the court administrator.</p>	
<p><b>What intermediate management structures exist for managing the trial court system? (regions/districts, presiding judges) What roles/powers are given to intermediate administrative functions?</b></p>	<p>The state is divided into twenty-two districts. A district has as few as one county and as many as seven counties. Some districts have a district court administrator (for a description of duties, see below). The Montana Code does not establish chief judges in the district court system. There are chief municipal court judges in the municipal courts with more than one judge.</p>	<p>Mont. Code §§ 3-5-101 (districts defined), 3-6-201 (chief municipal court judge); <i>see also</i> Mont. Const. art. VII, § 6 (judicial districts)</p>
<p><b>What is the role of elected or appointed clerks?</b></p>	<p>“(1) The clerk of the district court, in addition to keeping the records and performing the duties prescribed elsewhere, shall:                      (a) take charge of and safely keep or dispose of according to law all books, papers, and records that are filed or deposited in the clerk’s office;                      (b) act as clerk of the district court and attend each term or session of the court and upon the judges at chambers when required;                      (c) issue all process and notices required to be issued;                      (d) enter all orders, judgments, and decrees proper to be entered;                      (e) keep in each court a register of actions, as provided in 3-5-504;                      (f) keep for the district court two separate indexes, one labeled ‘General Index—Plaintiffs’ and the other labeled ‘General Index—Defendants’, which must be in the form prescribed in 3-5-502;                      (g) keep a minute book, which must contain the daily proceedings of court, which may be signed by the clerk;                      (h) keep a fee book, in which must be shown in an itemized form all fees received for any services rendered in the capacity as clerk.                      (2) The clerk of the district court may elect to keep court documents by means of electronic filing or storage, or both, as provided in 3-1-114 and 3-1-115, in lieu of or in addition to keeping paper records.”</p>	<p>Mont. Code § 3-5-501</p>
<p><b>What is the role of local court administrators?</b></p>	<p>“Essential Functions: (Any one position may not include all of the duties listed, nor do the examples cover all the duties which may be performed)</p> <p>Plans, organizes, schedules, assigns, directs, and evaluates the work of judicial staff such as assistants to judges, law clerks, court reporters, and bailiffs; coordinates and review judges’ daily schedules and coordinates with judicial assistants and court reporters and assigns courtrooms; coordinates caseload with judges, assistants, and attorneys to maximize</p>	<p>Montana Judicial Branch, District Court Administrator, <a href="http://courts.mt.gov/jobdes/District%20Court%20Administrator.doc">http://courts.mt.gov/jobdes/District%20Court%20Administrator.doc</a></p>

Table A11. Data collection matrix: Montana

System Element	Description	Citations/Sources
<p><b>What is the role of local court administrators? (continued)</b></p>	<p>efficiency.</p> <ul style="list-style-type: none"> <li>• Provides managerial guidance to supervisory staff in the district such as chief juvenile probation officer and family court services supervisor; meets with supervisors to discuss department activities, assist with the preparation and administration of their budgets, and assist in solving management or personnel problems; attends department meetings.</li> <li>• Prepares the annual budget for several judicial departments; prepares or reviews and integrates budgets for other district court departments such as probation and family services; reviews all district court fund expenditures; approves claims for payment; approves and coordinates leave schedules for smooth operation of the court.</li> <li>• Establishes, monitors, and modifies trial calendars for all judges' civil jury, criminal jury, and non-jury terms including law and motion days; ensures that jury rooms are available for trials. Meets with clerk of the court to discuss and resolve scheduling and procedural problems and decisions; meets with public defenders and county attorney staff, sheriff and detention staff, and others regarding scheduling and other administrative matters; contacts members of the bar regarding substantive and procedural problems involving cases and serves on committees at the request of district judges.</li> <li>• Serves as judges' liaison for CASA/GAL programs; monitors program for compliance, troubleshoots individual case problems, and resolves conflicts between parties.</li> <li>• Analyzes and prepares court security plans; plans and organizes space management programs; prepares reports of activities to promote the more efficient and effective management of the court system; conducts research and evaluation of court programs and operations, including the development and application of improved methods of administration for the purposes of increasing the efficiency and effectiveness of court administration; resolves complaints on court-related matters from the public, law enforcement, attorneys and others.</li> <li>• Serves as the judges' liaison with court-related programs such as corrections, public defenders, citizens review, Guardians Ad Litem, treatment court, pro bono legal services, strategic planning, detention, mental health advisory council, and bar association."</li> </ul>	
<p><b>Roles in Specific Administrative Functions</b></p>		
<p><b>Describe state and local roles in budgeting for trial courts? (top-down, bottom-up, combination)</b></p>	<p>Combination. The office of the court administrator prepares the judiciary's budget request and submits it to the legislature. Court staff and district court judges have input in the budget request process. Subject to supreme court approval, the district court council sets policies and procedures related to the administration of state funds.</p>	<p>Mont. Code §§ 3-1-702 (court administrator's duties), -1601 (district court council), -1602(3) (district court council duties); see Montana Supreme Court – Budget and Finance, <a href="http://www.montanacourts.org/cao/budget.asp">http://www.montanacourts.org/cao/budget.asp</a> (last visited July 15, 2009)</p>

Table A11. Data collection matrix: Montana

System Element	Description	Citations/Sources
What are the state and local roles in establishing personnel policy for trial courts? (top-down, bottom-up, combination)	Topdown. The court administrator’s office directs the judicial branch personnel plan, and subject to supreme court approval the district court council is tasked with establishing policies related to workload, hiring, and the work schedules for court reporters.	Mont. Code §§ 3-1-702 (court administrator’s duties), -1602(3) (district court council duties)
What are the state and local roles in managing judicial assignments for trial courts? (top-down, bottom-up, combination)	<p>Generally it is bottom-up.</p> <p><u>Assignment within a district:</u>                      “The judges [in a district] shall apportion the business of the court among themselves as equally as possible. In case of their failure for any cause to make the apportionment or to assign each judge to a numbered department, the supreme court, upon application of any interested person, shall make an order apportioning the business and assigning each judge to a numbered department and cause the order to be entered upon the minute book of the district court in each county in the district. The order remains in full force and effect until modified or repealed by the authority making it. The failure or refusal of any district judge to carry out the terms of the order constitutes a contempt of the supreme court.”</p> <p><u>Assignment to another district:</u>                      If a district court judge asks a judge from another district to serve in his district, the judge that is asked to serve may hold court in the other district. The chief justice has the ability, under certain circumstances, to require a district judge to hold court in another district. Those circumstances are basically when another judge is necessary for the efficient management of the caseload.</p>	Mont. Code §§ 3-5-111 (assignment to another district), -112 (chief justice powers), -403(3) (multi-judge districts)
State Court Website (general)	<a href="http://www.courts.mt.gov/">http://www.courts.mt.gov/</a>	
State Court Administrative Agency Website	<a href="http://www.montanacourts.org/cao/default.asp">http://www.montanacourts.org/cao/default.asp</a>	
Notes	<p>Beth McLaughlin                      Court Services Director                      Office of Court Administrator                      Room 328, Park Avenue Bldg                      301 S. Park                      P.O. Box 203005                      Helena, MT 59620-3005                      406-841-2950</p> <p>Beth McLaughlin from CAO office in Montana stated that it is essential that Indiana establish a single pay plan (e.g., a position is paid the same across the state and not left to the individual courts to determine). She stated that, otherwise, it would wreak havoc on the budget.</p> <p>Montana’s judicial branch personnel policies are available at <a href="http://www.montanacourts.org/policies_table.asp">http://www.montanacourts.org/policies_table.asp</a>.</p>	

Table A12. Data collection matrix: New York

System Element	Description	Citations/Sources
<b>Court Unification</b>		
Has the state reformed the court system by moving to state funding? If so, when?	Yes. During an extraordinary session, the state legislature adopted a court financing bill that provides state funding to the trial courts. Governor Hugh Carey signed the bill on August 5, 1976, which became Chapter 966 of the Laws of 1976. State funding was phased in over four years beginning in April 1977.	Bartlett, R.J. (former chief administrative judge) <i>Courting Court Reform: Looking Back, Moving Forward</i> , 21-23 (2007); <a href="http://www.moderncourts.org/documents/Jones_Lecture_07.pdf">http://www.moderncourts.org/documents/Jones_Lecture_07.pdf</a>
Has the state reformed the court system by unifying the trial court system? If so, when?	“On November 7, 1961, a new article 6 to the New York State Constitution was adopted which restructured the administration of the courts in the State and created a unified court system.”	<i>Blyn v. Bartlett</i> , 379 N.Y.S.2d 616, 619 (N.Y. App. Div.)
Has the state reformed the courts system by establishing state level management over the trial court system? If so, when?	“On November 7, 1961, a new article 6 to the New York State Constitution was adopted which restructured the administration of the courts in the State . . . .” The Office of Court Administration was established in 1974 and 1975.	<i>Blyn v. Bartlett</i> , 379 N.Y.S.2d 616, 619 (N.Y. App. Div.); Bartlett, R.J. (former chief administrative judge) <i>Courting Court Reform: Looking Back, Moving Forward</i> , 13 (2007); <a href="http://www.moderncourts.org/documents/Jones_Lecture_07.pdf">http://www.moderncourts.org/documents/Jones_Lecture_07.pdf</a>
<b>Description of Trial Courts</b>		
Principal trial courts of general and limited jurisdiction	The trial courts of record are the following: <ul style="list-style-type: none"> <li>• Supreme court - general jurisdiction</li> <li>• County court — general jurisdiction, operates in each county outside of the city of New York</li> <li>• Court of claims — limited jurisdiction, tort, contract, real property rights involving the state</li> <li>• Surrogate’s court — Limited jurisdiction, estates and adoption</li> <li>• Family court — limited jurisdiction</li> <li>• Civil court of the city of New York — limited jurisdiction</li> <li>• Criminal court of the city of New York — limited jurisdiction</li> </ul>	N.Y. Const. art. VI, §§ 1 (unified court system), 7 (supreme court jurisdiction), 9 (court of claims jurisdiction), 11 (county court jurisdiction), 12 (surrogate’s court jurisdiction), 13 (family court jurisdiction), 15 (city-wide courts in the city of New York); see U.S. Department of Justice, <i>State Court Organization 2004 300</i> , <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
Other trial courts	Other trial courts: the district court in Nassau and Suffolk counties and town, village, and city courts.	N.Y. Const. art. VI, §§ 16 (district court), 17 (town, village, and city courts); see U.S. Department of Justice, <i>State Court Organization 2004 300</i> , <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>Funding</b>		
What system elements are funded at the state level?	With the exception of the town and village justice courts, the state funds the following operations of all trial courts: <ul style="list-style-type: none"> <li>• Salaries for judicial employees, clerks of court, trial court administrators, court reporters, and other court personnel</li> <li>• Automation equipment</li> <li>• Travel expenses</li> <li>• General operating expenses</li> <li>• Juvenile probation and detention</li> <li>• Security</li> <li>• Language interpreters</li> <li>• Jury costs</li> <li>• Pretrial services</li> </ul> <p>The state shares the costs of trial court facilities with local governments.</p>	U.S. Department of Justice, <i>State Court Organization 2004 89-91</i> , <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a> ; see N.Y. Const. art. VI, § 29 (expenses of courts)

Table A12. Data collection matrix: New York

System Element	Description	Citations/Sources
What system elements are funded at the local level?	<p>The trial court expenses at the local level contains the following:</p> <ul style="list-style-type: none"> <li>• Most of the expenses of the town and village justice courts</li> <li>• Indigent defense</li> <li>• Child support enforcement</li> <li>• Adult probation</li> </ul> <p>The local governments share the costs of trial court facilities with the state government.</p>	<p>U.S. Department of Justice, State Court Organization 2004 89-91,  <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a></p>
<b>Trial Court Governance</b>		
What body is the administrative head of the state judiciary? (chief justice, supreme court, other)	Chief judge (highest state judicial officer)	See N.Y. Const. art. VI, § 28
What body sets administrative policy (makes rules) for the administration of the trial court system? (chief justice, supreme court, commission/council, other)	With the approval of the court of appeals (the highest state court), the chief judge of New York (the highest state judicial officer) establishes administrative policies. The chief judge may delegate powers to the chief administrator of the courts.	N.Y. Const. art. VI, § 28(b) (chief judge may delegate powers to chief administrator); N.Y. Jud. Ct. Acts § 211(2) (McKinney 2005) (administrative duties of the chief judge)
What other bodies have a role in administrative policymaking? (councils, work groups, etc.)	The administrative board of the courts consults with the chief judge regarding statewide administrative standards and policies for the court system. The board consists of the chief judge (highest judicial officer) as the chair and the presiding justice of the appellate division of the supreme court of each judicial department.	N.Y. Const. art. VI § 28(a); N.Y. Jud. Ct. Acts §§ 210(2) (McKinney 2005) (administrative officers of the unified court system), 213 (McKinney 2005) (functions of the administrative board of the courts)
<b>Trial Court Administration</b>		
What role is given to the Director of Administration? Who appoints the director?	<p>The chief administrator of the courts, appointed by the chief judge with the advice and consent of the administrative board of the courts, oversees the administration and operation of the statewide court system and directs an administrative office of the courts.</p> <p>AOC Total Staff: 223</p> <p>Total Responsibility:</p> <ul style="list-style-type: none"> <li>• Alternative dispute resolution</li> <li>• Assisting sitting judges</li> <li>• Supplemental judges</li> <li>• Budget preparation</li> <li>• Human resources</li> <li>• Data entry</li> <li>• Records management</li> <li>• IT staff (technical)</li> <li>• Judicial education</li> <li>• Law libraries</li> <li>• Legal research (law clerks)</li> </ul>	<p>N.Y. Const. art. VI, § 28; N.Y. Jud. Ct. Acts §§ 210 (McKinney 2005) (administrative officers), 212 (McKinney 2005) (chief administrator of the courts duties); U.S. Department of Justice, State Court Organization 2004 126-29,  <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a></p>

Table A12. Data collection matrix: New York

System Element	Description	Citations/Sources
<p><b>What role is given to the Director of Administration? Who appoints the director? (continued)</b></p>	<ul style="list-style-type: none"> <li>• Legal representation/general counsel</li> <li>• Legal services (other)</li> <li>• Liaison with legislature</li> <li>• Public information</li> <li>• Purchasing</li> <li>• Research/planning</li> <li>• Security</li> <li>• Technical assistance to courts</li> </ul> <p>Shared Responsibility:</p> <ul style="list-style-type: none"> <li>• Accounting</li> <li>• Audits</li> <li>• Facilities management</li> <li>• Foster care review</li> </ul> <p>No responsibility:</p> <ul style="list-style-type: none"> <li>• Probation—adult</li> <li>• Probation—juvenile</li> </ul>	
<p><b>What intermediate management structures exist for managing the trial court system? (regions/districts, presiding judges) What roles/powers are given to intermediate administrative functions?</b></p>	<p>For the purposes of administration, New York is divided into 12 districts. In each judicial district outside New York City, a district administrative judge is responsible for supervising all courts and agencies including directing an administrative office for that district. Inside New York City, an administrative judge supervises each major court. Supervising judges are responsible for assisting administrative judges in the on-site management of the trial courts, including court caseloads and personnel and budget administration. Supervising judges manage a particular type of court within a county or judicial district.</p>	<p>N.Y. Jud. Ct. Acts § 140 (McKinney 2005) (division of state into judicial districts); see U.S. Department of Justice, State Court Organization 2004 163-64, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a></p>
<p><b>What is the role of elected or appointed clerks?</b></p>	<p>The county clerk is the clerk of supreme and county courts and is responsible for maintaining the court files for civil and criminal matters. The county clerk is also the official registrar of deeds, mortgages, assignments of mortgages, satisfactions of mortgages, judgments and liens. The clerk has the duty of indexing and preserving these documents.</p> <p>The clerk has other duties including serving as an official registrar, chief notary, a passport acceptance agent, a pistol permit acceptance agent, a registrar of assumed business names, naturalization registrar, sporting license agent, and a motor vehicle agent.</p>	<p><i>E.g.</i> County Clerk, Court Records – Monroe County, <a href="http://www.monroecounty.gov/clerk-records.php">http://www.monroecounty.gov/clerk-records.php</a> (last visited July 31, 2009); County Clerk – Monroe County, <a href="http://www.monroecounty.gov/clerk-index.php">http://www.monroecounty.gov/clerk-index.php</a> (last visited July 31, 2009); see N.Y. County Law § 525 (McKinney 2004) (clerk duties); see also N.Y. Const. art. VI, § 6(e) (clerks of the supreme court established)</p>
<p><b>What is the role of local court administrators?</b></p>	<p>Inside the city of New York there are chief clerks that have administrative functions. Outside the city there are district executives that serve as local court administrators.</p>	

Table A12. Data collection matrix: New York

System Element	Description	Citations/Sources
<b>Roles in Specific Administrative Functions</b>		
<b>Describe state and local roles in <u>budgeting</u> for trial courts? (top-down, bottom-up, combination)</b>	<p>“There are two levels of responsibility for budget preparation relative to the operations of the trial courts. First, each court and agency is responsible for preparing its own budget request for each fiscal year. Second, the Office of the Deputy Chief Administrative Judge in New York City and the Offices of the District Administrative Judges have been designated as review agencies and make recommendations on the budget requests for the courts and agencies for which they are responsible.”</p> <p>The chief administrator of the courts “[p]repares the itemized estimates of the annual financial needs of the unified court system . . . . Such itemized estimates, approved by the court of appeals and certified by the chief judge, shall be transmitted to the governor . . . for inclusion in the budget without revision. The chief administrator shall forthwith transmit copies of such itemized estimates to the chairmen of the senate finance and judiciary committees and the assembly ways and means and judiciary committees.”</p>	<p>N.Y. Jud. Ct. Acts § 212(1)(a) (McKinney 2005) (budget-related duties of the chief administrator of the courts); State of New York Unified Court System, Financial Planning &amp; Control Manual Part II, ch. 1.100 (1992), <a href="http://www.courts.state.ny.us/admin/financialops/FPCM-PDFs/V1_cycle/nysfc.pdf">http://www.courts.state.ny.us/admin/financialops/FPCM-PDFs/V1_cycle/nysfc.pdf</a></p>
<b>What are the state and local roles in establishing <u>personnel</u> policy for trial courts? (top-down, bottom-up, combination)</b>	<p>Top-down. After a public hearing, state judicial administrators establish personnel policies.</p>	<p>N.Y. Jud. Ct. Acts § 211 (McKinney 2005).</p>
<b>What are the state and local roles in managing <u>judicial assignments</u> for trial courts? (top-down, bottom-up, combination)</b>	<p>Local administrative judges assign cases to judges and assign judges to court divisions</p>	<p>U.S. Department of Justice, State Court Organization 2004 163-64, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>; <i>see also</i> N.Y. Jud. Ct. Acts § 141 (McKinney 2005) (designation of supreme court justices to hold court in another county)</p>
<b>State Court Website (general)</b>	<a href="http://www.courts.state.ny.us/">http://www.courts.state.ny.us/</a>	
<b>State Court Administrative Agency Website</b>	<a href="http://www.courts.state.ny.us/admin/index.shtml">http://www.courts.state.ny.us/admin/index.shtml</a>	
<b>Notes</b>		

Table A13. Data collection matrix: North Carolina

System Element	Description	Citations/Sources
<b>Court Unification</b>		
Has the state reformed the court system by moving to state funding? If so, when?	Yes. Officials began to consider moving the trial courts to a state-funding system around 1955. Reforms were fully implemented by the end of 1970. The reforms include a trial court system that was nearly completely funded by the state. The WestLaw annotations to the statutes regarding trial court funding indicate that the statutes were enacted in 1965.	Drennan, J. C. (2007). Article 36: The courts, in county and municipal government in North Carolina. In D. M. Lawrence (Ed.), <i>County and Municipal Government in North Carolina 2</i> . Location: UNC-Chapel Hill School of Government, available at <a href="http://www.sog.unc.edu/pubs/cmgs/cmgs36.pdf">http://www.sog.unc.edu/pubs/cmgs/cmgs36.pdf</a>
Has the state reformed the court system by unifying the trial court system? If so, when?	Yes. Before 1966, the jurisdictions of trial courts varied from county to county. For example, a municipal court in one county would handle the same cases as a county-level court in another county. A constitutional amendment unified the trial courts and consolidated certain courts like justice of peace and mayor's courts into the current two-tier system of superior courts and district courts.	North Carolina Administrative Office of the Courts, <i>Judicial System in North Carolina 3</i> (2007), <a href="http://www.nccourts.org/Citizens/Publications/Documents/JudicialSystem.pdf">http://www.nccourts.org/Citizens/Publications/Documents/JudicialSystem.pdf</a>
Has the state reformed the courts system by establishing state level management over the trial court system? If so, when?	Yes. The reforms that were implemented by 1970 also included a new Administrative Office of Courts. The WestLaw annotations to the AOC statutes indicate that the statutes were enacted in 1965.	Drennan, J. C. (2007). Article 36: The courts, in county and municipal Government in North Carolina. In D. M. Lawrence (Ed.), <i>County and Municipal Government in North Carolina 2</i> . Location: UNC-Chapel Hill School of Government, available at <a href="http://www.sog.unc.edu/pubs/cmgs/cmgs36.pdf">http://www.sog.unc.edu/pubs/cmgs/cmgs36.pdf</a>
<b>Description of Trial Courts</b>		
Principal trial courts of general and limited jurisdiction	At the trial level, there are superior courts and district courts. Both of these courts sit in each county. The superior court has general jurisdiction; whereas, the district courts are of limited jurisdiction.	N.C. Const. art. IV, §§ 9 (superior courts), 10 (district courts); N.C. Gen. Stat. §§ 7A-40 to -114 (superior court division), 7A-130 to -232 (district court division); see U.S. Department of Justice, State Court Organization 2004 301, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
Other trial courts	None	See U.S. Department of Justice, State Court Organization 2004 301, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>Funding</b>		
What system elements are funded at the state level?	State funding responsibilities include, among other things, the following: <ul style="list-style-type: none"> <li>• salaries and expenses of superior court judges, district court judges, magistrates, family court counselors, and court staff;</li> <li>• court supplies; and</li> <li>• juror expenses</li> </ul>	N.C. Gen. Stat. § 7A-300
What system elements are funded at the local level?	Facilities	N.C. Gen. Stat. § 7A-302

Table A13. Data collection matrix: North Carolina

System Element	Description	Citations/Sources
<b>Trial Court Governance</b>		
What body is the administrative head of the state judiciary? (chief justice, supreme court, other)	Chief justice	North Carolina Courts, 2006-2007 Annual Report 6, <a href="http://www.nccourts.org/Citizens/Publications/Documents/annualreport_2006-07.pdf">http://www.nccourts.org/Citizens/Publications/Documents/annualreport_2006-07.pdf</a> . See generally N.C. Gen. Stat. Ch. 7A (describing various administrative duties of chief justice)
What body sets administrative policy (makes rules) for the administration of the trial court system? (chief justice, supreme court, commission/council, other)	The supreme court has authority to change most of the court rules. The AOC director has some rulemaking responsibilities like establishing fiscal policies and rules for maintaining court records.	N.C. Gen. Stat. §§ 7A-33 to -34; see, e.g., N.C. Gen. Stat. §§ 7A-10.1 (authority to change judicial conduct standards), 7A-34 (procedural rules for the trial courts); see N.C. Gen. Stat. § 7A-343 (duties of AOC director)
What other bodies have a role in administrative policymaking? (councils, work groups, etc.)	There is an 18-member state judicial council that includes representatives from various parts of the legal community and a few non-lawyers. The council makes recommendations regarding policies of the judicial system.	N.C. Gen. Stat. §§ 7A-409 to -409.2
<b>Trial Court Administration</b>		
What role is given to the Director of Administration? Who appoints the director?	The major duties include preparing and administering the Judicial Department's budget; fixing the number of employees in the respective clerks of court's offices; supervising a statewide Guardian ad Litem system; prescribing uniform forms, records, and business methods for the clerks' offices; keeping statistics; and representing the courts in the legislature and in other form.	Drennan, J. C. (2007). Article 36: The courts, in county and municipal government in North Carolina. In D. M. Lawrence (Ed.), <i>County and Municipal Government in North Carolina</i> 13. Location: UNC-Chapel Hill School of Government, available at <a href="http://www.sog.unc.edu/pubs/cmg/cmg36.pdf">http://www.sog.unc.edu/pubs/cmg/cmg36.pdf</a> ; see N.C. Gen. Stat. § 7A-343
What intermediate management structures exist for managing the trial court system? (regions/districts, presiding judges) What roles/powers are given to intermediate administrative functions?	For administrative purposes, the state is divided into a few dozen superior court districts. Each superior court district has a senior resident superior court judge, who is the superior court judge with the longest amount of continuous service. The senior resident superior court judge has various responsibilities regarding the administration of the superior court district.  The district courts are divided into their own set of districts. The chief justice appoints a chief district court judge for each district court district. The chief judge duties include "assigning themselves and the other judges in their districts to sessions of court, prescribing the times and places at which magistrates will discharge their duties, and assigning civil ('small claims') cases to magistrates for trial."	Drennan, J. C. (2007). Article 36: The courts, in county and municipal government in North Carolina. In D. M. Lawrence (Ed.), <i>County and Municipal Government in North Carolina</i> 4, 6. Location: UNC-Chapel Hill School of Government, available at <a href="http://www.sog.unc.edu/pubs/cmg/cmg36.pdf">http://www.sog.unc.edu/pubs/cmg/cmg36.pdf</a> ; see N.C. Gen. Stat. §§ 7A-41 (superior court districts); 7A-41.1 (senior resident superior court judge); 7A-130 (district court districts); 7A-141 (chief judge); see U.S. Department of Justice, State Court Organization 2004 163-64, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>

Table A13. Data collection matrix: North Carolina

System Element	Description	Citations/Sources
<b>What is the role of elected or appointed clerks?</b>	The clerk of the superior court has many duties related to both superior courts and district courts. The clerk's responsibilities include, among other things, keeping court records, overseeing the collection and distribution of court fees and fines, and serving as an ex officio judge of probate.	N.C. Gen. Stat. § 7A-103
<b>What is the role of local court administrators?</b>	The responsibilities of the trial court administrators are to oversee civil dockets, to improve the use of juries and to do tasks as directed by the senior resident superior court judge. Only a dozen judicial districts have trial court administrators. The senior resident superior court judges and the chief district court judges hire the trial court administrators.	N.C. Gen. Stat. §§ 7A-355, 7A-356. <i>See, e.g.,</i> Mecklenburg County-Trial Court Administrators, <a href="http://www.nccourts.org/County/Mecklenburg/Staff/TCA.asp">http://www.nccourts.org/County/Mecklenburg/Staff/TCA.asp</a> (last visited July 15, 2009).
<b>Supplemental Information on Governance of Trial Court System</b>		
<b>Decisionmaking body – Administrative policy</b>	Supreme court	
<b>How are members selected?</b>	The voters of North Carolina elect the justices of the state's supreme court.  One of the seats on the supreme court is designated for the chief justice. Like the other seats on the court, the voters choose a justice for that seat every eight years. If there is a vacancy for that seat, the governor appoints a replacement to serve until the next November election in an even year.	N.C. Gen. Stat. § 7A-10(a)
<b>What are term lengths?</b>	A supreme court justice has a term of eight years.  The term of the chief justice is eight years, as well.	N.C. Gen. Stat. § 7A-10(a)
<b>Does the chief justice vote?</b>	For decisions related to rulemaking, the chief justice votes.	Reinhartsen, P. (North Carolina Administrative Office of the Courts) (2009, March 18). Re: Responses to a Researcher. Email to Elliott McKinnis.
<b>Other Information</b>	The supreme court has authority to change most court rules.  The chief justice appoints the AOC director. The director of the Administrative Office of the Courts prepares a budget to present to the General Assembly. N.C. Gen. Stat. Ann. § 7A-343(4). While the chief justice is involved in the process of preparing the budget, neither the chief justice nor the supreme court has official review of the budget request.  An 18-member state judicial council, including representatives from various parts of the legal community and a few non-lawyers advises the chief justice on the budget that the director of the Administrative Office of the Courts has prepared to present to the General Assembly.	<i>See</i> N.C. Gen. Stat. Ann. § 7A-10.1 (authority to change judicial conduct standards), § 7A-33 (procedural rules for the appellate division), § 7A-34 (procedural rules for the trial courts)  N.C. Gen. Stat. Ann. § 7A-341  N.C. Gen. Stat. Ann. § 7A-409.1

Table A13. Data collection matrix: North Carolina

System Element	Description	Citations/Sources
<b>Roles in Specific Administrative Functions</b>		
<b>Describe state and local roles in budgeting for trial courts? (top-down, bottom-up, combination)</b>	The director of the Administrative Office of the Courts establishes fiscal policies and prepares a budget to present to the General Assembly. The state judicial council reviews the budget that the AOC director prepared and advises the chief justices. While the chief justice is involved in the process of preparing the budget, neither the chief justice nor the supreme court has official review of the budget request. Officials at the local level have some involvement in the budget process.	N.C. Gen. Stat. Ann. §§ 7A-343 (duties of AOC director), 7A-409.1 (a) (3) (state judicial council); Reinhartsen, P. (2008, December 9). Telephone communication with Elliott McKinnis.
<b>What are the state and local roles in establishing personnel policy for trial courts? (top-down, bottom-up, combination)</b>	Topdown. The director of the AOC has the responsibility of establishing personnel policy statewide.	N.C. Gen. Stat. Ann. §§ 7A-343; <i>see also</i> National Center for State Courts – Employment Opportunity for the Court Community, <a href="http://www.ncsconline.org/D_About/JobAnnouncements/Director_NC.html">http://www.ncsconline.org/D_About/JobAnnouncements/Director_NC.html</a> (last visited July 15, 2009).
<b>What are the state and local roles in managing judicial assignments for trial courts? (top-down, bottom-up, combination)</b>	Topdown for superior courts. The chief justice makes assignments of the superior court assignments. The assistant director of the AOC helps the chief justice helps the chief justice in assigning superior court judges.  For the district courts, the chief judge of each district makes the judicial assignments.	N.C. Const. art. IV, § 11 (assigning judges); N.C. Gen. Stat. §§ 7A-47.3 (rotation and assignment), 7A-146 (chief judge duties), 7A-345 (duties of assistant director).
<b>State Court Website (general)</b>	<a href="http://www.nccourts.org/Default.asp">http://www.nccourts.org/Default.asp</a>	
<b>State Court Administrative Agency Website</b>	<a href="http://www.nccourts.org/Courts/CRS/AOCAdmin/Default.asp">http://www.nccourts.org/Courts/CRS/AOCAdmin/Default.asp</a>	
<b>Notes</b>	Facilities: The Administrative Office of the Courts after discussions with county and municipal officials can approve municipal funding of facilities, rather than solely county funding. There is a mechanism to collect a “facilities fee” through the clerk of the superior court to help fund facilities.  In addition to superior court districts, there are also superior court divisions. There are eight superior court divisions. The state constitution requires superior court judges to rotate districts inside the divisions. The requirement for superior court judges to rotate through their divisions seems problematic.  For some reason the US DOJ’s State Court Organization 2004 report declares that the supreme court is the head of the North Carolina judicial department. U.S. Department of Justice, State Court Organization 2004 301, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a> . Meanwhile, the 2006-2007 NC Courts Annual Report states that the chief justice is the head of the judicial department. North Carolina Courts, 2006-2007 Annual Report 6, <a href="http://www.nccourts.org/Citizens/Publications/Documents/annualreport_2006-07.pdf">http://www.nccourts.org/Citizens/Publications/Documents/annualreport_2006-07.pdf</a> . I think that this is better authority. Also, while state statutes do not clearly state who is the head, they do seem to suggest that the chief justice is the head.	N.C. Gen. Stat. § 7A-302  N.C. Const. art. IV, § 11  North Carolina Administrative Office of the Courts, Judicial System in North Carolina 3 (2007), <a href="http://www.nccourts.org/Citizens/Publications/Documents/JudicialSystem.pdf">http://www.nccourts.org/Citizens/Publications/Documents/JudicialSystem.pdf</a>

Table A14. Data collection matrix: North Dakota

System Element	Description	Citations/Sources
<b>Court Unification</b>		
Has the state reformed the court system by moving to state funding? If so, when?	Yes. The state legislature discussed moving to a unified state-funding system of trial courts as early as the middle 1970s. The legislature enacted statutes in the early 1980s to achieve this. For example, the state legislature moved jury fees and indigent defense expenses to the state level in 1981 and moved juvenile court expenses to the state level in 1982. The legislature has taken action more recently to further move the court system to state funding. In 2001, the General Assembly moved some of the expenses of the operation of clerk of court to the state level. In 2003, the legislature created a Courts Facility Improvement Grant.	Holewa, S. (2009). Court reform – The North Dakota Experience. <i>Justice System Journal</i> , 30.
Has the state reformed the court system by unifying the trial court system? If so, when?	Yes. A constitutional amendment in 1976 converted a multi-level county court system into a single-level county court system. The General Assembly passed legislation in 1991, effective in 1995, that consolidated the county courts into the district courts. Municipal courts still exist outside the consolidated court system, but they are they are supervised by the supreme court.	Holewa, S. (2009). Court reform – The North Dakota Experience. <i>Justice System Journal</i> , 30.
Has the state reformed the courts system by establishing state level management over the trial court system? If so, when?	Yes. A constitutional amendment approved in 1976 made the chief justice the administrative head of the judicial system. North Dakota has had a state court administrator since 1971 to help the chief justice in managing the judicial system.	Holewa, S. (2009). Court reform – The North Dakota Experience. <i>Justice System Journal</i> , vol. 30; see also N.D. Const. art. VI, § 3.
<b>Description of Trial Courts</b>		
Principal trial courts of general and limited jurisdiction	District courts	N.D. Const. art VI, § 8; see N.D. Cent. Code § 27-05-00.1 to -31; U.S. Department of Justice, State Court Organization 2004 302, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
Other trial courts	There are dozens of municipal courts that handle cases regarding traffic, parking and ordinance violations	N.D. Cent. Code § 40-18-01 to -22
<b>Funding</b>		
What system elements are funded at the state level?	The state pays for all the salary and expenses for the district courts, except for expenses related to facilities	N.D. Cent. Code § 27-01-01.1
What system elements are funded at the local level?	Counties pay for the expenses related to the facilities of the district courts	N.D. Cent. Code § 27-01-01.1
<b>Trial Court Governance</b>		
What body is the administrative head of the state judiciary? (chief justice, supreme court, other)	Chief justice	N.D. Const. art. VI, § 3

Table A14. Data collection matrix: North Dakota

System Element	Description	Citations/Sources
What body sets administrative policy (makes rules) for the administration of the trial court system? (chief justice, supreme court, commission/council, other)	Supreme court	N.D. Cent. Code § 27-02-05.1
What other bodies have a role in administrative policymaking? (councils, work groups, etc.)	An administrative council. It is chaired by the chief justice and is composed of one other supreme court justices, certain district court judges, and a member of the State Bar Association. The administrative council's duties include, among others, making recommendations on policy and procedure for the trial courts and approving the trial courts' budget proposals for supreme court consideration.	N.D. Sup. Ct. Admin. R., Rule 22
<b>Trial Court Administration</b>		
What role is given to the Director of Administration? Who appoints the director?	<p>“The State Court Administrator shall have the following duties and responsibilities: budget preparation and financial controls, personnel management systems, management information systems, planning and research, training and education, public information, technical assistance, staff to boards and committees, and court facilities.”</p> <p>The chief justice appoints the state court administrator.</p>	N.D. Const. art. VI, § 3 (state court administrator's appointment); N.D. Sup. Ct. Admin. Rule 1(3) (state court administrator's duties)
What intermediate management structures exist for managing the trial court system? (regions/districts, presiding judges) What roles/powers are given to intermediate administrative functions?	The state is divided into seven judicial districts. Each district consists of as few as two counties to as many as 12 counties. Each district has a presiding judge that is elected by the district judges. The presiding judge has responsibility for the court services in the district.	N.D. Sup. Ct. Admin. R., Rules 2, 6; see U.S. Department of Justice, State Court Organization 2004 163-64, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a> ; see also N.D. Cent. Code § 27-02-05.1
What is the role of elected or appointed clerks?	“Clerks of district court must summon jurors, maintain exhibits and attend court when it is in session. But their primary responsibility is administration of court records.”	North Dakota Association of Counties – Clerk of Court, <a href="http://www.ndaco.org/?id=126&amp;page=Clerk+of+Court">http://www.ndaco.org/?id=126&amp;page=Clerk+of+Court</a> (last visited July 15, 2009); see N.D. Sup. Ct. Admin. R., Rule 46
What is the role of local court administrators?	<p>The state is divided into four administrative units that consist of one or two judicial districts. For each unit, the state court administrator and the presiding judges hire a trial court administrator. Trial court administrators duties:</p> <p>“(1) Implementing and ensuring compliance with the policies and procedures adopted by the Judicial Branch and ensuring compliance with all applicable rules and policies adopted by the Supreme Court; (2) implementing and ensuring compliance with policies and procedures adopted by the judges in the administrative unit which are not inconsistent with Judicial Branch policies and procedures; (3) with the exception of judicial referees, law clerks, court</p>	N.D. Sup. Ct. Admin. R., Rule 6.1

**Table A14. Data collection matrix: North Dakota**

System Element	Description	Citations/Sources
<p><b>What is the role of local court administrators? (continued)</b></p>	<p>reporters, and secretaries to judges, hiring and supervising all trial court personnel in the administrative unit, including state-employed clerks of court, juvenile court personnel, and calendar control clerks;                      (4) monitoring compliance with personnel-related policies and providing interpretation of policies to trial court personnel;                      (5) if supervisory authority is delegated to the trial court administrator by the presiding judge, supervising judicial referees, law clerks, court reporters, and secretaries to judges hired by the presiding judge of the judicial district;                      (6) developing work plans to ensure efficient use of administrative personnel;                      (7) assigning subordinate personnel to other locations within the administrative unit in accordance with Judicial Branch staffing;                      (8) providing regular reports to the Council on the state of the district courts within the administrative unit, including fiscal management, case management, jury management, juvenile court services, indigent defense services, facilities, and personnel and records management;                      (9) in consultation with the presiding judges of the administrative unit, preparing a budget for the unit each biennium;                      (10) performing duties or responsibilities as may be directed by the State Court Administrator;                      (11) performing such other non-conflicting duties or responsibilities as may be directed by the presiding judges of the judicial districts within the administrative unit.”</p>	
<p><b>Roles in Specific Administrative Functions</b></p>		
<p><b>Describe state and local roles in budgeting for trial courts? (top-down, bottom-up, combination)</b></p>	<p>Bottom-up. The state court administrator establishes general guidelines. The trial court administrators will work with their presiding judges to create a budget for the unit. The unit’s requests are submitted to the office of the state court administrator. The office staff can make adjustments to the district courts’ budget.</p> <p>There is a state-level administrative council that consists of judges from across the state. The council serves in an advisory capacity, as it considers the trial court component of the state’s judicial budget.</p> <p>The chief justice can make the final adjustments to the state’s judicial budget before the state’s legislature considers it.</p>	<p>Holewa, S. (2008, November 26). Re: Request from a Researcher. E-mail to Elliott McKinnis; see N.D. Sup. Ct. Admin. R., Rule 22 (administrative council).</p>
<p><b>What are the state and local roles in establishing personnel policy for trial courts? (top-down, bottom-up, combination)</b></p>	<p>Top-down. The state court administrator has the responsibility to create personnel policy for trial courts.</p>	<p>N.D. Sup. Ct. Admin. R., Rule 1, § 3</p>

Table A14. Data collection matrix: North Dakota

System Element	Description	Citations/Sources
What are the state and local roles in managing judicial assignments for trial courts? (top-down, bottom-up, combination)	The presiding judges in a district manage the schedules of the judges in the district	N.D. Sup. Ct. Admin. R., Rule 2, § 8
State Court Website (general)	<a href="http://www.ndcourts.gov/">http://www.ndcourts.gov/</a>	
State Court Administrative Agency Website	<a href="http://www.ndcourts.gov/court/email/frAdmin.htm">http://www.ndcourts.gov/court/email/frAdmin.htm</a>	
Notes	According to the Holewa article, North Dakota's system is a good case study on trial court unification because the state relatively quickly adopted the Standards of Judicial Administration that the ABA created in the 70's.	

Table A15. Data collection matrix: Oregon

System Element	Description	Citations/Sources
<b>Court Unification</b>		
Has the state reformed the court system by moving to state funding? If so, when?	Yes. A state task force, which was formed in 1979, recommended the state to assume funding for the circuit and tax courts, except for expenses related to circuit court facilities. In 1981, the state legislature followed the recommendation and created a new chapter of the Oregon Revised Statutes that, among other things, established state funding for the circuit and tax court.	League of Women Voters of Oregon (2006). <i>An Overview of the Oregon Judiciary</i> . P. 5, <a href="http://www.oregon.gov/DAS/HR/docs/poc/OverviewORJudiciary2006.pdf">http://www.oregon.gov/DAS/HR/docs/poc/OverviewORJudiciary2006.pdf</a> ; see Or. Rev. Stat. § 1.001 (state policy for funding tax and circuit courts).
Has the state reformed the court system by unifying the trial court system? If so, when?	Yes, at least in some regards. The state legislature merged the district court into the circuit court on January 15, 1998. There is also a separate tax court, but it is under the same state level management. There are also other courts outside of the state court system. Those courts are the municipal, justice and county courts.	League of Women Voters of Oregon (2006). <i>An Overview of the Oregon Judiciary</i> . P. 5, <a href="http://www.oregon.gov/DAS/HR/docs/poc/OverviewORJudiciary2006.pdf">http://www.oregon.gov/DAS/HR/docs/poc/OverviewORJudiciary2006.pdf</a>
Has the state reformed the courts system by establishing state level management over the trial court system? If so, when?	Yes. The new chapter of the Oregon Revised Statutes that the state legislature created in 1981 also outlined state level management over the state trial courts. The new chapter established the chief justice as the administrative head of the judicial department.  The new law also created a state court administrator position and allowed presiding judges of the circuit court to choose trial court administrators.	League of Women Voters of Oregon (2006). <i>An Overview of the Oregon Judiciary</i> . P. 5, <a href="http://www.oregon.gov/DAS/HR/docs/poc/OverviewORJudiciary2006.pdf">http://www.oregon.gov/DAS/HR/docs/poc/OverviewORJudiciary2006.pdf</a> ; see Or. Rev. Stat. § 1.002 (chief justice as administrative head).
<b>Description of Trial Courts</b>		
Principal trial courts of general and limited jurisdiction	Oregon's two state trial-court systems are the circuit court and the tax court. The circuit court is a general jurisdiction court. The tax court has exclusive jurisdiction of cases relate to the state's tax laws.	Or. Stat. Rev. §§ 305.405-410 (tax court jurisdiction); see Or. Const. art. VII (original), § 9 (circuit court jurisdiction and powers); U.S. Department of Justice, State Court Organization 2004 305, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
Other trial courts	In Oregon, there are other trial courts: municipal courts, justice courts, and county courts	Or. Rev. Stat. §§ 51.050 (justice courts' criminal jurisdiction), 51.080 (justice courts' civil jurisdiction), 221.339 (municipal court jurisdiction); see Or. Const. art. VII (original), § 12 (county court jurisdiction); Or. Rev. Stat. § 3.130 (transfer of certain county court jurisdiction to circuit courts); U.S. Department of Justice, State Court Organization 2004 305, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>Funding</b>		
What system elements are funded at the state level?	The state pays for the expenses of the circuit and tax courts, except for the circuit court facilities and adult and juvenile probation	Or. Rev. Stat. §§ 1.001 (state policy for funding tax and circuit courts), 1.187 (state responsible for circuit court supplies and equipment); U.S. Department of Justice, State Court Organization 2004 92-94, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>

Table A15. Data collection matrix: Oregon

System Element	Description	Citations/Sources
What system elements are funded at the local level?	<p>Local governments are responsible for providing and maintaining facilities for the circuit courts. Local governments are also responsible for the utilities necessary for the circuit courts.</p> <p>Local governments cover all of the expenses related to the operation of the municipal, justice and county courts.</p> <p>Local governments pay for juvenile and adult probation and juvenile detention.</p>	<p>Or. Rev. Stat. § 1.185 (counties are responsible for circuit court facilities); U.S. Department of Justice, State Court Organization 2004 92-94, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a></p>
<b>Trial Court Governance</b>		
What body is the administrative head of the state judiciary? (chief justice, supreme court, other)	Chief justice	Or. Rev. Stat. § 1.002
What body sets administrative policy (makes rules) for the administration of the trial court system? (chief justice, supreme court, commission/council, other)	Chief justice	Or. Rev. Stat. § 1.002
What other bodies have a role in administrative policymaking? (councils, work groups, etc.)	According to Table 14 of the U.S. Department of Justice's State Court Organization 2004 report, Oregon has many judicial councils and commissions. However, none have a role in administrative policymaking.	See U.S. Department of Justice, State Court Organization 2004 73, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>Trial Court Administration</b>		
What role is given to the Director of Administration? Who appoints the director?	<p>After receiving advice from the supreme court, the chief justice chooses a state court administrator. The state court administrator works under the supervision and direction of the chief justice.</p> <p>The state court administrator's office has 186 staff.</p> <p>For the trial courts, the state court administrator's office has full responsibility for the following:</p> <ul style="list-style-type: none"> <li>• Audits</li> <li>• Foster care review</li> <li>• Legal representation/general counsel</li> </ul> <p>For the trial courts, the state court administrator's office has shared responsibility for the following:</p> <ul style="list-style-type: none"> <li>• Accounting</li> <li>• Alternative dispute resolution</li> <li>• Sitting judges</li> <li>• Supplemental judges</li> <li>• Budget preparation</li> <li>• Facilities management</li> </ul>	<p>Or. Rev. State. § 8.110 (state court administrator appointment and general duty); U.S. Department of Justice, State Court Organization 2004 126-29, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a> (state court administrator's office's staffing and trial court responsibilities).</p>

Table A15. Data collection matrix: Oregon

System Element	Description	Citations/Sources
<p><b>What role is given to the Director of Administration? Who appoints the director? (continued)</b></p>	<ul style="list-style-type: none"> <li>• Human resources</li> <li>• Data entry</li> <li>• Records management</li> <li>• Interpreters</li> <li>• IT staff (technical)</li> <li>• Judicial education</li> <li>• Law libraries</li> <li>• Legal services (other)</li> <li>• Liaison with legislature</li> <li>• Public information</li> <li>• Purchasing</li> <li>• Research/planning</li> <li>• Security</li> <li>• Technical assistance to courts</li> </ul> <p>For the trial courts, the state court administrator’s office has no responsibility for the following:</p> <ul style="list-style-type: none"> <li>• Legal research (Law clerks)</li> <li>• Probation—adult</li> <li>• Probation—juvenile</li> </ul>	
<p><b>What intermediate management structures exist for managing the trial court system? (regions/districts, presiding judges) What roles/powers are given to intermediate administrative functions?</b></p>	<p>The state is divided into 27 judicial districts. Most of the judicial districts contain only one county.</p> <p>After receiving advice from the supreme court, the chief justice selects the presiding and judges and may remove them at the chief justice’s pleasure. Depending on the time of year when the presiding judge position becomes vacant and depending on whether it is an even-numbered or odd-numbered year, the term may be as short as six months and as long as two years and six months.</p> <p>The presiding judge has administrative authority over the circuit courts in a district. The presiding judge may allocate and regulate matters related to the judicial business of the circuit court. The presiding judge can also make rules and orders in his exercise of administrative authority. In addition to these powers, the presiding judge has the ability to assign cases to other judges in the judicial district.</p>	<p>Or. Rev. Stat. §§ 1.003 (appointment and terms of presiding judges); 1.171 (powers and duties of presiding judges ); 3.012 (judicial districts)</p>
<p><b>What is the role of elected or appointed clerks?</b></p>	<p>“The county clerk of any county in which the county court has judicial functions shall, for the county court:</p> <ol style="list-style-type: none"> <li>(a) Keep the seal of the court, and affix it in all cases required by law.</li> <li>(b) Record the proceedings of the court.</li> <li>(c) Keep the records, files, books and papers pertaining to the court.</li> <li>(d) File all papers delivered to the clerk for that purpose in any action or proceeding in the court.</li> <li>(e) Attend the terms of the court, administer oaths and receive the verdict of a jury in any action or proceeding therein, in the presence and under the direction of the court.</li> <li>(f) Under the direction of the court enter its orders and judgments.</li> <li>(g) Authenticate, by certificate or transcript, as may be required, the records, files or proceedings of the court, or any paper pertaining thereto, and filed with the clerk.</li> </ol>	<p>Or. Rev. Stat. § 205.110</p>

Table A15. Data collection matrix: Oregon

System Element	Description	Citations/Sources
What is the role of elected or appointed clerks? (continued)	<p>(h) Exercise the powers and perform the duties conferred upon the clerk by statute.</p> <p>(i) In the performance of duties pertaining to the court, conform to the direction of the court.”</p> <p>Other duties of county clerks include keeping records of the county’s governing body and certifying real property transactions.</p>	
What is the role of local court administrators?	<p>“(1) The trial court administrator for a judicial district has the duties, powers and functions prescribed by law or by rules of the circuit courts in the district.</p> <p>(2) A trial court administrator shall, for each court served by the officer:</p> <p>(a) Keep the seal of the court, and affix it in all cases required by law.</p> <p>(b) Record the proceedings of the court.</p> <p>(c) Maintain the records, files, books and other documents pertaining to the court.</p> <p>(d) File all documents delivered to the trial court administrator in any action or proceeding in the court.</p> <p>(e) Attend the terms of the court, administer oaths and receive the verdict of a jury in any action or proceeding therein, in the presence and under the direction of the court.</p> <p>(f) Under the direction of the court enter its orders and judgments.</p> <p>(g) Authenticate, by certificate or transcript, as may be required, the records, files or proceedings of the court, or any document pertaining thereto, and filed with the officer.</p> <p>(h) In the performance of duties pertaining to the court, conform to the direction of the court.</p> <p>(3) A trial court administrator may take and certify the proof and acknowledgment of a conveyance of real property or any other written instrument authorized or required to be proved or acknowledged.</p> <p>(4) A trial court administrator may delegate powers of the office of trial court administrator to employees of the trial court administrator.</p> <p>(5) A trial court administrator shall designate a person to act as transcript coordinator for the court.”</p>	Or. Rev. Stat. § 8.225
<b>Supplemental Information on Governance of Trial Court System</b>		
<b>Decisionmaking body – Administrative policy</b>	Chief justice	Or. Rev. Stat. § 1.002
<b>How are members selected?</b>	The chief justice is elected as a supreme court justice and selected by the membership of the court	Or. Rev. Stat § 2.045
<b>What are term lengths?</b>	Chief justice serves a six-year term. The term continues across elections as long as the justice is re-elected.	Or. Rev. Stat. § 2.045
<b>Does the chief justice vote?</b>	Budget and administrative issues are worked out by the office of state court administrator but are approved by the chief justice	Or. Rev. Stat. § 1.002

Table A15. Data collection matrix: Oregon

System Element	Description	Citations/Sources
<b>Roles in Specific Administrative Functions</b>		
<b>Describe state and local roles in budgeting for trial courts? (top-down, bottom-up, combination)</b>	“The Chief Justice of the Supreme Court shall establish and maintain, consistent with applicable provisions of law: . . . (2) A plan for budgeting, accounting and other fiscal management and control applicable to expenditures made and revenues received by the state in respect to the courts of this state. . . .”	Or. Rev. Stat. § 1.008
<b>What are the state and local roles in establishing personnel policy for trial courts? (top-down, bottom-up, combination)</b>	“The Chief Justice of the Supreme Court shall establish and maintain, consistent with applicable provisions of law: (1) A personnel plan for officers, other than judges, and employees of the courts of this state who are state officers or employees, governing the appointment, promotion, classification, minimum qualifications, compensation, expenses, leave, transfer, layoff, removal, discipline and other incidents of employment of those officers and employees. . . .”	Or. Rev. Stat. § 1.008
<b>What are the state and local roles in managing judicial assignments for trial courts? (top-down, bottom-up, combination)</b>	The presiding judge of a judicial district manages judicial assignments	Or. Rev. Stat. § 1.171(3) (powers and duties of presiding judge); <i>see also</i> Or. Rev. Stat. § 3.225 (presiding judge may assign judges to special subject-matter departments)
<b>State Court Website (general)</b>	<a href="http://www.ojd.state.or.us/index.htm">http://www.ojd.state.or.us/index.htm</a>	
<b>State Court Administrative Agency Website</b>	<a href="http://www.ojd.state.or.us/osca/index.htm">http://www.ojd.state.or.us/osca/index.htm</a>	
<b>Notes</b>	The Legislative Assembly hereby declares that, as a matter of statewide concern, it is in the best interests of the people of this state that the judicial branch of state government, including the appellate, tax and circuit courts, be funded and operated at the state level. The Legislative Assembly finds that state funding and operation of the judicial branch can provide for best statewide allocation of governmental resources according to the actual needs of the people and of the judicial branch by establishing an accountable, equitably funded and uniformly administered system of justice for all the people of this state.	Or. Rev. Stat. § 1.001

Table A16. Data collection matrix: Utah

System Element	Description	Citations/Sources
<b>Court Unification</b>		
Has the state reformed the court system by moving to state funding? If so, when?	Yes. Utah voters passed amendments to article VIII of the Utah Constitution on November 6, 1984. In the following years, these constitutional revisions led to a state-funded trial court system.	Zimmerman, M. D., (1998). Where we have been and where we may be headed: Some thoughts on the progress of the Utah judiciary. <i>Utah Bar Journal</i> , Feb. 11, p. 18.
Has the state reformed the court system by unifying the trial court system? If so, when?	Yes. "The Juvenile Court has long enjoyed the benefits of a structure in which the state, rather than individual local governments, is responsible for funding and administration. The Legislature unified District Court operations in 1988. The Utah judiciary is now able to operate as a single entity, rather than as multiple county-level courts. The Justice Courts remain locally funded and locally operated, but, even here, the Judicial Council's uniform administrative policies govern hiring, performance standards, and other important aspects of court operations."  Beginning in 1996 and completed in 1997, the circuit courts were consolidated into the district courts.	Durham, C. M. (2006). Separate branches, balanced powers: Governing the judicial branch. <i>Utah Bar Journal</i> , (75th Special Anniversary Issue), p. 9; see Utah Code § 78A-1-105 (merger of district court and circuit court).
Has the state reformed the courts system by establishing state level management over the trial court system? If so, when?	Yes. The Court Administrator Act (passed in 1973 and revised in 1986) created the position of state court administrator. More importantly, Utah voters passed amendments to article VIII of the Utah Constitution on November 6, 1984. In the following years, these constitutional revisions led to a centralized system of management.	Zimmerman, M. D., (1998). Where we have been and where we may be headed: Some thoughts on the progress of the Utah judiciary. <i>Utah Bar Journal</i> , Feb. 11, p. 18; Utah State Courts - Court Governance, <a href="http://www.utcourts.gov/knowcts/adm/">http://www.utcourts.gov/knowcts/adm/</a> (last visited August 23, 2009).
<b>Description of Trial Courts</b>		
Principal trial courts of general and limited jurisdiction	The two trial courts that are courts of record are the district court and the juvenile court. The district court is a court that is expressly created by the state constitution and is a court of general jurisdiction. The juvenile court is created by statute and is of limited jurisdiction.	Utah Const. art. VIII, §§ 1 (court system generally), 5 (district courts); Utah Code §§ 78A-5-102 (district court jurisdiction), -6-102 (creation of juvenile court), -6-103 (juvenile court jurisdiction); see U.S. Department of Justice, State Court Organization 2004 313, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
Other trial courts	Utah also has a justice court, which is not a court of record and is a court of limited jurisdiction	Utah Code §§ 78A-7-101 (creation of justice court), -7-106 (justice court jurisdiction); see U.S. Department of Justice, State Court Organization 2004 313, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>Funding</b>		
What system elements are funded at the state level?	Virtually all expenses for district and juvenile courts (limited expenses are funded by federal sources and dedicated fees)	Utah Code § 78A-5-109; see U.S. Department of Justice, State Court Organization 2004 92-94, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
What system elements are funded at the local level?	<ul style="list-style-type: none"> <li>• Indigent defense</li> <li>• Justice courts</li> </ul>	U.S. Department of Justice, State Court Organization 2004 92-94, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>

Table A16. Data collection matrix: Utah

System Element	Description	Citations/Sources
<b>Trial Court Governance</b>		
<b>What body is the administrative head of the state judiciary? (chief justice, supreme court, other)</b>	Chief justice	Utah Const. art. VIII, §12(3)
<b>What body sets administrative policy (makes rules) for the administration of the trial court system? (chief justice, supreme court, commission/council, other)</b>	The Utah Judicial Council is the policymaking body for the judiciary. It has the constitutional authority to adopt uniform rules for the administration of all the courts in the state. The Council also sets standards for judicial performance, court facilities, support services, and judicial and non-judicial staff levels.	Utah Const. art. VIII, § 12(1); Utah Code § 78A-2-104; Utah Code of Jud. Admin. R. 1-102; see Utah State Courts – Governance Structure, <a href="http://www.utcourts.gov/knowcts/adm/">http://www.utcourts.gov/knowcts/adm/</a> (last visited August 4, 2009)
<b>What other bodies have a role in administrative policymaking? (councils, work groups, etc.)</b>	The judicial council established a board of judges for each level of court (Board of Appellate Court Judges, Board of District Court Judges, Board of Juvenile Court Judges, Board of Justice Court Judges, and Board of Senior Judges). Boards of Judges adopt administrative rules in accordance with the guidelines of the council, advise the council, supervise the implementation of council policies and serve as liaisons between judges and the council.	Utah Code of Jud. Admin. R. 1-301 to -305
<b>Trial Court Administration</b>		
<b>What role is given to the Director of Administration? Who appoints the director?</b>	<p>The supreme court appoints a chief administrative officer. The administrator serves at the pleasure of the council and/or the supreme court.</p> <p>AOC Total Staff: 99</p> <p>Total responsibility:</p> <ul style="list-style-type: none"> <li>• Alternative dispute resolution</li> <li>• Supplemental judges</li> <li>• Audits</li> <li>• IT staff (technical)</li> <li>• Judicial education</li> <li>• Legal representation/general counsel</li> <li>• Legal services (other)</li> <li>• Liaison with legislature</li> <li>• Public information</li> <li>• Research/planning</li> <li>• Technical assistance to courts</li> </ul> <p>Shared responsibility:</p> <ul style="list-style-type: none"> <li>• Accounting</li> <li>• Budget preparation</li> <li>• Facilities management</li> <li>• Human resources</li> </ul>	Utah Code §§ 78A-2-105 (court administrator's appointment), -107 (court administrator's duties); Utah Code of Jud. Admin. R. 3-301(3); see U.S. Department of Justice, State Court Organization 2004 126-29, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>

Table A16. Data collection matrix: Utah

System Element	Description	Citations/Sources
<p><b>What role is given to the Director of Administration? Who appoints the director? (continued)</b></p>	<ul style="list-style-type: none"> <li>• Records management</li> <li>• Purchasing</li> <li>• Security</li> </ul> <p>No responsibility:</p> <ul style="list-style-type: none"> <li>• Assisting sitting judges</li> <li>• Foster care review</li> <li>• Data entry</li> <li>• Law libraries</li> <li>• Legal research (law clerks)</li> <li>• Probation—adult</li> <li>• Probation—juvenile</li> </ul>	
<p><b>What intermediate management structures exist for managing the trial court system? (regions/districts, presiding judges) What roles/powers are given to intermediate administrative functions?</b></p>	<p>The district court is divided into eight judicial districts. A district has as few as three counties and as many as six counties.</p> <p>The presiding judge in multi-judge judicial districts is elected by the judges of the court. The presiding judge is charged with the responsibility for the effective operation of the court. He or she is responsible for the implementation and enforcement of statutes, rules, policies and directives of the judicial council as they pertain to the administration of the courts, orders of the court en banc and supplementary rules. The presiding judge has the authority to delegate the performance of non-judicial duties to the court executive.</p>	<p>Utah Code § 78A-5-106; Utah Code of Jud. Admin. R. 3-104</p>
<p><b>What is the role of elected or appointed clerks?</b></p>	<p>“The clerk of the district court shall:</p> <ol style="list-style-type: none"> <li>(1) take charge of and safely keep the court seal;</li> <li>(2) take charge of and safely keep or dispose of all books, papers, and records filed or deposited with the clerk, and all other records required by law or the rules of the Judicial Council;</li> <li>(3) issue all notices, processes, and summonses as authorized by law;</li> <li>(4) keep a record of all proceedings, actions, orders, judgments, and decrees of the court;</li> <li>(5) take and certify acknowledgments and administer oaths;</li> <li>(6) supervise the deputy clerks as required to perform the duties of the clerk’s office; and</li> <li>(7) perform other duties as required by the presiding judge, the court executive, applicable law, and the rules of the Judicial Council.” </li></ol>	<p>Utah Code § 78A-5-108</p>
<p><b>What is the role of local court administrators?</b></p>	<p>“The trial court executive shall supervise the work of all nonjudicial court staff and serve as administrative officer of the district.”</p> <p>Specific duties include, but are not limited, the following:</p> <ul style="list-style-type: none"> <li>• “Hiring and supervision of staff other than judges or court commissioners</li> <li>• Development and management of budget</li> <li>• Planning and management of facilities</li> <li>• Development, maintenance and coordination of intergovernmental relations</li> <li>• Transmission of information to the Boards and the Administrative Office and the distribution of minutes from the Council and Board meetings to individual judges</li> <li>• Implementation and management of the court calendar as directed</li> </ul>	<p>Utah Code § 78A-2-108(2); Utah Code of Jud. Admin. R. 3-301(5)</p>

Table A16. Data collection matrix: Utah

System Element	Description	Citations/Sources
What is the role of local court administrators? (continued)	<p>by this Code and local rule</p> <ul style="list-style-type: none"> <li>• Development and management of court security plans</li> <li>• Service as secretariat for local administrative court meetings</li> <li>• Development and implementation of records management systems</li> <li>• Local public information”</li> </ul>	
Supplemental Information on Governance of Trial Court System		
Decisionmaking body – Administrative policy	Judicial council	Utah Const. art. VIII, § 12(1)
How are members selected?	The judicial council (Article VIII, Section 12, Utah Constitution) includes the chief justice of the supreme court; one member elected by the justices of the supreme court; one member elected by the judges of the court of appeals; five members elected by the judges of the district courts; two members elected by the judges of the juvenile courts; three members elected by the justice court judges; and a member or ex officio member of the board of commissioners of the Utah State Bar who is an active member of the Bar in good standing at the time of election by the Board of Commissioners	Utah Code § 78A-2-104 (1)
What are term lengths?	Council members serve for three-year terms. Multiple members from one court must have staggered terms.	Utah Code § 78A-2-104 (3)(b)
Does the chief justice vote?	The chief justice votes in matters of the judicial council only in the case of a tie	Utah Code § 78A-2-104 (3)(a)
Other information	The judicial council established a board of judges for each level of court (Board of Appellate Court Judges, Board of District Court Judges, Board of Juvenile Court Judges, Board of Justice Court Judges, and Board of Senior Judges). Boards of judges adopt administrative rules in accordance with the guidelines of the council, advise the council, supervise the implementation of council policies, and serve as liaisons between judges and the council. Members of these groups are selected internally.	Utah Code of Jud. Admin. R. 1-301 to -305.
Roles in Specific Administrative Functions		
Describe state and local roles in budgeting for trial courts? (top-down, bottom-up, combination)	Combination. The following is a quick summary of the budget process: First, the local court executives prepare budget requests. Then, the boards of judges recommend budget priorities. Next, the state level administrators prepare budgets to present to the Finance Department of the Administrative Office of the Courts. Then, the state court administrator creates an administrative analysis which the court administrator sends to the judicial council. Finally, the judicial council develops a budget request, which is eventually submitted to the executive and legislative branches.	Utah Courts’ Budget Procedures, <a href="http://www.utcourts.gov/nxt/gateway.dll/Accounting%20Manual/budget_management.htm">http://www.utcourts.gov/nxt/gateway.dll/Accounting%20Manual/budget_management.htm</a> (last visited August 6, 2009); see Utah Code of Jud. Admin. R. 1-304(7) (boards of judges develop recommendations concerning budget priorities), 3-301(3)(B)(vi) (state court administrator prepares judicial budget).

Table A16. Data collection matrix: Utah

System Element	Description	Citations/Sources
What are the state and local roles in establishing <u>personnel</u> policy for trial courts? (top-down, bottom-up, combination)	Top-down. Under the supervision of the chief justice and pursuant to the procedures of the judicial council, the state court administrator establishes uniform personnel policies.	Utah Code of Jud. Admin. R. 3-301(3)(B)(v)(a)
What are the state and local roles in managing <u>judicial assignments</u> for trial courts? (top-down, bottom-up, combination)	The presiding judges can make initial judicial assignments and can reassign cases when necessary	Utah Code of Jud. Admin. R. 3-104(3)(E); <i>Hi-County Estates Homeowners Ass'n v. Bagley &amp; Co.</i> , 996 P.2d 534, 537 (Utah 2000); <i>see also</i> Utah Code § 78A-2-104(10)(a) (chief justice's ability to make temporary assignments).
State Court Website (general)	<a href="http://www.utcourts.gov/">http://www.utcourts.gov/</a>	
State Court Administrative Agency Website	<a href="http://www.utcourts.gov/knowcts/adm/">http://www.utcourts.gov/knowcts/adm/</a>	
Notes		

Table A17. Data collection matrix: Wisconsin

System Element	Description	Citations/Sources
<b>Court Unification</b>		
<b>Has the state reformed the court system by moving to state funding? If so, when?</b>	<p>“For many years the circuit courts have depended on funding from both state and county governments to fulfill their constitutional role. In state fiscal year 1971-72, the Citizens Study Committee on Judicial Organization, in its report to the Governor, estimated that 30 percent of total court costs were financed by the State and 70 percent by local governments (the state contribution included appellate costs). State funding included statutory salaries and fringe benefits for both circuit and county judges, with discretionary supplements provided by counties.</p> <p>“With the Court Reorganization Act, the State began to fund more of the trial courts’ costs. Beginning July 1, 1980, circuit court judges and official court reporters became state employees, with the state paying their salaries, fringe benefits and travel costs. District court administrators and their assistants were hired as state employees, with their offices state funded. Beginning in 1987, the State has taken on the cost of the circuit courts’ automation program (CCAP) and, beginning in 1988, has provided reimbursements to counties for a portion of court interpreter expenses. In 1993, the State created the circuit court support payment and guardian ad litem (GAL) payment programs and also transferred transcript fee payments for indigent clients from counties to the Office of the State Public Defender. For fiscal year 2002-03, the Director of State Courts Office estimates that the State finances approximately 47 percent of circuit court costs and approximately 52 percent of total court costs including the appellate courts.”</p>	<p>Subcommittee on Court Financing, Final Report 3 (2004), <a href="http://www.wicourts.gov/about/committees/docs/ppaccourtfinancerpt.pdf">http://www.wicourts.gov/about/committees/docs/ppaccourtfinancerpt.pdf</a></p>
<b>Has the state reformed the court system by unifying the trial court system? If so, when?</b>	<p>Yes. “The 1959 Legislature enacted Chapter 315, Laws of 1959, effective January 1, 1962, providing for the initial reorganization of the court system. Under the 1959 law, the jurisdiction of the Supreme Court and circuit courts remained unchanged. The most significant feature of the reorganization was the abolition of special statutory courts (municipal, district, superior, civil, and small claims). In addition, a uniform system of jurisdiction and procedure was established for all county courts . . .</p> <p>“The final step in the 1959 reorganization effort was the April 1966 ratification of the two constitutional amendments abolishing justices of the peace and permitting municipal courts. When the reorganization was complete, the court system consisted of a Supreme Court, circuit courts, county courts, and municipal courts.</p> <p>“In April 1977, voters ratified an amendment to Article VII, Section 2, of the Wisconsin Constitution, which outlined the current structure of the state courts.”</p>	<p>Wisconsin Court System – History of the Courts, <a href="http://www.wicourts.gov/about/organization/history/index.htm">http://www.wicourts.gov/about/organization/history/index.htm</a> (last visited July 16, 2009); see also Wis. Const. art VII, § 2.</p>
<b>Has the state reformed the courts system by establishing state level management over the trial court system? If so, when?</b>	<p>In 1961, the state legislature created the position of administrative director of courts to assist the chief justice in administrative duties. The supreme court has since redefined the position and renamed it the director of state courts. “In recent years, the director has been given added administrative duties and increased staff to perform them.”</p>	<p>Wisconsin Court System – History of the Courts, <a href="http://www.wicourts.gov/about/organization/history/index.htm">http://www.wicourts.gov/about/organization/history/index.htm</a> (last visited July 16, 2009)</p>

Table A17. Data collection matrix: Wisconsin

System Element	Description	Citations/Sources
<b>Description of Trial Courts</b>		
<b>Principal trial courts of general and limited jurisdiction</b>	The circuit court is the principal trial court of general jurisdiction.	Wis. Const. art VII, §§ 2, 8; Wis. Stat. §§ 753.01-753.40; see U.S. Department of Justice, State Court Organization 2004 318, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>Other trial courts</b>	Wisconsin has more than 200 municipal courts, which are trial courts of limited jurisdiction.	Wis. Const. art VII, § 2; Wis. Stat. §§ 755.001-755.21; see U.S. Department of Justice, State Court Organization 2004 318, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>Funding</b>		
<b>What system elements are funded at the state level?</b>	State funds are used to pay the salaries of the judges, official court reporters, reserve judges (retired judges who are assigned to hear cases when the need arises), and trial court administrators. The state also funds travel and training for the judges.	Wis. Stat. § 753.19; see Wis. R. of Jud. Admin. 70.16(4); see U.S. Department of Justice, State Court Organization 2004 95-98, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>What system elements are funded at the local level?</b>	By law, the counties are responsible for all other operating costs, except those enumerated by statute. This includes operating expenses, buildings, and court personnel, except those listed above.	Wis. Stat. § 753.19; see U.S. Department of Justice, State Court Organization 2004 95-98, <a href="http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf">http://www.ojp.usdoj.gov/bjs/pub/pdf/sco04.pdf</a>
<b>Trial Court Governance</b>		
<b>What body is the administrative head of the state judiciary? (chief justice, supreme court, other)</b>	Chief justice	Wis. Const. art VII, § 4(3)
<b>What body sets administrative policy (makes rules) for the administration of the trial court system? (chief justice, supreme court, commission/council, other)</b>	The supreme court has the control of supervising and administering the state's court system. In some cases, the director of the state courts sets administrative policy, i.e., personnel policy for nonjudicial staff.	Wis. Const. art. VII, § 3(1); see also Wis. R. of Jud. Admin. 70.11 (personnel policies)
<b>What other bodies have a role in administrative policymaking? (councils, work groups, etc.)</b>	There is a judicial council that, among other things, recommends rule changes to the supreme court. The council consists of 21 members including a supreme court justice, judges from the state's lower courts, certain elected and appointed government officials, certain members of the legal community, and two citizens that the governor appoints.	Wis. Stat. Ann. § 758.13 (West 2001)

Table A17. Data collection matrix: Wisconsin

System Element	Description	Citations/Sources
<b>Trial Court Administration</b>		
<b>What role is given to the Director of Administration? Who appoints the director?</b>	<p>“The director shall have specific responsibility and authority:</p> <ul style="list-style-type: none"> <li>(a) For all state level court personnel, including hiring, separation and salary establishment, except the personal staffs of the supreme court justices and of the court of appeals judges.</li> <li>(b) For the development of the budget for the court system.</li> <li>(c) For legislative liaison and public information.</li> <li>(d) For the court information system.</li> <li>(e) For judicial education.</li> <li>(f) For interdistrict judicial assignments at the circuit level.</li> <li>(g) For planning and research for the court system.”</li> </ul> <p>The supreme court hires director, who serves at the court’s pleasure and under the direction of the chief justice.</p>	<p>Wis. R. of Jud. Admin. 70.01; <i>see also</i> Wis. R. of Jud. Admin. 70.29</p>
<b>What intermediate management structures exist for managing the trial court system? (regions/districts, presiding judges) What roles/powers are given to intermediate administrative functions?</b>	<p>In the exercise of his or her general responsibility, the chief judge has the following duties:</p> <ul style="list-style-type: none"> <li>(a) Assignment of judges within each judicial administrative district. The chief judge shall establish a system for the equitable distribution and allocation of categories of cases and caseloads within the district, subject to the approval of the supreme court.</li> <li>(b) Maintenance of a system for and effective management of case flow through the judicial administrative district.</li> <li>(c) Where necessary, establishment of days and hours for court operation.</li> <li>(d) Appointment of court committees.</li> <li>(e) Adoption of local judicial administrative rules under SCR 70.34.</li> <li>(f) Establishment of policies and plans.</li> <li>(g) Provision for representation of the circuit court in ceremonial functions and in its relations with other courts, other branches of government and with the news media.</li> <li>(h) Calling and presiding over meetings of the circuit judges within the district.</li> <li>(i) Supervision of vacation schedules, including requiring adherence to SCR 70.11 (1) (a).</li> <li>(j) Coordination of attendance by judges and other court personnel at conferences which require absence from the court during working hours. Judicial education is not vacation. Time spent fulfilling judicial education requirements mandated by the supreme court rules is not to be charged against annual leave.</li> <li>(k) Supervision of court finances including financial planning, the preparation of budgets and fiscal reporting where necessary and required.</li> </ul> <p>The chief judge appoints a deputy chief judge to assist him the administration of the judicial district.</p> <p>The chief judge of a district has the option of appointing a presiding judge of any multijudge circuit to assist the chief judge in administrative duties in that circuit.</p>	<p>Wis. R. of Jud. Admin. 70.19(3) (chief judge’s duties), 70.26 (appointment of deputy chief judge), 70.265 (appointment of presiding judge)</p>

Table A17. Data collection matrix: Wisconsin

System Element	Description	Citations/Sources
What is the role of elected or appointed clerks?	The duties of the clerk of courts include keeping court records, overseeing the collection of court-related fees or fines, and supplying jury management.	Wis. Stat. § 59.40
What is the role of local court administrators?	The district court administrator assists the chief judge in the administration of the judicial district.	Wis. R. of Jud. Admin. 70.16
Roles in Specific Administrative Functions		
Describe state and local roles in budgeting for trial courts? (top-down, bottom-up, combination)	The chief justice establishes general procedures and policy for the budget process. The chief judge of a judicial administrative district proposes a budget for the district. The director the state courts creates a budget request for the overall court system. The supreme court has final approval of the budget proposal, which the chief justice presents to the state legislature with the help of the director of state courts.	Wis. R. of Jud. Admin. 70.03, 70.12, 70.19(3)(k), 70.27
What are the state and local roles in establishing personnel policy for trial courts? (top-down, bottom-up, combination)	Top-down. The director of state courts has the duty to establish personnel policy. The personnel manual includes policies for: “(1) vacation and other leave situations; (2) overtime and compensatory time; (3) fringe benefits; (4) promotion and position designation; (5) merit or other performance awards; (6) recruitment and hiring procedures; (7) employee evaluations; (8) salary determination and pay ranges; and (9) an appeal procedure for personnel grievances.”	Wis. R. of Jud. Admin. 70.02, 70.11, 70.27
What are the state and local roles in managing judicial assignments for trial courts? (top-down, bottom-up, combination)	The chief judge of a judicial administrative district creates a system to assign judges in the district to certain types of cases and caseloads, subject to the approval of the supreme court	Wis. R. of Jud. Admin. 70.19(3)(a), 70.23
State Court Website (general)	<a href="http://www.wicourts.gov/">http://www.wicourts.gov/</a>	
State Court Administrative Agency Website	<a href="http://www.wicourts.gov/about/organization/overview.htm">http://www.wicourts.gov/about/organization/overview.htm</a>	
Notes		

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# Appendix B: Court Reform in Michigan and Ohio

During the review of the draft report, a question was raised about the status of reform in Michigan and Ohio, two states also contiguous to Indiana. Some cursory research was done to establish whether reform had or had not occurred in these two states. This cursory (and incomplete) analysis appears below.

## Michigan

Michigan has undergone some court reform. In 1996, the state created a \$70 million court equity fund that distributes state funds to counties based on a formula that include past caseload filings in circuit and probate courts and to a lesser degree the number of county judgeships. Initially, the state also set aside \$20 million to make up for differences between previous funding and funding under the new formula for five years. The same legislation also established greater uniformity in trial judge salaries (Michigan Supreme Court, 1996).

Also in 1996, the Michigan Supreme Court invited proposals for a number of trial court demonstration projects to experiment with court consolidation. The project yielded seven experiments. Those pilot projects combined the functions of three local courts into a single trial court with a single budget. Judicial assignments were flexible and all judges had the authority to hear any type of case that might become before the court. These courts were given flexibility to be able to respond to local needs and challenges. These experiments generally were considered successful, resulting in a call for enabling legislation in 2002 for a local option for other places. We are unable to confirm whether there has been success in securing the necessary legislation. It is clear that trial court consolidation in Michigan is not universal today (Michigan Office of the Governor, 2002).

## Ohio

In 2000, the Ohio Courts Futures Commission published *A Changing Landscape*. Based on the excerpts below, it appears that there is a clear recognition that restructuring trial courts may be beneficial, but that the commission accepted local control as a lasting political reality.

*Vision Statement...In 2025, Ohio will have retained but refined its three-tier structure of locally-based courts, regional courts of appeals, and a Supreme Court. Trial courts will have wide flexibility to allocate staff and other resources in innovative ways that best meet local needs and circumstances—including voluntary combining of trial courts within a county, creation of specialty and community courts to meeting local needs and voluntary collaboration between jurisdictions to create multi-county regional courts if they wish to do so. Trial courts will deliver consistent, predictable outcomes by operating within standardized statewide rules and procedures...*

### *Summary of Recommendations*

*With regard to the structure of state courts in the 21<sup>st</sup> Century, the Futures Commission recommends that:*

*"...In order to maximize flexibility and responsiveness to local needs, each county (and municipality where applicable) should continue to operate its own trial courts. Independent local courts are important symbols of community pride and identity. They play a major role in the fabric of county government."*

*"...Within each county, with the approval of the Supreme Court and the General Assembly, trial courts should consider the merits of organizing according to one of three structural models:*

- a) *Retaining their current structure;*

- 
- b) *Forming a two-tier trial court which retains a distinct common pleas level but combines municipal and county courts into a unified county-wide court of limited jurisdiction served by fulltime judicial officers; or*
  - c) *Combining common pleas, municipal and county courts into a single trial court, served by full-time judges and magistrates who are authorized to hear cases and provide judicial services at whatever level they are needed at a given time.*

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# Appendix C: Court Administrative Structure Survey

In late 2007, the Indiana Commission on Local Government Reform recommended the transition of Indiana trial courts from a mix of state and local funding to full state funding. As a result, the Indiana Supreme Court, Division of State Court Administration has commissioned a study of state administrative structures for managing state trial courts, particularly in state-funded systems. They have contracted with the Indiana University Center for Urban Policy and the Environment and the Indiana University School of Law's Program on Law and State Government to conduct the study.

The bulk of the questions below address your current structure with respect to a number of specific administrative functions. The Division of State Court Administration also is interested in any details about administrative transitions that may be available regarding your state's move to state funding of trial courts, state administrative oversight, or the unification of trial courts. We recognize that many states made these changes decades ago, but we would appreciate any help in identifying how administrative functions were transitioned and any lessons that were learned as a result.

## A. BUDGET

1. Please identify any policies or guidelines (a) governing the state trial court budget preparation proposal process, or (b) used by your state and its judicial or trial court employees in creating a state court budget request. If possible, please attach a copy of these policies or guidelines.
2. Please describe the entity or individual responsible for preparing and approving the state trial court budget for legislative consideration.
3. Please describe the budget proposal preparation process. Who is involved? Specifically, are local trial court judges and administrators, or representatives of those groups, involved in the preparation of the budget?
4. Please describe the structure of the budget request. Is the budget proposal organized by geographic region (county), court jurisdiction (district), or function (judicial salaries, administrative personnel salaries, library costs, information technology costs, etc.)?
5. How is the budget proposal approved (by consensus, by vote) and by which entity (the State Trial Court Administrative Director, the state Supreme Court, the Chief Justice of the state supreme court, Judicial Conference)?

## B. SECURITY

1. What entity governs, manages, and pays for security detail at the trial court level in your state (state police, local trial court administrator, county sheriff)?
2. Describe the role of local law enforcement agencies (state police, county sheriff, trial court security, private court security) in providing security for the trial court system.

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### C. FACILITIES

1. What government entity (state government, county government, other) owns the property on which the trial courts conduct judicial business? If property is locally owned, does the state reimburse the local government for those property costs? If so, please describe. If not, how are those locally borne costs accounted for among various trial courts in terms setting state-funded trial courts' budgets?
2. What entity manages and funds maintenance of buildings and property used by local judiciary?
3. Are proposals for upgrades, expansions, etc. made at the local level, the state level, or a combination? Are upgrades funded at the state level or local level?
4. Please describe how other important facility related services chosen and funded?

#### Facility-related services

- Telephone
- Facsimile
- Copy Machines
- Computers
- IT Professional Support
- Software Management
- IT Upgrades

### D. PERSONNEL SYSTEM

1. Are standard recruitment, qualifications, job descriptions, and employment and discipline policies used statewide, or are these standards set at the local level? Please attach documents or provide contact information to obtain more specific information.
2. Does your state use standard personnel policies in addressing staffing and salary issues of trial courts or are staffing and salary issues decided at a local level?
3. Are there standard recruitment, qualifications, job descriptions, employment and discipline policies that are used statewide, or are the standards set or issues addressed on a local level?
4. Whether at the state or local level, please describe how pay scales for trial court judges and court personnel are created and implemented. Please attach documents if possible.
5. If your state adopted a state-funded trial court system, did your state normalize unevenly staffed and/or unevenly paid trial court personnel? If so, how (phased in over time, equalizing salary and benefits)?

### E. FEE GENERATION/ALLOCATION

1. How are trial court fees currently allocated?
2. Prior to adopting a state-funded system of trial courts, was the allocation of fees different? How was the transition made upon reform? Did the fees stay outside of the state-funded system or were the fees incorporated into the state-funded trial court budget? What entities and persons, if any, were impacted by reallocation?

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## F. OTHER COURT PROGRAMS

1. How are the following courts and programs linked to the trial court system?
  - a. Courts
    - i. Family Courts
    - ii. Drug Courts
    - iii. Problem Solving Courts
    - iv. Others (please describe)
  - b. Programs
    - i. GAL (Guardian ad Litum)
    - ii. CASA (Court Appointed Special Advocate)
    - iii. Mediation programs
    - iv. Re-entry programs
    - v. Drug and alcohol programs
    - vi. Pauper defense
    - vii. Probation
    - viii. Others (please describe)
2. Currently, what entity is responsible for budget and management issues between and among these specialized local courts and programs and the trial court system?
3. Did reform impact other local courts or programs? If so, how?

## G. CLERKS OF COURT AND COURT ADMINISTRATORS

1. Please describe the responsibilities of clerks of court and trial court administrators, if applicable? At what level do they function (county, court, region)? How do these two functions interact?
2. Were responsibilities changed in the past as a result of reform? If known, please provide any details that might be available regarding the transition?



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# Appendix D: Phase 2 Data

## Court Administrative Structure Survey

State: *Delaware*

Sources: *James Wright, Deputy State Court Administrator, Office of the State Court Administrator (OSCA). (2009, May 14). Re: Court Administrative Structure Survey--Security and facilities. Telephone communication with Elliott McKinnis.*  
*Chris Sudell, Deputy State Court Administrator, OSCA. (2009, May 15). Re: Court Administrative Structure Survey--Personnel and fee generation. Email to Elliott McKinnis.*  
*Barbara J. Mooney, Controller, OSCA. (2009, May 18). Re: Court Administrative Structure Survey--Budget. Email to Elliott McKinnis.*  
*Susan Sprinkle, Chief Deputy Prothonotary, New Castle County Superior Court. (2009, May 22). Re: Court Administrative Structure Survey--Clerks. Email to Elliott McKinnis.*

In late 2007, the Indiana Commission on Local Government Reform recommended the transition of Indiana trial courts from a mix of state and local funding to full state funding. As a result, the Indiana Supreme Court, Division of State Court Administration has commissioned a study of state administrative structures for managing state trial courts, particularly in state-funded systems. They have contracted with the Indiana University Center for Urban Policy and the Environment and the Indiana University School of Law's Program on Law and State Government to conduct the study.

The bulk of the questions below address your current structure with respect to a number of specific administrative functions. The Division of State Court Administration also is interested in any details about administrative transitions that may be available regarding your state's move to state funding of trial courts, state administrative oversight, or the unification of trial courts. We recognize that many states made these changes decades ago, but we would appreciate any help in identifying how administrative functions were transitioned and any lessons that were learned as a result.

### A. BUDGET

1. Please identify any policies or guidelines (a) governing the state trial court budget preparation proposal process, or (b) used by your state and its judicial or trial court employees in creating a state court budget request. If possible, please attach a copy of these policies or guidelines.

*State of Delaware Office of Management and Budget – Operating and Capital Budget Preparation Guidelines.*

2. Please describe the entity or individual responsible for preparing and approving the state trial court budget for legislative consideration.

*The Chief Justice of the Supreme Court of the State of Delaware.*

- 
3. Please describe the budget proposal preparation process. Who is involved? Specifically, are local trial court judges and administrators, or representatives of those groups, involved in the preparation of the budget?

*The Council of Court Administrators (consisting of ten individuals, including six court administrators, the state court administrator, two deputy state court administrators and the judicial information resource manager) develops and prioritizes the budget requests and presents them to the Chief Justice of the Supreme Court of the State of Delaware and the five Presiding Judges of the Courts of the Delaware Judiciary (the Court of Chancery, Superior Court, Family Court, Court of Common Pleas, and the Justice of the Peace Court). The Chief Justice and Presiding Judges review the requests and determine which requests will be incorporated into the budget request for the Judicial Branch, with the Chief Justice having final approval.*

4. Please describe the structure of the budget request. Is the budget proposal organized by geographic region (county), court jurisdiction (district), or function (judicial salaries, administrative personnel salaries, library costs, information technology costs, etc.)?

*The budget request is organized by Court (Supreme Court, Court of Chancery, Superior Court, Family Court, Court of Common Pleas, and the Justice of the Peace Court), and by function – consisting of (1) the operating budget, which includes expenditures such as personnel costs, travel expenses, contractual services, supplies and materials, etc., and (2) the capital budget.*

5. How is the budget proposal approved (by consensus, by vote) and by which entity (the State Trial Court Administrative Director, the state Supreme Court, the Chief Justice of the state supreme court, Judicial Conference)?

*The Chief Justice of the Supreme Court of the State of Delaware and the five Presiding Judges of the Courts of the Delaware Judiciary – Court of Chancery, Superior Court, Family Court, Court of Common Pleas, and the Justice of the Peace Court – approve the budget by consensus, with the Chief Justice having the final approval.*

## B. SECURITY

1. What entity governs, manages, and pays for security detail at the trial court level in your state (state police, local trial court administrator, county sheriff)?

*State pays for security. Capitol police (a state agency) governs and manages for trial courts.*

2. Describe the role of local law enforcement agencies (state police, county sheriff, trial court security, private court security) in providing security for the trial court system.

*Capitol police provide security. Each court office has bailiffs, who are state employees.*

## C. FACILITIES

1. What government entity (state government, county government, other) owns the property on which the trial courts conduct judicial business? If property is locally owned, does the state reimburse the local government for those property costs? If so, please describe. If not, how are those locally borne costs accounted for among various trial courts in terms setting state-funded trial courts' budgets?

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*State government owns trial court facilities.*

2. What entity manages and funds maintenance of buildings and property used by local judiciary?

*The Division of Facilities Management of the Office of Management and Budget (state agency) manages and funds the maintenance of buildings and property used by local judiciary.*

3. Are proposals for upgrades, expansions, etc. made at the local level, the state level, or a combination? Are upgrades funded at the state level or local level?

*Proposals for upgrades and expansions are made at the state level, and the proposals work through state agencies. Upgrades/expansions are funded by state money or by grants.*

4. Please describe how other important facility related services chosen and funded?

Facility-related services

- Telephone
- Facsimile
- Copy Machines
- Computers
- IT Professional Support
- Software Management
- IT Upgrades

*These services are funded by state money. Many of them are part of state contracts.*

#### D. PERSONNEL SYSTEM

1. Are standard recruitment, qualifications, job descriptions, and employment and discipline policies used statewide, or are these standards set at the local level? Please attach documents or provide contact information to obtain more specific information.

*These are statewide. See the link below for the Judicial Branch Personnel Rules.*

*[http://courts.delaware.gov/Courts/Supreme%20Court/Administrative%20Directives/?ad171\\_JPR04-01-09.pdf](http://courts.delaware.gov/Courts/Supreme%20Court/Administrative%20Directives/?ad171_JPR04-01-09.pdf)*

2. Does your state use standard personnel policies in addressing staffing and salary issues of trial courts or are staffing and salary issues decided at a local level?

*These are statewide and are based on the Judicial and Merit Rules.*

3. Are there standard recruitment, qualifications, job descriptions, employment and discipline policies that are used statewide, or are the standards set or issues addressed on a local level?

*These are statewide.*

4. Whether at the state or local level, please describe how pay scales for trial court judges and court personnel are created and implemented. Please attach documents if possible.

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*Pay scales for trial court judges are set every four years by a compensation commission which meets every four years. The most recent report can be seen at the following:  
[http://www.delawarepersonnel.com/class/docs/comp/DCC\\_Report\\_2009.pdf](http://www.delawarepersonnel.com/class/docs/comp/DCC_Report_2009.pdf)*

*Pay scales for court personnel are established by the Executive Branch as a range for each pay grade. Each court has some flexibility within that to set the salary, but above a certain point within the pay grade must obtain permission from the chief justice and, in some circumstances, also from the Executive Branch.*

5. If your state adopted a state- funded trial court system, did your state normalize unevenly staffed and/or unevenly paid trial court personnel? If so, how (phased in over time, equalizing salary and benefits)?

*The Wilmington Municipal Court was merged into the State system and some employees became state employees and others remained as City employees (I believe, at their choice), but these positions will become State positions as these employees leave.*

*For further information contact Carole Kirshner, Court Administrator at the Court of Common Pleas – (302) 255-0850. In the past, also, the Prothonotary in the Superior Court and the Register in the Court of Chancery were moved from county to state funding.*

#### E. FEE GENERATION/ALLOCATION

1. How are trial court fees currently allocated?
2. Prior to adopting a state-funded system of trial courts, was the allocation of fees different? How was the transition made upon reform? Did the fees stay outside of the state-funded system or were the fees incorporated into the state-funded trial court budget? What entities and persons, if any, were impacted by reallocation?

*Prior to 1966, the justices of the peace funded their operations through a portion of the fees collected.*

#### F. OTHER COURT PROGRAMS

1. How are the following courts and programs linked to the trial court system?
- a. Courts
    - i. Family Courts
    - ii. Drug Courts
    - iii. Problem Solving Courts
    - iv. Others (please describe)
  - b. Programs
    - i. GAL (Guardian ad Litum)
    - ii. CASA (Court Appointed Special Advocate)
    - iii. Mediation programs
    - iv. Re-entry programs
    - v. Drug and alcohol programs
    - vi. Pauper defense
    - vii. Probation
    - viii. Others (please describe)

- 
2. Currently, what entity is responsible for budget and management issues between and among these specialized local courts and programs and the trial court system?

*N/A*

3. Did reform impact other local courts or programs? If so, how?

#### G. CLERKS OF COURT AND COURT ADMINISTRATORS

1. Please describe the responsibilities of clerks of court and trial court administrators, if applicable? At what level do they function (county, court, region)? How do these two functions interact?

*The Prothonotary's Office is the Clerk of Court for Superior Court. Each County (3) has their own Clerk's office for each of the Superior Courts. The Prothonotary oversees the daily functions of the clerk's office. The judges appoint the Prothonotary. There are approximately 80 employees currently working in New Castle County's office. Our office at the present time works off an independent Case Management System and Lexis Nexis for certain Civil case types. We have six main departments that are responsible for the following:*

- *Administration Dept.- acceptance of civil cases and filings and various misc. filings, issue all writs, maintain business name registration docket, process and monitor all civil appeals from various courts, boards and agencies, etc.,*
- *Civil Dept. – civil case managers oversee their assigned judge's case load, attend all hearings for those cases, process miscellaneous civil cases, issue commissions, process pro hac vice filings and maintain pro hac log, process and monitor all complex civil cases (Asbestos, Seroquel, Benzene)*
- *Criminal Dept. – acceptance of criminal cases and filings, bail, criminal costs, issuance of summons, subpoenas, capiases and Rule 9 warrants, process criminal motions, arraignments, case reviews, trial, diversion, TASC and Plea calendars, process continuance requests for criminal trials, the criminal case managers and sentencing clerks attend all criminal Court proceedings, swear in witnesses, are responsible for recording and safe-keeping of all evidence, prepare commitment and release documents for prisoners, etc.*
- *Accounting Dept. – Maintain records for all Superior Court filing fees, reconcile daily revenue, record and collect all fines, court costs and restitution payments, disburse restitution payments, process tax intercept appeals, etc.*
- *Judgment Dept. – Record all judgments and liens, issue judgment writs, monitor the satisfaction of judgments, maintain and process permits to carry a concealed deadly weapon, etc.*
- *Records Dept. - maintain all the pleadings and files (both Civil and Criminal), prepare all files for courtroom proceedings, maintain official court record on criminal and civil cases, assist the public with requests in obtaining information from files, prepare all closed civil and criminal cases for archival storage, process requests from outside agencies and courts for New Castle County Superior Court criminal information from files, etc.*

*Our office also handles various miscellaneous duties including overseeing the Board of Canvass, issuing all certificates of election to the elected officials in New Castle County, and prepare court schedules and calendars to be used for scheduling.*

- 
2. Were responsibilities changed in the past as a result of reform? If known, please provide any details that might be available regarding the transition?

*While the court hasn't gone under any recent "reform", because we are governed by legislation, we have to be prepared to make changes to processes and procedures as the laws are updated and changed. The position of the Prothonotary was originally an elected position. That changed to an appointment by the Judges many years ago. We are in the process of changing from our independent case management system to a statewide, courtwide system. Sussex County has been using the system for several months and we are to begin using the same system in the fall. This will cause changes for staff in work and business practices.*

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## Court Administrative Structure Survey

State: *Florida*

Source: *Debbie Howells, Executive Assistant to the State Courts Administrator, Office of the State Courts Administrator (OSCA). (2009, May 22). Re: Court Administrative Structure Survey—Personnel. Email to Elliott McKinnis.*

*Tom Long, General Services Manager, OSCA. (2009, May 26). Re: Court Administrative Structure Survey—Security. Email to Elliott McKinnis.*

In late 2007, the Indiana Commission on Local Government Reform recommended the transition of Indiana trial courts from a mix of state and local funding to full state funding. As a result, the Indiana Supreme Court, Division of State Court Administration has commissioned a study of state administrative structures for managing state trial courts, particularly in state-funded systems. They have contracted with the Indiana University Center for Urban Policy and the Environment and the Indiana University School of Law's Program on Law and State Government to conduct the study.

The bulk of the questions below address your current structure with respect to a number of specific administrative functions. The Division of State Court Administration also is interested in any details about administrative transitions that may be available regarding your state's move to state funding of trial courts, state administrative oversight, or the unification of trial courts. We recognize that many states made these changes decades ago, but we would appreciate any help in identifying how administrative functions were transitioned and any lessons that were learned as a result.

### A. BUDGET

1. Please identify any policies or guidelines (a) governing the state trial court budget preparation proposal process, or (b) used by your state and its judicial or trial court employees in creating a state court budget request. If possible, please attach a copy of these policies or guidelines.
2. Please describe the entity or individual responsible for preparing and approving the state trial court budget for legislative consideration.
3. Please describe the budget proposal preparation process. Who is involved? Specifically, are local trial court judges and administrators, or representatives of those groups, involved in the preparation of the budget?
4. Please describe the structure of the budget request. Is the budget proposal organized by geographic region (county), court jurisdiction (district), or function (judicial salaries, administrative personnel salaries, library costs, information technology costs, etc.)?
5. How is the budget proposal approved (by consensus, by vote) and by which entity (the State Trial Court Administrative Director, the state Supreme Court, the Chief Justice of the state supreme court, Judicial Conference)?

### B. SECURITY

1. What entity governs, manages, and pays for security detail at the trial court level in your state (state police, local trial court administrator, county sheriff)?

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*Security of trial courts in Florida is the responsibility of each county. Most counties provide additional funds to the County Sheriff to provide for court security. A few counties contract with non law enforcement security companies to provide for contract security services. Each Sheriff manages court security contingent in those counties in which the sheriff is responsible for court security. The Chief Judge in the trial courts often provides policy direction with regard to level and implementation of the court security program.*

2. Describe the role of local law enforcement agencies (state police, county sheriff, trial court security, private court security) in providing security for the trial court system.

*The Sheriff in most Florida trial courts is primarily responsible for court security.*

#### C. FACILITIES

1. What government entity (state government, county government, other) owns the property on which the trial courts conduct judicial business? If property is locally owned, does the state reimburse the local government for those property costs? If so, please describe. If not, how are those locally borne costs accounted for among various trial courts in terms setting state-funded trial courts' budgets?

*County governments own the trial court facilities (CUPE research).*

2. What entity manages and funds maintenance of buildings and property used by local judiciary?

*County governments manage and fund maintenance (CUPE research).*

3. Are proposals for upgrades, expansions, etc. made at the local level, the state level, or a combination? Are upgrades funded at the state level or local level?
4. Please describe how other important facility related services chosen and funded?

Facility-related services

- Telephone
- Facsimile
- Copy Machines
- Computers
- IT Professional Support
- Software Management
- IT Upgrades

#### D. PERSONNEL SYSTEM

1. Are standard recruitment, qualifications, job descriptions, and employment and discipline policies used statewide, or are these standards set at the local level? Please attach documents or provide contact information to obtain more specific information.

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*There are statewide personnel rules for all levels of court. Those rules are recommended by the AOC, with input from the trial and appellate courts, and ultimately approved by the chief justice. Florida's salary schedule and class specifications are available at [www.flcourts.org/gen\\_public/employment/index.shtml](http://www.flcourts.org/gen_public/employment/index.shtml).*

*Respondents provided copies of two electronic documents: Personnel Regulations Manual (revised: October 2008) and Performance Planning and Review System Manual.*

2. Does your state use standard personnel policies in addressing staffing and salary issues of trial courts or are staffing and salary issues decided at a local level?

*In the trial courts, staffing levels are recommended by the Trial Court Funding Methodology Committee and must be approved by the Trial Court Budget Commission ([http://www.flcourts.org/gen\\_public/funding/tcbc.shtml](http://www.flcourts.org/gen_public/funding/tcbc.shtml)). Salaries issues are in accordance with personnel regulations and annual instructions from the Chief Justice with recommendations from the TCBC.*

3. Are there standard recruitment, qualifications, job descriptions, employment and discipline policies that are used statewide, or are the standards set or issues addressed on a local level?

*Statewide standards. See attached personnel regulations and performance review.*

4. Whether at the state or local level, please describe how pay scales for trial court judges and court personnel are created and implemented. Please attach documents if possible.

*Judges salaries are set by the Florida Legislature in the annual general Appropriations Act. Court personnel salaries are governed by the salary schedule and personnel regulations.*

5. If your state adopted a state-funded trial court system, did your state normalize unevenly staffed and/or unevenly paid trial court personnel? If so, how (phased in over time, equalizing salary and benefits)?

*County employees who were retained in state positions created for implementation of full state funding for the courts (Revision 7) retained the salaries they were paid by the court. When positions become vacant, salary levels revert to the state level. These employees were eligible to enroll in the state benefit package. They could not retain their county benefits. The retirement system was the same for county and state employees. Revision 7 fact sheet: [http://www.flcourts.org/gen\\_public/employment/bin/statecountyfinal.pdf](http://www.flcourts.org/gen_public/employment/bin/statecountyfinal.pdf)*

#### E. FEE GENERATION/ALLOCATION

1. How are trial court fees currently allocated?
2. Prior to adopting a state-funded system of trial courts, was the allocation of fees different? How was the transition made upon reform? Did the fees stay outside of the state-funded system or were the fees incorporated into the state-funded trial court budget? What entities and persons, if any, were impacted by reallocation?

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F. OTHER COURT PROGRAMS

1. How are the following courts and programs linked to the trial court system?
  - a. Courts
    - i. Family Courts
    - ii. Drug Courts
    - iii. Problem Solving Courts
    - iv. Others (please describe)
  - b. Programs
    - i. GAL (Guardian ad Litum)
    - ii. CASA (Court Appointed Special Advocate)
    - iii. Mediation programs
    - iv. Re-entry programs
    - v. Drug and alcohol programs
    - vi. Pauper defense
    - vii. Probation
    - viii. Others (please describe)
2. Currently, what entity is responsible for budget and management issues between and among these specialized local courts and programs and the trial court system?
3. Did reform impact other local courts or programs? If so, how?

G. CLERKS OF COURT AND COURT ADMINISTRATORS

1. Please describe the responsibilities of clerks of court and trial court administrators, if applicable? At what level do they function (county, court, region)? How do these two functions interact?
2. Were responsibilities changed in the past as a result of reform? If known, please provide any details that might be available regarding the transition?

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## Court Administrative Structure Survey

State: *Illinois*  
Source: *Michael J. Tardy, Executive Assistant to the Director, Administrative Office of the Illinois Courts. (2009, July 8). Letter to Elliott McKinnis.*

### A. Budget

As noted, the Illinois trial courts are not fully state funded. Financing the trial courts is a shared responsibility of the state and the 102 counties in Illinois. State resources provide for the salaries and benefits of circuit court and associate judges, select trial court administrative personnel and the reimbursement of approved salary costs of probation, juvenile detention and pretrial services staff. The various counties, by statute, provide for the other costs of the trial courts and courthouse operations.

### B. Security

Funding for trial court security is appropriated by the various county boards. Consistent with Illinois statute, the sheriff of the county provides for courtroom and courthouse security. Illinois statute also provides for the assessment of a court security fee, pursuant to court order, to be paid to the county for the provision of security.

### C. Facilities

The various county boards appropriate funds to pay for the cost of trial court facilities. Counties own/lease the facilities and provide courtroom space, office space and equipment, as well as maintenance, and select support staff to aid with the day-to-day operations of the trial courts. All courthouse and/or courtroom modifications and expansions are financed at the county level; courtroom modifications or construction are consistent with applicable Supreme Court courtroom standards.

### D. Personnel System

Personnel systems are governed by either the Supreme Court's policies or a county personnel code, dependent upon whether the employee is a county paid or state paid employee. Regardless if the employee is state or county paid, both systems include a comprehensive inventory of personnel practices.

### E. Fee Generation/Allocation

Collection and disbursement of fees are established pursuant to statutes. There are a broad range of fees that are either mandatory or assessed by judicial discretion, each of which are governed by disbursement formulas.

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## **F. Other Court Programs**

There are a substantial number of specialized courts and programs in Illinois' twenty-three trial court circuits. Pursuant to the Illinois Constitution, and under the general supervisory authority of the Supreme Court, the chief circuit judge may establish various court programs and specialty court calls.

## **G. Clerks of Court and Court Administrators**

Clerks of the Circuit Courts are independently elected officials whose duties of office are enumerated by statute. Their trial court recordkeeping responsibilities are directed by the Supreme Court's Manual on Recordkeeping. Trial court administrators are employees of the chief circuit judge, and under the direction of the chief circuit judge, are likely to have frequent interactions with clerks of the court regarding court matters and record keeping procedures.

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## Court Administrative Structure Survey

State: *Iowa*

Source: *Boyd, D.(State Court Administrator), and Goerd, J. (Deputy State Court Administrator). (2009, June 10). Re: Court Administrative Structure Survey. Email to Elliott McKinnis. Goerd, J. (2009, July 14). Re: Clarification regarding CCSC. Email to Elliott McKinnis.*

In late 2007, the Indiana Commission on Local Government Reform recommended the transition of Indiana trial courts from a mix of state and local funding to full state funding. As a result, the Indiana Supreme Court, Division of State Court Administration has commissioned a study of state administrative structures for managing state trial courts, particularly in state-funded systems. They have contracted with the Indiana University Center for Urban Policy and the Environment and the Indiana University School of Law's Program on Law and State Government to conduct the study.

The bulk of the questions below address your current structure with respect to a number of specific administrative functions. The Division of State Court Administration also is interested in any details about administrative transitions that may be available regarding your state's move to state funding of trial courts, state administrative oversight, or the unification of trial courts. We recognize that many states made these changes decades ago, but we would appreciate any help in identifying how administrative functions were transitioned and any lessons that were learned as a result.

### A. BUDGET

1. Please identify any policies or guidelines (a) governing the state trial court budget preparation proposal process, or (b) used by your state and its judicial or trial court employees in creating a state court budget request. If possible, please attach a copy of these policies or guidelines.

*While this might seem odd after 25 years of state funding, we don't have permanent written guidelines or policies. Rather, the policies have been fiscal year specific. For example, Iowa transitioned into state funding in the 1980's over a four year period. The transition was done by functional component, e.g., jury and witness fees, court reporters, juvenile court services, clerks of courts. So early on the policies reflected that transition. Later on and up to the current time the policies are shaped for each fiscal year based on other factors such as the political or fiscal climate in state government, or priorities established in advance by the supreme court (e.g., this is a year to request additional judgeships, or this is a year not to request additional judgeships).*

2. Please describe the entity or individual responsible for preparing and approving the state trial court budget for legislative consideration.

*While the supreme court has the statutory responsibility to prepare and submit an annual operating budget request for the judicial branch (including the trial courts), in fact the court merely approves a budget for submission. The actual preparation of the document is done by the state court administrator with assistance from the district court administrators.*

3. Please describe the budget proposal preparation process. Who is involved? Specifically, are local trial court judges and administrators, or representatives of those groups, involved in the preparation of the budget?

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*As suggested in response to #1 above, this process has evolved over time, and it now varies from year to year based on various factors. When we first went to state funding, each judicial district would build its budget request based on instructions from the state court administrator. The requests were then submitted to state court administration which produced a combined budget request for the eight judicial districts, along with requests from state court administration and the appellate courts. For a number of years, the supreme court then held administrative en banc budget hearings where each judicial district was given time to present its budget request and respond to questions from the court and state court administration. Following the budget hearings, the court would give direction to the state court administrator on what to include in the final budget submission.*

*Over time, the court has moved away from the budget hearing process. The judicial districts still provide their input to the state court administrator, but the court takes up the final version of the budget request without having hearings.*

*So far, we only dealt with the front end of the budget process. In Iowa, the legislature appropriates back to the judicial branch a lump sum appropriation. So there's a fair amount of work to be done after the legislative session adjourns. With input from our judicial council (judicial conference) and upon recommendations from the state court administrator, the court then adopts the actual operating budget for the new fiscal year.*

4. Please describe the structure of the budget request. Is the budget proposal organized by geographic region (county), court jurisdiction (district), or function (judicial salaries, administrative personnel salaries, library costs, information technology costs, etc.)?

*For the district courts, budgets are developed (and managed) by the chief judge and district court administrator in each of our 8 judicial districts. Within each district, the budget request is broken down by operating components and line items as directed by the state court administrator.*

5. How is the budget proposal approved (by consensus, by vote) and by which entity (the State Trial Court Administrative Director, the state Supreme Court, the Chief Justice of the state supreme court, Judicial Conference)?

*The supreme court gives final approval to the state courts' budget proposal that is presented to the legislature. The supreme court discusses the proposal and the approval is by a majority vote of the court.*

## B. SECURITY

1. What entity governs, manages, and pays for security detail at the trial court level in your state (state police, local trial court administrator, county sheriff)?

*The county sheriffs in Iowa's 99 counties are responsible for security in the courthouses.*

2. Describe the role of local law enforcement agencies (state police, county sheriff, trial court security, private court security) in providing security for the trial court system.

*In Iowa, the counties are responsible for maintaining the courthouse facility. In 1999, the supreme court issues a directive that each county should establish a County Courthouse Security Committee and a written courthouse security plan consistent Iowa's Guidelines for Courthouse Security*

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*(CCSC). The directive said that each CCSC should include a judge, clerk of district court, a local legislator from the Board of Supervisors, county sheriff, and representatives from other county or state offices that might be located in the courthouse.*

*Initially, a small number of counties resisted participating in the CCSC because they were concerned that, if they participated, they would have to spend money on making courthouse security improvements --- which they didn't want to do. They also believed, probably correctly, that the supreme court didn't have authority to order them to participate. However, after a few years, all but one of the counties had formed a CCSC with participation from all key groups. In fact, I think the last holdout county finally established a CCSC a couple years ago*

## C. FACILITIES

1. What government entity (state government, county government, other) owns the property on which the trial courts conduct judicial business? If property is locally owned, does the state reimburse the local government for those property costs? If so, please describe. If not, how are those locally borne costs accounted for among various trial courts in terms setting state-funded trial courts' budgets?

*The county governments own the trial court facilities. The state does not pay rent for the use of the facilities.*

2. What entity manages and funds maintenance of buildings and property used by local judiciary?

*The county is responsible for maintaining the courthouse facility.*

3. Are proposals for upgrades, expansions, etc. made at the local level, the state level, or a combination? Are upgrades funded at the state level or local level?

*Expansion or remodeling of a courthouse is paid by the county. The state judicial branch covers the cost of equipment and wiring necessary for maintaining the Iowa Court Information System.*

4. Please describe how other important facilities related services chosen and funded?

Facility-related services

- Telephone
- Facsimile
- Copy Machines
- Computers
- IT Professional Support
- Software Management
- IT Upgrades

*The state judicial branch is responsible for selecting and paying for all telecommunications equipment and software used by the courts. The IT division of the SCA's office sets standards for all computer and information technology equipment and software.*

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#### D. PERSONNEL SYSTEM

1. Are standard recruitment, qualifications, job descriptions, and employment and discipline policies used statewide, or are these standards set at the local level? Please attach documents or provide contact information to obtain more specific information.

*The state judicial branch employs all staff and judicial officers in the Iowa court system. Personnel job descriptions, classifications, salaries, codes of conduct, and discipline policies are established at the state level. Recruiting, however, is done at the local level. Unions represent approximately 50% of the staff (excluding judicial officers) in clerk of court offices. Union contracts are negotiated on a state-wide basis.*

*All these personnel policies are statewide policies. Staff problems/issues that arise at the local level are handled by the district court administrator according to state policies. Appeals from decisions by the district court administrator are processed according to the applicable union contract for contract covered staff and by the SCA's Personnel Office for noncontract staff. Iowa is an "employment-at-will" state and policies for noncontract staff reflect this fact.*

2. Does your state use standard personnel policies in addressing staffing and salary issues of trial courts or are staffing and salary issues decided at a local level?

*State level policies.*

*Iowa has developed staffing models based on weighted caseloads that is used to predict staffing levels for the various aspects of court operations (judicial officers, clerk of court offices, court attendants and other support staff).*

3. Whether at the state or local level, please describe how pay scales for trial court judges and court personnel are created and implemented. Please attach documents if possible.

*The state legislature establishes all judicial salaries. Rates of pay for contract covered staff are negotiated in the applicable collective bargaining agreement. Pay grades for noncontract job classifications are set by the State Court Administrator based upon comparable worth principles using a multifactor job analysis tool. Pay increases for noncontract staff are set by the Supreme Court based on legislative appropriations.*

4. If your state adopted a state-funded trial court system, did your state normalize uneven staffing and/or unevenly paid trial court personnel? If so, how (phased in over time, equalizing salary and benefits)?

*The Iowa judicial branch took over local courts in the early to mid-1980s. Since then, all court staff and judicial officers in the state's district courts (one courthouse in each county) are paid on the same state-wide pay and benefits schedule for their given job classification. Staffing has been normalized using the weighted caseload staffing formulas we have developed.*

#### E. FEE GENERATION/ALLOCATION

1. How are trial court fees currently allocated?

*Court filing fees go to the state's general fund.*

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2. Prior to adopting a state-funded system of trial courts, was the allocation of fees different? How was the transition made upon reform? Did the fees stay outside of the state-funded system or were the fees incorporated into the state-funded trial court budget? What entities and persons, if any, were impacted by reallocation?

*Prior to statewide court unification, municipal court filing fees remained with the city or county.*

#### F. OTHER COURT PROGRAMS

1. How are the following courts and programs linked to the trial court system?
  - a. Courts
    - i. Family Courts
    - ii. Drug Courts
    - iii. Problem Solving Courts
    - iv. Others (please describe)

*All courts are part of the unified trial court system in Iowa.*

- b. Programs
    - i. GAL (Guardian ad Litem)  
*Paid by the Executive Branch's Division of Inspections and Appeals.*
    - ii. CASA (Court Appointed Special Advocate)  
*Paid by the Executive Branch's Division of Inspections and Appeals.*
    - iii. Mediation programs  
*No court-sponsored mediation programs; some local mediation programs are supported with funding from the local and/or state bar associations.*
    - iv. Re-entry programs  
*Paid by the Executive Branch's Department of Corrections.*
    - v. Drug and alcohol programs  
*The judicial branch obtains some funding from the legislature to support drug courts; federal grant funding also supports them.*
    - vi. ~~Pauper~~ Indigent defense  
*Paid by the Executive Branch's Division of Inspections and Appeals.*
    - vii. Probation  
*Juvenile probation officers (called "juvenile court officers" in Iowa) are judicial branch employees.*
    - viii. Others (please describe)
2. Currently, what entity is responsible for budget and management issues between and among these specialized local courts and programs and the trial court system?

*Not applicable*

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3. Did reform impact other local courts or programs? If so, how?

*All courts are now part of the unified trial court system in Iowa.*

#### G. CLERKS OF COURT AND COURT ADMINISTRATORS

1. Please describe the responsibilities of clerks of court and trial court administrators, if applicable? At what level do they function (county, court, region)? How do these two functions interact?

*Clerks of District Court are the chief supervisors of the physical and automated court records filed in the county; of course they also supervise all clerk's office staff. Most Clerks supervise the records and staff in a single county, but several of them supervise records and staff in two or three (mostly rural) counties. We have about 75 Clerks of District Court for 99 counties.*

*District Court Administrators: We have eight judicial districts. Each has a chief district court judge and a district court administrator. The DCA has general management responsibilities over the Clerks of District Court, budget, case management, and personnel matters within their respective districts.*

2. Were responsibilities changed in the past as a result of reform? If known, please provide any details that might be available regarding the transition?

*The Court Reorganization Act of 1983 removed clerks of court from partisan elections and placed them under the authority of each district's chief judge. Clerks of District Court are hired by the chief judge and district administrator (usually with some input from any resident judges in a given county). They can be fired only if approved by a majority of the district court judges in the judicial election district.*

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## Court Administrative Structure Survey

State: *Kentucky*  
Source: *Cindra K. Walker, General Counsel, Administrative Office of the Court and Kimberly Hosea, Staff Attorney, Administrative Office of the Court. (2009, May 19). Re: Response to Indiana Supreme Court research inquiry—Court Administrative Structure Survey (20090-0231). Memo to Jamie Palmer. Cindra Walker. (2009, June 10). Re: KY Court Structure—Request from Indiana Supreme Court (20090-023). Email to Jamie Palmer.*

In late 2007, the Indiana Commission on Local Government Reform recommended the transition of Indiana trial courts from a mix of state and local funding to full state funding. As a result, the Indiana Supreme Court, Division of State Court Administration has commissioned a study of state administrative structures for managing state trial courts, particularly in state-funded systems. They have contracted with the Indiana University Center for Urban Policy and the Environment and the Indiana University School of Law's Program on Law and State Government to conduct the study.

The bulk of the questions below address your current structure with respect to a number of specific administrative functions. The Division of State Court Administration also is interested in any details about administrative transitions that may be available regarding your state's move to state funding of trial courts, state administrative oversight, or the unification of trial courts. We recognize that many states made these changes decades ago, but we would appreciate any help in identifying how administrative functions were transitioned and any lessons that were learned as a result.

### A. BUDGET

1. Please identify any policies or guidelines (a) governing the state trial court budget preparation proposal process, or (b) used by your state and its judicial or trial court employees in creating a state court budget request. If possible, please attach a copy of these policies or guidelines.

*Our policies and guidelines are governed by Kentucky Revised Statutes (KRS) Chapter 48 (48.005 – 48.960). These statutes are too numerous to set out in this Memo; however, they (and all of Kentucky's statutes) can be easily accessed online at the Legislative Research Commission website, [www.lrc.ky.gov](http://www.lrc.ky.gov) (<http://www.lrc.ky.gov/KRS/048-00/CHAPTER.HTM>).*

2. Please describe the entity or individual responsible for preparing and approving the state trial court budget for legislative consideration.

*We are a unified court system, so the budget submitted to the Legislature is for the entire Judicial Branch. The Budget Director [of the judicial branch] prepares it, and the Chief Justice of the Kentucky Supreme Court approves it.*

3. Please describe the budget proposal preparation process. Who is involved? Specifically, are local trial court judges and administrators, or representatives of those groups, involved in the preparation of the budget?

*The process involves meetings with the Budget Director [for the judicial branch], the Director of the AOC, and the Chief Justice present. No one else is involved in the process. Concerning additional*

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*funding items, the Chief Justice has the discretion to gather a group of judges and circuit court clerks together to see what they think should be the top priority.*

4. Please describe the structure of the budget request. Is the budget proposal organized by geographic region (county), court jurisdiction (district), or function (judicial salaries, administrative personnel salaries, library costs, information technology costs, etc.)?

*We are a unified court system with the budget being prepared, and the budget process taking place, at the centralized AOC. The budget is prepared by appropriation unit, so everything having to do with salaries and operating costs is lumped into that appropriation unit and not broken out by type of court. The following are examples of appropriation units:*

- *Court Operations and Administration: this is all salaries and operating, excluding debt service and lease payments for office space, for the branch.*
- *Local Facilities Fund appropriation: Debt service on buildings and rent on leased space.*
- *Judicial Retirement: funds the judicial retirement system.*

5. How is the budget proposal approved (by consensus, by vote) and by which entity (the State Trial Court Administrative Director, the state Supreme Court, the Chief Justice of the state supreme court, Judicial Conference)?

*The Chief Justice of the Kentucky Supreme Court is the only one who approves the budget proposal submitted to the Legislature.*

## B. SECURITY

1. What entity governs, manages, and pays for security detail at the trial court level in your state (state police, local trial court administrator, county sheriff)?

*The sheriff of each county is responsible for providing security services to the court and its facilities, i.e., "deputies, certified court security officers [specially trained by Kentucky's Department of Criminal Justice Training], and ordinary equipment." KRS 23A.090, 24A.140, and 70.140. These officers are compensated by the Finance Cabinet, out of the state treasury (they are not AOC employees). KRS 64.092. Additionally, in order to help defray the cost of providing security services to the court, the sheriff's office in each county is supplemented with 10.1% of the court costs collected by the circuit court clerk of the county. KRS 42.320(2)(i) and 64.092(7). Court costs are currently \$100. KRS 23A.205 and 24A.175.*

*However, if the sheriff fails or refuses to provide certified peace officers or certified court security officers, the AOC is obligated to contract with a local county government or an agency of the city government for the provision of security services. KRS 70.284.*

*And finally, when the Chief Justice believes that local law enforcement personnel should be supplemented, "the Governor may provide through the Department of Kentucky State Police the necessary security personnel and services for any person or facility in the Court of Justice." KRS 21A.090.*

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*In the newer courthouses and judicial centers where there is monitoring equipment, including both a walk-through metal detector/scanner and hand-held detectors, the AOC provides the metal detectors as well as a monitoring station with all attendant equipment.*

*Additionally, the AOC employs thirteen "Court Security Inspectors" (CSIs) across the state. CSIs are former Kentucky State Police Officers and are also commissioned as Special Law Enforcement Officers. They routinely assist local court personnel and assist with court security state-wide (particularly in high-profile or high-risk security situations), with the assessment of facility security on an on-going basis, with court security training, and with the performance of other security duties as needed by the Chief Justice or the AOC.*

2. Describe the role of local law enforcement agencies (state police, county sheriff, trial court security, private court security) in providing security for the trial court system.

*See previous response.*

#### C. FACILITIES

1. What government entity (state government, county government, other) owns the property on which the trial courts conduct judicial business? If property is locally owned, does the state reimburse the local government for those property costs? If so, please describe. If not, how are those locally borne costs accounted for among various trial courts in terms setting state-funded trial courts' budgets?

*The county government owns the property on which trial courts conduct judicial business. The AOC/judicial branch pays the county an "operating costs allowance" plus a "use allowance." KRS 26A.100 requires the county government to provide reasonably available space in the county courthouse or other county facility for courtrooms, chambers, circuit court clerks' offices, etc. If for some reason county space is limited, the city or state may provide facilities or, alternatively, the AOC may lease or even purchase space.*

*"Operating costs allowance" is defined as compensation equivalent to the annual expenses borne by the county for utilities, janitorial service, rent, insurance, and necessary maintenance, repair, and upkeep of the court facility which do not increase the permanent value or expected life of the court facility, but keeps it in efficient operating condition, and, at the election of the AOC, capital costs of interior or mechanical renovations for the benefit of the court. KRS 26A.090(1).*

*"Use allowance" is defined as compensation equal to 4% annually of the total original capital costs and the cost of capitalized renovation of the court facility, except that if indebtedness has been incurred in respect to such capital costs at an interest rate equal to or greater than 7%, compensation shall be at a rate of 8% annually of that portion of the capital costs for which the rate applies. For court facilities renovated or constructed after July 1, 1994, "use allowance" means the court's proportional share of the annual principal and interest cost in connection with the renovation or construction, but not to exceed 8% annually of capital costs, or, if there is no debt, 4% annually of capital costs. Beginning with court facility construction or renovation projects authorized by the 2000 Regular Session of the General Assembly, "use allowance" means the court's proportional share of the annual principal and interest costs in connection with the construction or renovation of the facility, not to exceed the authorized annual use allowance. KRS 26A.090(2).*

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*The precise amount paid for operating costs allowance and use allowance shall be computed by allocating to the Court of Justice its proportionate share of each category according to the relative portion of the floor space in the facility which is occupied by the Court of Justice. Compensation shall be calculated on an annualized basis, may be in the form of rental per square footage, and shall be paid quarterly. Should the availability of space provided to the Court of Justice be limited by the governmental unit to a part-time basis, the compensation shall be apportioned according to the number of days or partial days per week in which it is made available, one (1) day or partial day per week being considered as one-fifth (0.2) of the time. KRS 26A.115(2).*

2. What entity manages and funds maintenance of buildings and property used by local judiciary?

*The detailed day-to-day management would lie with the county, but the maintenance costs constitute "operating costs," as defined above, for which the AOC reimburses the county.*

3. Are proposals for upgrades, expansions, etc. made at the local level, the state level, or a combination?  
Are upgrades funded at the state level or local level?

*Proposals are made (submitted to the Legislature for budgetary purposes) at the AOC/state level. Complete renovations or reconstruction: funded at the state level; non-recurring capital expenses: local/county level, but when approved by the AOC, the AOC/state reimburses.*

4. Please describe how other important facilities related services chosen and funded?

Facility-related services

- Telephone
- Facsimile
- Copy Machines
- Computers
- IT Professional Support
- Software Management
- IT Upgrades

*By the AOC, Technology Services Division, either in anticipation of renovation or reconstruction, or as the need otherwise arises; funded at the AOC/state level.*

#### D. PERSONNEL SYSTEM

1. Are standard recruitment, qualifications, job descriptions, and employment and discipline policies used statewide, or are these standards set at the local level? Please attach documents or provide contact information to obtain more specific information.

*The elected officials (justices, judges, and clerks) recruit and hire differently; some advertise in local papers, accept applications ongoing, and some hire individuals through word of mouth recruitment. The justices and judges staff could include trial court administrators, law clerks, staff attorneys, judicial secretaries, and administrative assistants. The [positions under the purview] of circuit clerks include...chief deputy clerk and deputy clerk. The Administrative Office of the Courts (AOC, administrative departments to support the local courts) applies consistent advertising and hiring policy for all tenured positions. Standard job descriptions, qualifications, and disciplinary*

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*advisement is statewide. The Judicial Branch also has statewide personnel policies. Contact Rebecca Bowman, 502-573-2350, [rebeccabowman@kycourts.net](mailto:rebeccabowman@kycourts.net) for further information.*

2. Does your state use standard personnel policies in addressing staffing and salary issues of trial courts or are staffing and salary issues decided at a local level?

*The AOC has a Budget Department responsible for the consistent staffing and salary of all courts and personnel statewide.*

3. Whether at the state or local level, please describe how pay scales for trial court judges and court personnel are created and implemented. Please attach documents if possible.

*When the KY Court of Justice was formed in 1978 salaries were set for judges and court personnel at that time. Since then, any changes to the salary scale require additional funding from the Legislature.*

4. If your state adopted a state-funded trial court system, did your state normalize uneven staffing and/or unevenly paid trial court personnel? If so, how (phased in over time, equalizing salary and benefits)?

*When the salary scale was initially set, the people who made below the amount for their grade were brought up; people above were grandfathered in at their rate of pay at that time. Since that time, pay equalization is a constant problem in the Court of Justice that we try to rectify by asking the Legislature for additional money.*

#### E. FEE GENERATION/ALLOCATION

1. How are trial court fees currently allocated?

*Trial court filing and other fees are set out in Kentucky's Supreme Court Rules of Civil Procedure (CRs) 3.02 and 3.03([http://www.kybar.org/documents/cr/cr\\_3.02.pdf](http://www.kybar.org/documents/cr/cr_3.02.pdf); [http://www.kybar.org/documents/cr/cr\\_3.03.pdf](http://www.kybar.org/documents/cr/cr_3.03.pdf))*

*The filing and other fees collected by the clerks are deposited into the state treasury with the exception of the Law Library fee and Court Technology fee (which are distributed at the local level) and third party money. The state then allocates the money. See attached table that shows monies collected by clerks and how they are allocated.*

*Master commissioners, officials who are appointed in each county by the chief circuit judge to assist with judicial sales, generate fees. They and their staffs are paid a salary and any fees in excess of compensation are remitted to the AOC to be used to hire deputy circuit clerks or AOC personnel. KRS 31A.010.*

*[Concerning court costs in criminal cases: these are not, technically, trial court "fees" but wanted to address them briefly. Court costs are controlled and allocated by statute, KRS 42.320 (<http://www.lrc.ky.gov/KRS/042-00/320.PDF>).*

2. Prior to adopting a state-funded system of trial courts, was the allocation of fees different? How was the transition made upon reform? Did the fees stay outside of the state-funded system or were the fees incorporated into the state-funded trial court budget? What entities and persons, if any, were impacted by reallocation?

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*I have not been able to ascertain how the allocation of fees was different prior to reform 31 years ago. I will supplement this answer if and when I have a response.*

F. OTHER COURT PROGRAMS

1. How are the following courts and programs linked to the trial court system?

*Kentucky has two trial courts, the district court, a court of limited jurisdiction (the Legislature controls its jurisdiction by statute), and the circuit court, our court of general jurisdiction. Ky.Const. §§ 112 and 113. Kentucky's court system is unified, however, so the Court of Justice and the AOC, as staff to the Chief Justice, is responsible for the entire court system, not just the trial courts. In this context, I have addressed your question regarding courts and programs.*

a. Courts

i. Family Courts

*Our family court divisions are part of the circuit court. Ky.Const. § 112(6) ("The Supreme Court may designate one or more divisions of Circuit Court within a judicial circuit as a family court division.").*

ii. Drug Courts

*Our adult drug courts are operated by the AOC/Court of Justice and are staffed by AOC personnel. They are not actual constitutional "courts of record." Rather, they are supervised programs that combine a strong treatment component with the legal weight of law enforcement. Drug court judges serve voluntarily, and may be either a district or circuit court judge. Adult drug court is authorized by and subject to Administrative Procedures (APs) of the Court of Justice, adopted by Kentucky's Supreme Court.*

iii. Problem Solving Courts

*The AOC/Court of Justice operates juvenile drug court, family drug court, and teen court; however, like adult drug court, these "courts" are not courts of record but, rather, are programs designed to address specific issues. They are addressed below.*

iv. Others (please describe)

- b. Programs - - *Below, I address AOC programs designed to assist the trial courts, and in some cases the litigants and children involved in court actions.*

i. GAL (Guardian ad Litem)

*The AOC's Family and Juvenile Services department, Dependent Children's Services division, operates the GAL program, which provides training and educational materials to attorneys across the state in order to better prepare them for the representation of abused and neglected children.*

ii. CASA (Court Appointed Special Advocate)

*While CASA volunteers work within the Court of Justice, the AOC does not administer or oversee the programs. The CASA programs are governed by local Boards of Directors.*

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- iii. Mediation programs  
*The Court of Justice/AOC operates mediation programs in several counties. The mediators are employed by the AOC and they assist both the circuit and district courts.*
  - iv. Re-entry programs
  - v. Drug and alcohol programs  
*See adult, family, and juvenile drug courts.*
  - vi. Indigent defense  
*The executive branch, not the judicial branch, administers the public defender program.*
  - vii. Probation  
*The Kentucky Department of Corrections in the executive branch (not the judicial branch) administers the probation program.*
  - viii. Others (please describe)  
*Pretrial Services program: The Court of Justice operates the state's pretrial services program, with pretrial officers in all 120 counties. They interview defendants within hours of arrest, perform background checks, use a risk assessment tool to help anticipate future conduct, and make recommendations to the judge concerning release.*  
  
*Misdemeanor Diversion program: Operated by Pretrial Services for district courts. Resolves minor offenses outside of court, reduces the number of cases on the court's docket, allowing the court system to reserve its resources for more serious cases.*  
  
*Monitored Conditional Release program: Operated by Pretrial Services. Addresses the overcrowding of Kentucky's jails, advocating the safe release of defendants into the community to ensure court appearances and reduce the risk of defendants committing additional crimes while their cases are pending.*  
  
*Citizen Foster Care Review Board: The Dependent Children's Services division of the AOC oversees this state Board, which is a statutory board made up only of the chair persons from all of the local citizen foster care review boards. Applicable statutes, including the state board's duties, are KRS 620.310 through 620.340 (<http://www.lrc.ky.gov/KRS/620-00/310.PDF>, <http://www.lrc.ky.gov/KRS/620-00/320.PDF>, <http://www.lrc.ky.gov/KRS/620-00/330.PDF>, <http://www.lrc.ky.gov/KRS/620-00/340.PDF>). There are local citizen foster care review boards established by statute. There are nearly 800 volunteers, total, who serve on these boards across the state (so, this is where the number 800 comes from). These boards were created in 1986 as a way to decrease the time young people spend in foster care. The volunteer reviewers help ensure that children receive the necessary services while in alternative placement and make every effort to locate permanent homes for these children. The applicable statutes governing*

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*these local boards and their duties, and the scope of their review, are KRS 620.190 through KRS 620.290 (<http://www.lrc.ky.gov/KRS/620-00/190.PDF> , <http://www.lrc.ky.gov/KRS/620-00/200.PDF> , <http://www.lrc.ky.gov/KRS/620-00/210.PDF>, <http://www.lrc.ky.gov/KRS/620-00/220.PDF>, <http://www.lrc.ky.gov/KRS/620-00/230.PDF>, <http://www.lrc.ky.gov/KRS/620-00/240.PDF>, <http://www.lrc.ky.gov/KRS/620-00/250.PDF>, <http://www.lrc.ky.gov/KRS/620-00/260.PDF>, <http://www.lrc.ky.gov/KRS/620-00/270.PDF>, <http://www.lrc.ky.gov/KRS/620-00/280.PDF>, <http://www.lrc.ky.gov/KRS/620-00/290.PDF>).*

*Juvenile Drug Court and Family Drug Court: These programs address, respectively, (1) juvenile substance abuse in order to deter future drug and alcohol problems and enhance the child's potential for success in school; (2) parental substance abuse that has contributed to the removal of children from the home.*

*Court Designated Worker Program: CDWs are statutorily-mandated workers. They are employed by the AOC in all of our 120 counties to process juvenile complaints and assist juveniles under age 18 who are charged with offenses to enter a diversion program.*

*Truancy Diversion Program: The AOC offers this program to help communities address their truancy problems. The program uses education, prevention, accountability, and treatment, if applicable, to help meet the needs of truant students.*

*Law Related Education programs: Provides training programs to juvenile justice practitioners, law enforcement officials, educators, court personnel, and attorney statewide. These programs include the Kentucky Mock Trial program (which hosts an annual mock trial tournament for high schoolers) and the Kentucky Teen Court program which allows first-time juvenile offenders who qualify to participate in a less formal court process administered by their peers.*

*Divorce Education: The Court of Justice has joined other states in offering divorce education programs that help parents and their children maintain a healthy relationship throughout the divorce process. The programs vary in length and cover a variety of topics.*

*Interpreting Services Division: The Kentucky Court of Justice provides interpreting services for individuals who have a limited ability to understand English, are deaf or hard of hearing, or are unable to speak.*

*Jury Service program: The Court of Justice administers the state's jury service program.*

*Judicial Branch Education: This division provides continuing judicial and professional education seminars for judges and court support personnel.*

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*Kentucky Legal Education Opportunity program: KLEO provides scholarships to law students who are underrepresented, low-income, or educationally disadvantaged, with a goal of making the state's attorneys, judges, and prosecutors more representative of Kentucky's citizens.*

2. Currently, what entity is responsible for budget and management issues between and among these specialized local courts and programs and the trial court system?

*Kentucky's court system is unified, so the Court of Justice is responsible for these issues within the programs it operates.*

3. Did reform impact other local courts or programs? If so, how?

*Prior to reform, Kentucky had a variety of trial courts. Lower courts included Justice of the Peace courts, County courts, Fiscal courts, Quarterly courts, and city Police courts; each county also had a Circuit court. The lower courts had overlapping jurisdiction, and consisted of nearly 1,000 part-time courts by 1975. There was no intermediate appellate court, and the former Court of Appeals (now the Supreme Court) was overburdened with cases. The reformed system pared the courts down to two trial courts (Circuit and District), an intermediate appellate court (Court of Appeals), and the Supreme Court.*

#### G. CLERKS OF COURT AND COURT ADMINISTRATORS

1. Please describe the responsibilities of clerks of court and trial court administrators, if applicable? At what level do they function (county, court, region)? How do these two functions interact?

*Circuit court clerks function at a county level: Each county has a circuit court clerk, who serves as clerk for both the circuit and district court in the county. Clerks are elected officials (constitutional officers) serving six-year terms. The 120 clerks of the circuit courts oversee documentation of trial court activities in each of Kentucky's counties. They maintain all trial court records, files, dockets, and indexes as prescribed by statute or rule, enter data into the Court of Justice case management system, notify counsel of record and parties and other agencies as required or necessary, issue drivers' licenses and state identification cards, assist the public concerning the status of court cases, attend court and serve as bench clerks, collect and process fines and fees and other monies, and perform other duties as assigned. See KRS 30A.010 – 30A.250, Circuit Clerks (<http://www.lrc.ky.gov/KRS/030A00/CHAPTER.HTM>). They are subject to the administrative control of the Chief Justice (KRS 30A.010) and are removable from office by the Supreme Court upon good cause shown (Ky.Const. § 114(3) (<http://www.lrc.ky.gov/KRS/030A00/010.PDF>; <http://www.lrc.ky.gov/legresou/constitu/114.htm>))*

*Trial court administrators function at a court level. They are non-tenured AOC personnel who are appointed by, and serve at the pleasure of, the judges who appoint them. Their duties tend to support the administrative business of the court and may include monitoring case flow to ensure efficient processing and making recommendations for improvement of case flow management, compiling statistical reports, scheduling hearings and other court proceedings, managing dockets, assisting with recruitment/selection/training of court personnel, scheduling interpreting services, managing the jury pool, supervising staff and job assignments, acting as a liaison with the public, and performing other duties as assigned by the judge(s).*

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2. Were responsibilities changed in the past as a result of reform? If known, please provide any details that might be available regarding the transition?

*Our court system transitioned 31 years ago, and so I've had to go back into its history. I believe there were individuals called "county court administrators" who assisted the county courts with probate matters. We had many trial courts prior to transitioning in 1978 (Justice of the Peace Courts, County Courts, Fiscal Courts, Quarterly Courts, city Police Courts, and Circuit Courts); I do not know whether these courts, other than the county courts, had court administrators. So, I am unable to ascertain whether our current trial court administrators resemble our former court administrators.*

*Prior to the transition in 1978, our circuit court clerks were fee-based; they received their compensation entirely from the court fees they collected. They paid the fees into the state (or county) treasury and were compensated out of the treasury. In 1978 clerks became state officers by statute, and their deputy clerks state employees. KRS 30A.050 (<http://www.lrc.ky.gov/KRS/030A00/050.PDF>). They began being paid on a straight salary basis out of the state treasury. As for their duties, I am not aware that they changed drastically; they have always been responsible for maintaining the records of the court.*

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## Court Administrative Structure Survey

State: *Minnesota*

Sources: *Marshall, J. (Executive Office, State Court Administrator's Office). (2009, July 14). Re: Minnesota Judicial Branch Response to the Court Administrative Structure Survey. Email to Elliott McKinnis.*

### *Introduction:*

*The Judicial Council is the administrative policy making body for the Minnesota Judicial Branch. The purpose of the Minnesota Judicial Council is to govern the judicial branch through the establishment and monitoring of administrative policies designed to achieve an accessible, fair and timely system of justice statewide and to ensure that the judicial branch functions as an independent and accountable branch of government.*

*In support of this purpose, the Judicial Council will exercise administrative policy-making authority for, but not limited to, the following:*

- *Development and implementation of the branch strategic plan;*
- *Budget priorities, budget request, and submission of the judicial branch budget request to the executive and legislative branches;*
- *Collective bargaining;*
- *Human resources;*
- *Technology;*
- *Education and organizational development;*
- *Finance, including budget distribution among levels of court and among districts;*
- *Programs, including jury, guardian ad litem, interpreter, expedited child support, and Children's Justice Initiative; and*
- *Core services, court performance and accountability.*

*The Judicial Council will fulfill its purpose with a commitment to:*

- *Making decisions based on statewide values, needs, priorities and goals in concert with the fair allocation of resources;*
- *Deliberating in many voices, but governing in one;*
- *Communicating openly and regularly with all stakeholders;*
- *Measuring achievement of statewide goals and policies;*
- *Focusing on strategies designed to meet future needs.*
- *Involving judges and administrators in implementation of policies; and*
- *Recognizing the needs of judicial districts to adopt local policies not inconsistent with Judicial Council policies.*

### **A. BUDGET**

1. Please identify any policies or guidelines (a) governing the state trial court budget preparation proposal process, or (b) used by your state and its judicial or trial court employees in creating a state court budget request. If possible, please attach a copy of these policies or guidelines.

*The Judicial Council annually sets guidelines for budget requests from each judicial district. They vary by biennium, depending on the current fiscal state of the state.*

- 
2. Please describe the entity or individual responsible for preparing and approving the state trial court budget for legislative consideration.

*Judicial Council*

3. Please describe the budget proposal preparation process. Who is involved? Specifically, are local trial court judges and administrators, or representatives of those groups, involved in the preparation of the budget?

*The state is divided into 10 administrative judicial districts. The district administrator for each district works with State Court Administration management to develop the proposed budget for the trial courts which is submitted to the Judicial Council for consideration. Each district has an internal process for soliciting requests from the judges and administrators in that district.*

4. Please describe the structure of the budget request. Is the budget proposal organized by geographic region (county), court jurisdiction (district), or function (judicial salaries, administrative personnel salaries, library costs, information technology costs, etc.)?

*The budget submitted to the Legislature is submitted by level of court. The budget submitted "assumes" the base level funding and only addresses "change requests" to the base level of funding.*

- *Supreme Court – includes Supreme Court justices and staff; State Law Library; Clerk of Appellate Courts; State Court Administration*
- *Court of Appeals – includes Court of Appeals judges and staff*
- *Trial Court – Includes all trial court judges, personnel and operating expenses*

5. How is the budget proposal approved (by consensus, by vote) and by which entity (the State Trial Court Administrative Director, the state Supreme Court, the Chief Justice of the state supreme court, Judicial Conference)?

*The budget proposal is approved by vote of the Judicial Council.*

**B. SECURITY**

1. What entity governs, manages, and pays for security detail at the trial court level in your state (state police, local trial court administrator, county sheriff)?

*County sheriff*

2. Describe the role of local law enforcement agencies (state police, county sheriff, trial court security, private court security) in providing security for the trial court system.

*The county sheriff provides bailiffs for court. The Sheriff also is responsible for general courthouse security and for security in high profile cases.*

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## C. FACILITIES

1. What government entity (state government, county government, other) owns the property on which the trial courts conduct judicial business? If property is locally owned, does the state reimburse the local government for those property costs? If so, please describe. If not, how are those locally borne costs accounted for among various trial courts in terms setting state-funded trial courts' budgets?

*County owns the property on which the trial courts conduct business. The state does not reimburse the county for the property costs. The costs are not accounted for among the trial courts.*

2. What entity manages and funds maintenance of buildings and property used by local judiciary?

*The county is responsible for building maintenance.*

3. Are proposals for upgrades, expansions, etc. made at the local level, the state level, or a combination? Are upgrades funded at the state level or local level?

*Upgrades, expansions, etc. are proposed at the county level and are funded at the county level.*

4. Please describe how other important facility related services chosen and funded?

### *Facility-related services*

- *Telephone – varies. In some counties the county maintains the telephone system and bills the court. In others, the system is maintained by the court.*
- *Facsimile – fax machines are chosen, paid for and maintained by the courts.*
- *Copy Machines – The court is responsible for copy machines in court area of the county buildings.*
- *Computers – one statewide computer system funded by the Judicial Branch*
- *IT Professional Support – paid for and supervised by each judicial district and by State Court Administration*
- *Software Management - paid for and supervised by each judicial district and by State Court Administration*
- *IT Upgrades – Paid for by each judicial district and by State Court Administration.*

## D. PERSONNEL SYSTEM

1. Are standard recruitment, qualifications, job descriptions, and employment and discipline policies used statewide, or are these standards set at the local level? Please attach documents or provide contact information to obtain more specific information.

*The Minnesota Judicial Branch has a statewide Compensation and Classification System. The Minnesota Judicial Branch has statewide HR Rules.*

2. Does your state use standard personnel policies in addressing staffing and salary issues of trial courts or are staffing and salary issues decided at a local level?

*See above. The district administrator and the local county court administrator make these decisions within the parameters set in the Branchwide Rules.*

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3. Are there standard recruitment, qualifications, job descriptions, employment and discipline policies that are used statewide, or are the standards set or issues addressed on a local level?

*The Rules are applicable statewide. Local jurisdictions are responsible for addressing issues within the parameters of the statewide rules.*

4. Whether at the state or local level, please describe how pay scales for trial court judges and court personnel are created and implemented. Please attach documents if possible.

*Pay for judges is set by law. Pay for local court personnel is set pursuant to Judicial Branch Classification and Compensation System.*

5. If your state adopted a state-funded trial court system, did your state normalize unevenly staffed and/or unevenly paid trial court personnel? If so, how (phased in over time, equalizing salary and benefits)?

*Minnesota normalized unevenly paid trial court personnel at the time they employees because state funded. This was done by asking for state funds to accomplish this task.*

*We are normalizing unevenly funded districts over time. We are normalizing unevenly staffed districts over time.*

#### E. FEE GENERATION/ALLOCATION

1. How are trial court fees currently allocated?

*Set by statute.*

2. Prior to adopting a state-funded system of trial courts, was the allocation of fees different? How was the transition made upon reform? Did the fees stay outside of the state-funded system or were the fees incorporated into the state-funded trial court budget? What entities and persons, if any, were impacted by reallocation?

*Filing fees went to state general fund before state funding. Distribution of court fines was allocated between prosecution, law enforcement and county. Since state funding occurred the State General fund gets the county portion of the fine.*

Fees are not part of the state funded judicial branch.

#### F. OTHER COURT PROGRAMS

1. How are the following courts and programs linked to the trial court system?

- a. Courts

- i. Family Courts

*Part of Judicial Branch - division of district court in each county.*

- ii. Drug Courts

*Part of Judicial Branch*

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iii. Problem Solving Courts  
*Part of Judicial Branch*

iv. Others (please describe)

b. Programs

i. GAL (Guardian ad Litem)  
*Part of Judicial Branch*

ii. CASA (Court Appointed Special Advocate)  
*Not applicable*

iii. Mediation programs  
*Outside Judicial Branch*

iv. Re-entry programs  
*Outside Judicial Branch*

v. Drug and alcohol programs  
*Outside Judicial Branch*

vi. Pauper defense  
*Outside Judicial Branch*

vii. Probation  
*Outside Judicial Branch*

viii. Others (please describe)

2. Currently, what entity is responsible for budget and management issues between and among these specialized local courts and programs and the trial court system?

*There are no specialized local courts outside the Judicial Branch.*

3. Did reform impact other local courts or programs? If so, how?

*No.*

G. CLERKS OF COURT AND COURT ADMINISTRATORS

1. Please describe the responsibilities of clerks of court and trial court administrators, if applicable? At what level do they function (county, court, region)? How do these two functions interact

*Court administrators are responsible for day-to-day operations in each county. Judicial District administrators are responsible for district wide programs, policies, budget, etc. Judicial District Administrators supervise the court administrators in each district.*

2. Were responsibilities changed in the past as a result of reform? If known, please provide any details that might be available regarding the transition?

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*State funding resulted in a switch in which entity is ultimately responsible for the budget. Prior to state funding court administrators often worked directly with county boards to obtain funding for local court staff and operations. After state funding this is all coordinated at the district level and each court is given a budget.*

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## Court Administrative Structure Survey

State: *New York*  
Source: *Mangold, N. (Director of Court Operations, New York Office of Court Administration). (2009, June 1-12). Telephone and email communications with Cynthia Baker.*  
*Lilly Marquez, L. (Administrative Assistant to Chief Clerk of Civil Division for Bronx County). (2009, June 1-12). Telephone and email communications with Cynthia Baker.*  
*Michael Colodner, M. (Counsel to Bronx County Court). (2009, June 1-19). Telephone and email communications with Cynthia Baker.*  
*John Segretti, J. (Chief Court Attorney of the 12<sup>th</sup> Judicial District of New York). (2009, June 1-19). Telephone and email communications with Cynthia Baker.*  
*Bookstaver, D. (Communication Coordinator of the New York Office of Court Administration) (2009, June 1-12). Telephone and email communications with Cynthia Baker.*  
*Burton, S. (Principal Budget Analyst of Division of Financial Management, New York Office of Court Administration). (2009, July 6-10). Email communications with Cynthia Baker.*

In late 2007, the Indiana Commission on Local Government Reform recommended the transition of Indiana trial courts from a mix of state and local funding to full state funding. As a result, the Indiana Supreme Court, Division of State Court Administration has commissioned a study of state administrative structures for managing state trial courts, particularly in state-funded systems. They have contracted with the Indiana University Center for Urban Policy and the Environment and the Indiana University School of Law's Program on Law and State Government to conduct the study.

The bulk of the questions below address your current structure with respect to a number of specific administrative functions. The Division of State Court Administration also is interested in any details about administrative transitions that may be available regarding your state's move to state funding of trial courts, state administrative oversight, or the unification of trial courts. We recognize that many states made these changes decades ago, but we would appreciate any help in identifying how administrative functions were transitioned and any lessons that were learned as a result.

### A. BUDGET

1. Please identify any policies or guidelines (a) governing the state trial court budget preparation proposal process, or (b) used by your state and its judicial or trial court employees in creating a state court budget request. If possible, please attach a copy of these policies or guidelines.

*Budget information and information regarding the trial court budget proposal process are available at <http://www.courts.state.ny.us/admin/financialops/FPCM.shtml>.*

2. Please describe the entity or individual responsible for preparing and approving the state trial court budget for legislative consideration.

*The Chief Administrative Judge, on behalf of the OCA (Office of Court Administration). While setting the budget proposal is a collaborative, collective process, the Chief AJ presents the line item budget for the trial courts. Trial court judges are not heavily involved in this process, except as members of commissions or working groups established to address a particular issue (adding a drug court, for example).*

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3. Please describe the budget proposal preparation process. Who is involved? Specifically, are local trial court judges and administrators, or representatives of those groups, involved in the preparation of the budget?

*The budget preparation and proposal process works through NY's twelve judicial districts and four judicial departments. Each district makes its budget report/request through its chief judge. The proposal would, for example, include a request and full proposal for adding court security and the costs of this improvement. The districts' reports go to the respective departments and the OCA for review and development of the final budget proposal. This happens on an annual basis, with every NY budget cycle/fiscal year (April 1 – March 31).*

4. Please describe the structure of the budget request. Is the budget proposal organized by geographic region (county), court jurisdiction (district), or function (judicial salaries, administrative personnel salaries, library costs, information technology costs, etc.)?

*Budget structure, submitted by OCA to legislature for review and appropriations, is a comprehensive policy and fiscal document and is broken down by: geographic region, judicial division, and function. Copy of '09-'10 budget:  
<http://www.courts.state.ny.us/admin/financialops/Budgets.shtml>*

5. How is the budget proposal approved (by consensus, by vote) and by which entity (the State Trial Court Administrative Director, the state Supreme Court, the Chief Justice of the state supreme court, Judicial Conference)?

*While budget process is collaborative and collective, the budget proposal is submitted by the Chief Administrative Judge, on behalf of OCA. Example of most recent court budget request:  
<http://www.courts.state.ny.us/admin/financialops/Bgt09-10/0910ProgramDetails.pdf> Prior budgets available here: <http://www.courts.state.ny.us/admin/financialops/Budgets.shtml>*

## B. SECURITY

1. What entity governs, manages, and pays for security detail at the trial court level in your state (state police, local trial court administrator, county sheriff)?

*NY's OCA governs, manages, and pays for security detail for trial courts. The court security officers are specially trained and paid for through the OCA budget. Security needs for NY's diverse trial court jurisdictions vary. In some districts, the local sheriffs provide security, but those officers are reimbursed by the judicial district budget. In Cayuga County, OCA switched from reimbursing local security officers (pursuant to an MOU) for the Cayuga County courts to paying for state court security officers directly. This switch happened in 2005, due, in part, to the expiration of the MOU between OCA and the Cayuga Sheriff's Department.*

2. Describe the role of local law enforcement agencies (state police, county sheriff, trial court security, private court security) in providing security for the trial court system.

*As indicated above, security officers (local or state) are trained for court security situations, transferring of prisoners, evidence protection, juror protection, judicial security, etc. Trial court security personnel cover all court security issues.*

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## C. FACILITIES

1. What government entity (state government, county government, other) owns the property on which the trial courts conduct judicial business? If property is locally owned, does the state reimburse the local government for those property costs? If so, please describe. If not, how are those locally borne costs accounted for among various trial courts in terms setting state-funded trial courts' budgets?

*Local governments own the property housing the trial courts. Neither the state nor OCA generally owns the property, nor does the state reimburse (in the form of lease payments, etc.) for use of the property. The answer is more complicated (one respondent used the term "wildly complicated") when it comes to building a new building or other direct capital expenses.*

2. What entity manages and funds maintenance of buildings and property used by local judiciary?

*The county/city/borough government manages and funds the maintenance of the buildings, but some of this may be reimbursed by the OCA. For example, the current judicial budget (see A.1) has line items for maintenance, court facilities incentive aid, and capital projects.*

3. Are proposals for upgrades, expansions, etc. made at the local level, the state level, or a combination? Are upgrades funded at the state level or local level?

*Proposals for upgrades, expansions are made at the local level through the normal budget process. As indicated above, most of these costs are borne at the local level, but the state OCA may reimburse on a case by case basis.*

4. Please describe how other important facilities related services chosen and funded?

### Facility-related services

- Telephone
- Facsimile
- Copy Machines
- Computers
- IT Professional Support
- Software Management
- IT Upgrades

*Other facility related services appear to be funded at the state level: telephone, facsimile, IT support and management, etc. All addressed in budget process.*

## D. PERSONNEL SYSTEM

1. Are standard recruitment, qualifications, job descriptions, and employment and discipline policies used statewide, or are these standards set at the local level? Please attach documents or provide contact information to obtain more specific information.

*Trial court personnel recruitment, qualifications, job descriptions and employment and discipline policies are set and implemented at the state level. Current titles, job descriptions and qualifications: <http://www.courts.state.ny.us/careers/titlestandards.shtml>*

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3. Does your state use standard personnel policies in addressing staffing and salary issues of trial courts or are staffing and salary issues decided at a local level?

*Standard staffing and salary issues have been managed by OCA since 1977.*

4. Whether at the state or local level please describe how pay scales for trial court judges and court personnel are created and implemented. Please attach documents if possible.

*Trial court judges' salaries are set by legislature. State judges have not received a salary increase (including cost of living) since 1998. Salary grades for non-judicial court positions are implemented at state level: <http://www.goer.state.ny.us/cna/csea-2007-2011.html> Currently, all salaries are capped because of '08 economic downturn.*

5. If your state adopted a state-funded trial court system, did your state normalize uneven staffing and/or unevenly paid trial court personnel? If so, how (phased in over time, equalizing salary and benefits)?

*All salaries were normalized in 1977. No additional information is available about the method used.*

#### E. FEE GENERATION/ALLOCATION

1. How are trial court fees currently allocated?

*Pursuant to NY State Finance Law, with one exception, all civil filing fees are submitted to the NY State Treasury and deposited in the State's General Fund. \$26 of the \$210 filing fee (collected by the supreme and county courts) is retained at the local level (the county and/or NYC) to pay for indexing the case. <http://www.courts.state.ny.us/admin/financialops/FPCM.shtml>*

*Bail monies remain at the local level. Sanctions (costs imposed on parties and lawyers who do not play by the rules) are allocated in the following manner: (1) if the person who is sanctioned is not an attorney, the sanction fee (which must be less than \$10K) goes to the state fund. (2) If the sanctioned party is an attorney, the sanction fee goes to the state's Lawyers' Fund for Client Protection (which is also administered at the state level.*

2. Prior to adopting a state-funded system of trial courts, was the allocation of fees different? How was the transition made upon reform? Did the fees stay outside of the state-funded system or were the fees incorporated into the state-funded trial court budget? What entities and persons, if any, were impacted by reallocation?

*Trial court fees did not exist in NY pre-1977.*

#### F. OTHER COURT PROGRAMS

1. How are the following courts and programs linked to the trial court system?

*Courts and programs linked to the trial court system through the budget.*

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a. Courts

*Models for separate courts established or adopted by OCA. OCA works with Chief Administrative Judges throughout the state in developing and implementing these courts at the local level through the budget process.*

- i. Family Courts
- ii. Drug Courts
- iii. Problem Solving Courts
- iv. Others (please describe)

b. Programs

*Other court programs are established and implemented similarly. Several respondents emphasized that these programs are not haphazardly implemented, and that each is developed from a state model plan or program. Each is implemented, developed, or modified at the local level through the annual budget process.*

- i. GAL (Guardian ad Litem)
- ii. CASA (Court Appointed Special Advocate)
- iii. Mediation programs
- iv. Re-entry programs
  
- v. Drug and alcohol programs
- vi. Pauper defense
- vii. Probation
- viii. Others (please describe)

2. Currently, what entity is responsible for budget and management issues between and among these specialized local courts and programs and the trial court system?

*Budget and management issues for special courts and programs are consolidated through the Administrative Judge for each of twelve judicial districts and implemented through OCA. Respondents indicated that this seems to happen "naturally" through the budget process.*

3. Did reform impact other local courts or programs? If so, how?

G. CLERKS OF COURT AND COURT ADMINISTRATORS

1. Please describe the responsibilities of clerks of court and trial court administrators, if applicable? At what level do they function (county, court, region)? How do these two functions interact?

*New York has both appointed clerks and trial court administrators. All positions seem to function by judicial district, which, in NY, is most often a county, but not always (usually, a borough or a city or consolidated counties). Court clerks deal with cases, calendaring, and docket management issues, while court administrators (some of whom also have the title of clerk) deal with court operations (human resources), jury services, preparing budget, technology, public safety, and facilities issues. It seems these positions' interactions depend greatly on the size and docket pressures (number of filings, variety of cases, etc.) of that judicial district.*

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*One standardized aspect of both of these positions (administrator and/or clerk) is that the first line of supervision of administrators and chief clerks would be, in all cases, the chief administrative judge for that judicial district.*

2. Were responsibilities changed in the past as a result of reform? If known, please provide any details that might be available regarding the transition?

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## Court Administrative Structure Survey

State: *North Dakota*  
Source: *Sally Holewa, State Court Administrator. (2009, May 27). Re: Court Administrative Structure Survey. Email to Elliott McKinnis.*

In late 2007, the Indiana Commission on Local Government Reform recommended the transition of Indiana trial courts from a mix of state and local funding to full state funding. As a result, the Indiana Supreme Court, Division of State Court Administration has commissioned a study of state administrative structures for managing state trial courts, particularly in state-funded systems. They have contracted with the Indiana University Center for Urban Policy and the Environment and the Indiana University School of Law's Program on Law and State Government to conduct the study.

The bulk of the questions below address your current structure with respect to a number of specific administrative functions. The Division of State Court Administration also is interested in any details about administrative transitions that may be available regarding your state's move to state funding of trial courts, state administrative oversight, or the unification of trial courts. We recognize that many states made these changes decades ago, but we would appreciate any help in identifying how administrative functions were transitioned and any lessons that were learned as a result.

### A. BUDGET

1. Please identify any policies or guidelines (a) governing the state trial court budget preparation proposal process, or (b) used by your state and its judicial or trial court employees in creating a state court budget request. If possible, please attach a copy of these policies or guidelines.

*The state court administrator establishes general guidelines. See attached 2009-2011 Budget Guidelines for District Courts. These are supported by numerous worksheets that assist the administrators in capturing current and future requirements. Questions about the guidelines or worksheets can be directed to our Director of Finance, Don Wolf. He can be reached via e-mail at: [dwolf@ndcourts.gov](mailto:dwolf@ndcourts.gov) or by telephone at: 701-328-4216.*

2. Please describe the entity or individual responsible for preparing and approving the state trial court budget for legislative consideration.

*It is the role of the state court administrator to prepare the budget, and it is the role of the chief justice to approve the budget for legislative consideration.*

3. Please describe the budget proposal preparation process. Who is involved? Specifically, are local trial court judges and administrators, or representatives of those groups, involved in the preparation of the budget?

*The trial court administrators will work with their presiding judges to create a budget for the unit. The units' requests are submitted to the office of the state court administrator. The office staff can make adjustments to the district courts' budget. There is a state-level administrative council that consists of judges from across the state. The council serves in an advisory capacity, as it considers the trial court component of the state's judicial budget. The chief justice can make the final adjustments to the state's judicial budget before the state's legislature considers it.*

- 
4. Please describe the structure of the budget request. Is the budget proposal organized by geographic region (county), court jurisdiction (district), or function (judicial salaries, administrative personnel salaries, library costs, information technology costs, etc.)?

*It is written as proposed legislation and is collapsed into a single "Court" budget that is divided between Supreme Court, District Court, and Judicial Conduct Commission and Disciplinary Board. It does not identify specific amounts for any court, district, or unit or program unless it is a special pilot project. Please see attached SB 2002 for more information.*

5. How is the budget proposal approved (by consensus, by vote) and by which entity (the State Trial Court Administrative Director, the state Supreme Court, the Chief Justice of the state supreme court, Judicial Conference)?

*The chief justice has complete and final authority over the entire court system budget.*

## B. SECURITY

1. What entity governs, manages, and pays for security detail at the trial court level in your state (state police, local trial court administrator, county sheriff)?

*County Sheriff provides all local security for trial courts. There are no state funds allocated for security, with three minor exceptions these are:*

*1. We have a full-time Security Coordinator under contract to the Office of the State Court Administrator. His job is to provide regular security checks at all courthouses and make recommendations on security improvements.*

*2. Counties can apply for grants through the Court Facility Improvement and Maintenance fund to purchase security equipment or remodel facilities to enhance security.*

*3. If funds are available, the county can apply to the Office of the State Court Administrator for up to 50% match on security equipment.*

2. Describe the role of local law enforcement agencies (state police, county sheriff, trial court security, private court security) in providing security for the trial court system.

*The county sheriff provides for security of the courthouse, including installing and monitoring metal detectors, cameras, and duress buttons. The county sheriff will provide courtroom security on an as-needed basis for specific cases. No county provides bailiffs for routine court hearings.*

## C. FACILITIES

1. What government entity (state government, county government, other) owns the property on which the trial courts conduct judicial business? If property is locally owned, does the state reimburse the local government for those property costs? If so, please describe. If not, how are those locally borne costs accounted for among various trial courts in terms of setting state-funded trial courts' budgets?

*The county governments own the court facilities. Also, some counties have asked the legislature to require that the court pay the counties rent. However, the legislature has not done so.*

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2. What entity manages and funds maintenance of buildings and property used by local judiciary?

*Each county is responsible for the district court facility located in that county.*

3. Are proposals for upgrades, expansions, etc. made at the local level, the state level, or a combination?  
Are upgrades funded at the state level or local level?

*Upgrades, expansions, remodels, and new construction are done at the local level. A legislative proposal to assist a county with funding a new courthouse was soundly defeated this session.*

4. Please describe how other important facility related services chosen and funded?

Facility-related services

- Telephone  
*County, although they may elect to use the state network for telephone service. If they choose this option, they work directly with the Information and Technology Department in the Executive Branch.*
- Facsimile  
*The State provides the equipment and pays the line charges.*
- Copy Machines  
*The State provides the equipment and pays the line charges.*
- Computers  
*The State provides the equipment and pays the line charges.*
- IT Professional Support  
*The court has its own IT Department which provides support to the local courts. When on-site support is required it may be done by the county IT staff, the court IT staff, or through a vendor contract – it just depends on the type and urgency of the issue. If not provided by the court's IT staff, the court is billed for the services.*
- Software Management  
*The court has its own IT Department. At least 80% of our users are on Citrix, which allows for remote management of software installation, patches, upgrades, etc.*
- IT Upgrades  
*The court has its own IT Department. At least 80% of our users are on Citrix, which allows for remote management of software installation, patches, upgrades, etc.*



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E. FEE GENERATION/ALLOCATION

1. How are trial court fees currently allocated?

*Allocation is established by statute. Fees that existed prior to 1/1/01 continue to go to the individual county, those established after 1/1/01 go to the state.*

2. Prior to adopting a state-funded system of trial courts, was the allocation of fees different? How was the transition made upon reform? Did the fees stay outside of the state-funded system or were the fees incorporated into the state-funded trial court budget? What entities and persons, if any, were impacted by reallocation?

*See above. There was no impact to other entities because fee splits such as domestic violence surcharges continued as they were. The counties lost fee revenue but were also relieved of the responsibility for clerk of court and juvenile court salaries and operating costs.*

F. OTHER COURT PROGRAMS

1. How are the following courts and programs linked to the trial court system?

a. Courts

- i. Family Courts

*We have one pilot court in place that is integrated into the district court.*

- ii. Drug Courts

*We have numerous drug courts for both juveniles and adults and they are integrated into the district court.*

- iii. Problem Solving Courts

*Not applicable*

- iv. Others (please describe)

b. Programs

- i. GAL (Guardian ad Litem)

*This is a statewide program administered by the University of North Dakota under contract to the Office of the State Court Administrator.*

- ii. CASA (Court Appointed Special Advocate)

*Not Applicable*

- iii. Mediation programs

*We have a statewide program for family cases administered by Office of the State Court Administrator. We do not have a mediation program for other types of cases.*

- iv. Re-entry programs

*This is a Department of Corrections program.*

- v. Drug and alcohol programs

*Not applicable*

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- vi. Pauper defense  
*This is a state program administered by the Commission on Indigent Defense, which is a legislative branch entity.*
  - vii. Probation  
*Juvenile probation is part of the juvenile court, which is a division of the district court. Adult probation is under the Department of Corrections.*
  - viii. Others (please describe)
2. Currently, what entity is responsible for budget and management issues between and among these specialized local courts and programs and the trial court system?

*Budgets for these courts and programs are incorporated into either the district court or the supreme court budget.*

3. Did reform impact other local courts or programs? If so, how?

*None that I am aware of.*

#### G. CLERKS OF COURT AND COURT ADMINISTRATORS

1. Please describe the responsibilities of clerks of court and trial court administrators, if applicable? At what level do they function (county, court, region)? How do these two functions interact?

*To put it simplistically, the Clerk of Court manages the clerk's office at the individual county level. He or she is responsible for caseload management, personnel management, maintaining court facilities, and general administration at the county level. The trial court administrator is a regional administrator and is responsible for overseeing and directing the clerks of court.*

2. Were responsibilities changed in the past as a result of reform? If known, please provide any details that might be available regarding the transition?

*Prior to August 1, 2004, the clerk of court was supervised by the presiding judge. Trial court administrators and Assistants to the Presiding Judge were employed but they functioned as caseload management specialists and assistants to the judges and were not responsible for clerk of court operations.*