

Judiciary/Supreme Court

House Transportation and Justice Subcommittee

*Jamie L. Slotten, Budget Analyst
Legislative Service Commission*

March 5, 2003

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LSC Redbook

for the

The Judiciary/Supreme Court

**House Transportation and Justice
Subcommittee**

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March 5, 2003

Note: The estimated General Revenue Fund (GRF) spending for FY 2003 used in this LSC Redbook reflects the 2.5% reduction made as a result of the Governor's January 22, 2003 budget cut order. The executive reduction was applied across-the-board to FY 2003 GRF appropriations, subject to certain exceptions. Subsequent to such reductions (and not reflected in the Redbook), state agencies were permitted to reallocate the amount that each of their GRF appropriation line items was reduced, while still absorbing the 2.5% budget cut within the total amount of their GRF appropriations.

The Judiciary/ Supreme Court

- Bulk of GRF budget covers state share of Ohio judges' salaries
- Relocation to Ohio Courts Building scheduled for Spring 2004

OVERVIEW

The Supreme Court of Ohio is established by Article IV, Section 1 of the Ohio Constitution, which provides that: “The judicial power of the state is vested in a supreme court, courts of appeals, courts of common pleas and divisions thereof, and such other courts inferior to the supreme court as may from time to time be established by law.” The Court is comprised of a Chief Justice and six justices who are elected in even numbered years to six-year terms. The Court has the final say on the interpretation of both the Constitution of the State of Ohio and Ohio law. The majority of the cases heard by the Court are appeals from the state’s 12 district courts of appeals. The Court also:

- Hears appeals involving contested elections;
- Hears appeals from cases dealing with an interpretation of the United States Constitution or the Ohio Constitution, cases in which the death penalty was imposed, cases in which the courts of appeals have offered conflicting opinions, and appeals from the Board of Tax Appeals and the Public Utilities Commission;
- Has original jurisdiction for certain special remedies that permit a person to file an action directly in the Supreme Court of Ohio. These are the writs of habeas corpus, mandamus, procedendo, prohibition, and quo warranto;
- Adopts rules governing practice and procedure in Ohio’s courts, which become effective unless both houses of the General Assembly adopt a concurrent resolution of disapproval;
- Exercises general superintendence over all state courts through its rule-making authority;
- Admits attorneys to the practice of law in Ohio;
- Disciplines judges and attorneys for violation of their respective codes of conduct;
- Responsible for addressing complaints alleging the unauthorized practice of law.

GRF budget

The Judiciary/Supreme Court (JSC) proposed biennial budget totals \$248.6 million (\$121.4 million in FY 2004 and \$127.2 million in FY 2005), over 95% of which represents funding appropriated from the GRF. The JSC GRF budget has the following three readily identifiable components:

- (1) **Judicial salaries.** This component of the GRF budget funds the state’s share of the salaries and benefits of judges of the courts of appeals, courts of common pleas, municipal courts, county courts, and county clerks of courts (projected FY 2004 cost of \$72.8 million).
- (2) **Courts of appeals support staff.** This component of the GRF budget funds the salaries for the support staff of the state’s 12 courts of appeals (projected FY 2004 cost of \$18 plus million).
- (3) **Supreme Court operations.** This component of the GRF budget funds the salaries of the justices and staff, the future operation and maintenance of the Ohio Courts Building, and the provision of programs that benefit the trial and appellate courts (projected FY 2004 cost of around \$25.0 million).

These components also suggest that, in any given year, of the spending from the JSC’s budget, 75% to 80% pays for the state share of the salaries and fringe benefits of judges and certain court personnel and 20% to 25% pays for the operation of the Supreme Court.

Special Revenue Funds

Non-GRF funds totaling \$8.7 million over the next biennium are also appropriated for the purpose of providing judicial education, continuing legal education, bar admissions, and attorney registration.

Criminal Sentencing Commission

The annual operating expenses of the Ohio Criminal Sentencing Council are also contained in the JSC budget and are paid almost entirely from a GRF special purpose account (line item 005-401). The Council, created pursuant to section 181.21 of the Revised Code, is charged with, among other duties and responsibilities, studying the state’s criminal laws, sentencing patterns, and juvenile offender dispositions, recommending comprehensive sentencing plans to the legislature, and advising legislative committees and members when bills that affect criminal sentencing are considered and enacted. Traditionally, the Council has been referred to as the Ohio Criminal Sentencing Commission.

Budgetary Structure

Prior to FY 1998, The Judiciary (JUD) and the Supreme Court of Ohio (SUP) operated under separate budget structures, although the reality was that the Court in effect had control of and managed The Judiciary budget. The Judiciary is not a state entity, but a collection of accounts that are administered by personnel of the Court. Amended Substitute House Bill 215 of the 122nd General Assembly, the main operating appropriations bill covering FYs 1998 and 1999, merged the two separate budget structures into a single “agency” budget known as The Judiciary/Supreme Court. The merger was undertaken, at the Court’s request, in order to ease its administrative burdens. As a result, roughly a half-dozen of the Court’s existing line items were realigned so that the state’s accounting system more accurately reflected the merged budgetary structure.

ANALYSIS OF EXECUTIVE PROPOSAL

The Judiciary/Supreme Court

Purpose: To operate the state judicial system and to regulate the practice of law

The following table displays the line items that are used to fund The Judiciary/Supreme Court, as well as the Governor’s recommended funding levels.

Fund	ALI	Title	FY 2004	FY 2005
GRF	005-321	Operating Expenses	\$114,846,495	\$119,867,425
GRF	005-401	State Criminal Sentencing Council	\$ 346,194	\$ 356,371
GRF	005-406	Law -Related Education	\$ 209,836	\$ 216,131
GRF	005-502	Legal Education Opportunity Commission	\$ 685,000	\$ 1,270,000
GRF Subtotals			\$116,087,525	\$121,709,927
SSR	005-605	Attorney Registration	\$ 2,332,733	\$ 2,495,171
SSR	005-606	Supreme Court Admissions	\$ 1,230,514	\$ 1,267,428
SSR	005-607	Commission on Continuing Legal Education	\$ 568,788	\$ 587,210
SSR	005-609	Grants and Awards	\$ 33,296	\$ 33,296
SSR Subtotals			\$ 4,165,331	\$ 4,383,105
GSF	005-601	Continuing Judicial Education	\$ 126,000	\$ 120,000
GSF Subtotals			\$ 126,000	\$ 120,000
FED	005-603	Federal Grants	\$ 1,030,061	\$ 1,030,061
FED Subtotals			\$ 1,030,061	\$ 1,030,061
Total Funding: The Judiciary/Supreme Court			\$121,408,917	\$127,243,093

The Judiciary/Supreme Court (JSC) is a single program series agency that essentially finances the operational expenses of the Supreme Court of Ohio, as well as the state’s contribution to the compensation paid to various judges. In this section of the analysis, the JSC budget is organized under a single program header as follows:

■ OPERATING EXPENSES

Operating Expenses

Program Description: The Supreme Court of Ohio: (1) adopts rules governing practice and procedure in Ohio’s courts, (2) exercises superintendence over all state courts through its rule-making authority, (3) admits attorneys to the practice of law in Ohio, and (4) disciplines judges and attorneys for violation of their respective codes of conduct. The Court is established by Article IV, Section 1 of the Ohio Constitution, which provides that: “The judicial power of the state is vested in a supreme court, courts of appeals, courts of common pleas and divisions thereof, and such other courts inferior to the supreme court as may from time to time be established by law.”

The JSC budget essentially funds (1) the salaries and fringe benefits of the judges of the Supreme Court of Ohio and the courts of appeals, (2) the state’s share of the judge’s salaries and fringe benefits in the courts of common pleas, municipal courts, and county courts, (3) other expenses of the state’s judicial system, including supplements to the clerks of the courts of common pleas, (4) the Supreme Court of Ohio’s operational expenses, including the cost of continuing judicial and legal education and regulating

the practice of law, and (5) operations of the Ohio Criminal Sentencing Commission.

Funding Source: (1) GRF, (2) admissions and registration fees, and (3) grants and awards

Line Items: 005-321, Operating Expenses; 005-401, State Criminal Sentencing Council; 005-406, Law-Related Education; 005-502, Commission for Legal Education Opportunity; 005-605, Attorney Registration; 005-606, Supreme Court Admissions; 005-607, Commission on Continuing Legal Education; 005-609, Grants and Awards; 005-601, Continuing Judicial Education; 005-603, Federal Grants

Implication of the Executive Recommendation: Under the executive budget, total GRF funding for The Judiciary/Supreme Court will increase: (1) by \$14.1 million in FY 2004, an increase of 13.8% from an adjusted FY 2003 appropriation of \$101.9 million, and (2) by \$5.6 million in FY 2005, an increase of 4.8% from the FY 2004 requested amount.

The recommended GRF funding levels, in part, reflect two major events. First, Sub. H.B. 712 of the 123rd General Assembly established a schedule of increase in the annual compensation of various judicial personnel, including judges, through calendar year 2008. Thus, over the course of the next biennium, judges' salaries could increase by as much as 3% annually. Second, the Supreme Court of Ohio, and related judicial entities, is scheduled to move into the newly restored Ohio Courts Building by March 2004. The Court will actually operate and maintain the building, which will require it to hire an estimated 30 or so security, management, and maintenance personnel. State agencies generally are not responsible for the management and operation of space occupied in state-owned buildings. However, in this case, apparently because the judicial branch of Ohio government will be the primary tenant of the building, the Court has been delegated to assume all responsibility for the building.

The Court's GRF funding request includes \$685,000 in FY 2004 and \$1,270,000 in FY 2005 to support activities of the Commission for Legal Education Opportunity (GRF line item 005-502). The Commission was first funded in FY 2003 with a GRF appropriation of \$657,600 to assist minority, lower income, and educationally disadvantaged college graduates in gaining access to and completing a legal education by sponsoring intensive preparatory courses, as well as to provide stipends for tuition and living expenses. In order to constrain FY 2003 GRF expenditures, the funding was subsequently reduced to \$150,000. Based on conversations with the Court, the state's current budgetary climate appears to have had a role in delaying implementation of the legal education opportunity initiative.

Earmarking: Pursuant to temporary law, all of the funding appropriated to GRF line item 005-406, Law Related Education, is to be distributed directly to the Ohio Center for Law Related Education (\$209,836 in FY 2004 and \$216,131 in FY 2005).

Permanent and Temporary Law: The executive budget does not contain any permanent law changes that appear to directly affect the Supreme Court of Ohio. The executive budget does contain eight temporary law provisions that address the Court's budget. The temporary law provisions are summarized in the *Permanent and Temporary Law* section of this budget analysis.

ADDITIONAL FACTS AND FIGURES

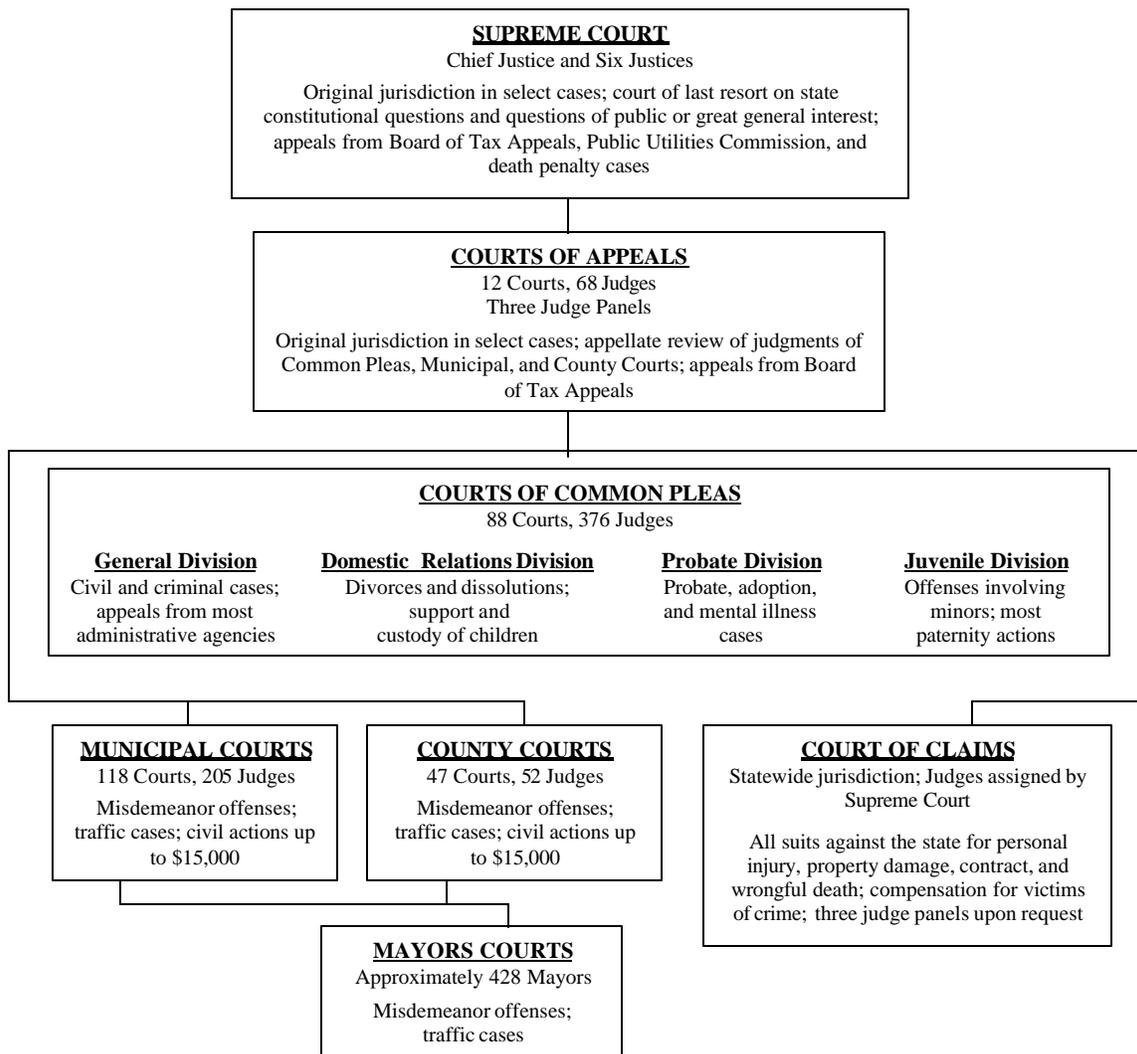
The Judiciary/Supreme Court Staffing Levels				
FY 2001	FY 2002	FY 2003*	FY 2004*	FY 2005*
209.5	216.5	224.5	259.0	260.0

*The staffing levels displayed in the above table represent full-time equivalents (FTEs). The number of FTEs for FYs 2003, 2004, and 2005 are estimates.

Over the course of the next biennium, as a direct result of being charged with responsibility for the operation and maintenance of the newly restored Ohio Courts Building, the Supreme Court of Ohio will have to hire an estimated 30 or so security, management, and maintenance personnel.

The staffing levels displayed in the above table do not include judges, courts of appeals staff, and clerks of county courts for whom the Court pays all or a portion of their annual salary and fringe benefits.

The chart below visually depicts the structure of the Ohio judicial system as of August 2002.



PERMANENT AND TEMPORARY LAW

This section describes permanent and temporary law provisions contained in the executive budget that will affect the Supreme Court of Ohio's activities and spending decisions during the next biennium.

Permanent Law Provisions

There appear to be no permanent law provisions contained in the executive budget that directly affect the operations of the Supreme Court of Ohio.

Temporary Law Provisions

The temporary law provisions contained in the executive budget directly affecting the operations of the Supreme Court of Ohio are described in more detail below.

Law-Related Education (GRF line item 005-406)

Some of the more notable aspects of the funding and temporary law associated with the Court's GRF line item 005-406, Law-Related Education, can be summarized as follows:

- Temporary law instructs the Court to distribute the funds directly to the Ohio Center for Law-Related Education for the purposes of providing continuing citizenship education activities to primary and secondary students, expanding delinquency prevention programs, increasing activities for at-risk youth, and accessing additional public and private money for new programs.
- The amount so earmarked totals \$209,836 in FY 2004 and \$216,131 in FY 2005.
- The GRF line item and related temporary law first appeared in Am. Sub. H.B. 298 of the 119th General Assembly, the main operating appropriations act covering FYs 1992 and 1993.
- An analogous GRF line item and related temporary law are part of the Office of the Attorney General's budget (line item 005-405, Law-Related Education, with recommended appropriations of \$193,402 in FY 2004 and \$194,183 in FY 2005).
- The Ohio Center for Law-Related Education is a nonprofit organization that delivers a variety of law-related and citizenship education services – both programs and materials – to teachers and students of primary and secondary schools, and draws its financial support from a mix of public and private sources. Its major statewide efforts include the Ohio Mock Trial Program, the Ohio Government in Action Project, and the Youth for Justice Summit, as well as an annual statewide law and citizenship conference.

Commission for Legal Education Opportunity (GRF line item 005-502)

Some of the more notable aspects of the funding and temporary law associated with the Court's GRF line item 005-502, Commission for Legal Education Opportunity, can be summarized as follows:

- Temporary law stipulates that the line item be used to fund the Commission for Legal Education Opportunity, which was formed by the Chief Justice of the Supreme Court of Ohio, for the purpose of assisting minority, low-income, and educationally disadvantaged college graduates in the transition to legal education.
- Temporary law also states that the moneys may be used to establish and provide an intensive

course of study, provide annual stipends for students, and pay the program's administrative costs.

- The amount so earmarked totals \$685,000 in FY 2004 and \$1,270,000 in FY 2005.
- The GRF line item and related temporary law first appeared in Am. Sub. H.B. 94 of the 124th General Assembly, the main operating appropriations act covering FYs 2002 and 2003.

Continuing Judicial Education (Fund 672)

Some of the more notable aspects of the funding and temporary law associated with the Court's Continuing Judicial Education Fund (Fund 672) can be summarized as follows:

- Temporary law stipulates that the Fund's revenue consists of fees paid by judges and court personnel for attending continuing education courses and other gifts and grants received for the purpose of continuing judicial education, and that the moneys in the Fund must be used to pay expenses for continuing education courses for judges and court personnel.
- Temporary law also allows the Court to increase the Fund's appropriation authority if deemed necessary. This means that the Court can automatically increase the Fund's appropriation authority without any further legislative action or Controlling Board approval.
- The Director of Budget and Management and the Controlling Board are prohibited from transferring moneys from Fund 672 to any other fund.
- Any interest earned on the Fund's moneys is credited to the Fund.
- Temporary law with respect to Fund 672 essentially first appeared in Am. Sub. H.B. 298 of the 119th General Assembly, the main operating appropriations act covering FYs 1992 and 1993. The provision with regard to the Fund's interest earnings was added by Am. Sub. H.B. 117 of the 121st General Assembly, the main operating appropriations act covering FYs 1996 and 1997.

Federal Grants Fund (Fund 3J0)

Some of the more notable aspects of the funding and temporary law associated with the Court's Federal Grants Fund (Fund 3J0) can be summarized as follows:

- Temporary law stipulates that the revenue stream for the Fund consists of grants and other moneys awarded by the federal government or other entities that receive the moneys directly from the federal government and distribute those moneys to the Court.
- The moneys deposited to the credit of the Fund must be used in a manner consistent with the purpose of the grant or award.
- Temporary law also allows the Court to increase the Fund's appropriation authority if deemed necessary. This means that the Court can automatically increase the Fund's appropriation authority without any further legislative action or Controlling Board approval.
- The Director of Budget and Management and the Controlling Board are prohibited from transferring moneys from Fund 3J0 to any other fund.
- Any interest earned on moneys in Fund 3J0 is to be credited to the state's GRF.
- Temporary law with respect to Fund 3J0 first appeared in Am. Sub. H.B. 298 of the 119th General Assembly, the main operating appropriations act covering FYs 1992 and 1993. The

provision with regard to the Fund's interest earnings was added by Am. Sub. H.B. 215 of the 122nd General Assembly, the main operating appropriations act covering FYs 1998 and 1999.

Attorney Registration Fund (Fund 4C8)

Some of the more notable aspects of the funding and temporary law associated with the Court's Attorney Registration Fund (Fund 4C8) can be summarized as follows:

- Temporary law permits the Fund's moneys to be used to finance any activities, including compensating employees, considered appropriate by the Court.
- Temporary law also allows the Court to increase the Fund's appropriation authority if deemed necessary. This means that the Court can automatically increase the Fund's appropriation authority without further legislative action or Controlling Board approval.
- The Director of Budget and Management and the Controlling Board are prohibited from transferring moneys from Fund 4C8 to any other fund.
- Any interest earned on the fund's moneys is credited to the Fund.
- Temporary law with respect to Fund 4C8 first appeared in Am. Sub. H.B. 298 of the 119th General Assembly, the main operating appropriations act covering FYs 1992 and 1993. The provision with regard to the Fund's interest earnings was added by Am. Sub. H.B. 117 of the 121st General Assembly, the main operating appropriations act covering FYs 1996 and 1997.

Grants and Awards (Fund 5T8)

Some of the more notable aspects of the funding and temporary law associated with the Court's Grants and Awards Fund (Fund 5T8) can be summarized as follows:

- Temporary law stipulates that the Fund's revenue stream consists of grants and other moneys awarded to the Court by the State Justice Institute, the Office of Criminal Justice Services, or other entities.
- The moneys deposited to the credit of the Fund must be used in a manner consistent with the purpose of the grant or award.
- Temporary law also allows the Court to increase the Fund's appropriation authority if deemed necessary. This means that the Court can automatically increase the Fund's appropriation authority without further legislative action or Controlling Board approval.
- The Director of Budget and Management and the Controlling Board are prohibited from transferring moneys from Fund 5T8 to any other fund.
- Any interest earned on moneys in Fund 5T8 is to be credited to the state's GRF.
- The Fund was established pursuant to Controlling Board approval on February 25, 2002. To date, there has been very little cash flow activity in the fund.

Supreme Court Admissions Fund (Fund 6A8)

Some of the more notable aspects of the funding and temporary law associated with the Court's Supreme Court Admissions Fund (Fund 6A8) can be summarized as follows:

- Temporary law requires the Fund be used to compensate employees who are primarily responsible for administering the Attorney Admissions Program and permits the Court to fund any other activities considered appropriate.
- Temporary law also allows the Court to increase the Fund's appropriation authority if deemed necessary. This means that the Court can automatically increase the Fund's appropriation authority without further legislative action or Controlling Board approval.
- The Director of Budget and Management and the Controlling Board are prohibited from transferring moneys from Fund 6A8 to any other fund.
- Any interest earned on the Fund's moneys is credited to the fund.
- Temporary law with respect to Fund 6A8 first appeared in Am. Sub. H.B. 298 of the 119th General Assembly, the main operating appropriations act covering FYs 1992 and 1993. The provision with regard to the Fund's interest earnings was added by Am. Sub. H.B. 117 of the 121st General Assembly, the main operating appropriations act covering FYs 1996 and 1997.

Continuing Legal Education Fund (Fund 643)

Some of the more notable aspects of the funding and temporary law associated with the Court's Continuing Legal Education Fund (Fund 643) can be summarized as follows:

- Temporary law associated with the fund requires its moneys to be used to compensate employees of the Commission on Continuing Legal Education, and permits the Court to fund any other activities considered appropriate.
- Temporary law also allows the Court to increase the Fund's appropriation authority if deemed necessary. This means that the Court can automatically increase the Fund's appropriation authority without further legislative action or Controlling Board approval.
- The Director of Budget and Management and the Controlling Board are prohibited from transferring moneys from Fund 643 to any other fund.
- Any interest earned on the Fund's moneys is credited to the Fund.
- Temporary law with respect to Fund 643 first appeared in Am. Sub. H.B. 298 of the 119th General Assembly, the main operating appropriations act covering FYs 1992 and 1993. The provision with regard to the Fund's interest earnings was added by Am. Sub. H.B. 117 of the 121st General Assembly, the main operating appropriations act covering FYs 1996 and 1997.

REQUESTS NOT FUNDED

Under existing law – division (B) of section 107.03 of the Revised Code – the executive branch of the state of Ohio has limited authority over the state’s judicial branch, especially in the case of their biennial budgets and associated permanent and temporary law. Although these budgets are presented to the legislature as executive recommendations, the Office of Budget and Management in reality only serves as the conduit through which judicial budgets are passed to the legislature.

General Revenue Fund

GRF 005-321 Operating Expenses - Judiciary/Supreme Court

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
\$81,262,208	\$84,585,866	\$94,996,070	\$101,334,877	\$114,846,495	\$119,867,425
	4.1%	12.3%	6.7%	13.3%	4.4%

Source: GRF

Legal Basis: Section 65 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Am. Sub. H.B. 204 of the 113th G.A., the main operating appropriations act covering FYs 1980 and 1981)

Purpose: Prior to FY 2002, this GRF line item (005-321) was used to support the state's share of judges' salaries and other expenses of the state's judicial system. At the request of the Supreme Court of Ohio, the FY 2002-2003 biennial operating budget deleted its existing GRF line item 010-321, Operating Expenses - Supreme Court, and merged its funding and purpose, which was to support operation of the Supreme Court of Ohio, into GRF line item 005-321.

GRF 005-401 State Criminal Sentencing Council

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
\$317,126	\$309,139	\$289,530	\$300,308	\$346,194	\$356,371
	-2.5%	-6.3%	3.7%	15.3%	2.9%

Source: GRF

Legal Basis: Section 65 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Am. Sub. H.B. 152 of the 120th G.A., the main operating appropriations act covering FYs 1994 and 1995)

Purpose: The GRF special purpose account supports the operation of the State Criminal Sentencing Council, which is established in section 181.21 of the Revised Code. The Council, created by Am. Sub. S.B. 258 of the 118th G.A. and chaired by the Chief Justice of the Supreme Court of Ohio, consists of 31 specified members and a handful of staff. Its charge is to conduct a review of Ohio's sentencing statutes and sentencing patterns, and to make recommendations on statutory changes to the General Assembly.

GRF 005-402 Task Force On Family Law and Children

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
\$74,149	\$99,855	\$2,405	\$0	\$0	\$0
	34.7%	-97.6%	-100.0%	N/A	N/A

Source: GRF

Legal Basis: Discontinued line item (originally established by Am. Sub. H.B. 283 of the 123rd G.A., the main operating appropriations act covering FYs 2000 and 2001)

Purpose: The GRF special purpose account was established to support the operation of the Task Force on Family Law and Children, which was created by Am. Sub. S.B. 112 of the 122nd G.A. The act required the Task Force, among other things, to: (1) submit, by December 31, 1999, a report of its findings and recommendations on how to create a more civilized and constructive process for the parenting of children whose parents do not reside together, and (2) gather information on and study the current state of family law in Ohio.

GRF 005-406 Law-Related Education

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
\$0	\$0	\$197,790	\$203,724	\$209,836	\$216,131
	N/A	N/A	3.0%	3.0%	3.0%

Source: GRF

Legal Basis: Section 65 of Am. Sub. H.B. 94 of the 124th G.A.

Purpose: Funds appropriated to the GRF special purpose account are guided by temporary law stipulating that the moneys be "...distributed directly to the Ohio Center for Law-Related Education for the purposes of providing continuing citizenship education activities to primary and secondary students, expanding delinquency prevention programs, increasing activities for at-risk youth, and accessing additional public and private money for new programs." An analogous GRF special purpose account and related temporary law are part of the Office of the Attorney General's budget (line item 055-405, Law-Related Education).

At the request of the Supreme Court of Ohio, the FY 2002-2003 biennial operating budget deleted its existing GRF special purpose account 010-401, Law-Related Education, and moved its funding and purpose into this newly-created GRF special purpose account (line item 005-406).

The Ohio Center for Law-Related Education is a nonprofit organization that delivers a variety of law-related and citizenship education services -- both programs and materials --to teachers and students of primary and secondary schools, and draws its financial support from a mix of public and private sources. Its major statewide efforts include the Ohio Mock Trial Program, the Ohio Government in Action Project, and the Youth for Justice Summit, as well as an annual statewide law and citizenship conference.

GRF 005-502 Commission for Legal Education Opportunity

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
\$0	\$0	\$0	\$150,000	\$685,000	\$1,270,000
	N/A	N/A	N/A	356.7%	85.4%

Source: GRF

Legal Basis: Section 65 of Am. Sub. H.B. 94 of the 124th G.A.

Purpose: As stipulated in temporary law, the purpose of the GRF subsidy account is to assist minority, low income, and educationally disadvantaged college graduates in the transition to legal education. These funds may be used to establish and provide an intensive course of study designed to prepare eligible college graduates for law school education, provide annual stipends for students who successfully complete the course of study and are admitted to and maintain satisfactory academic standing in an Ohio law school, and pay the administrative costs associated with the program.

GRF 010-321 Operating Expenses - Supreme Court

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
\$9,374,401	\$9,145,889	\$216,947	\$0	\$0	\$0
	-2.4%	-97.6%	-100.0%	N/A	N/A

Source: GRF

Legal Basis: Discontinued line item (originally established by Am. Sub. H.B. 204 of the 113th G.A., the main operating appropriations act covering FYs 1980 and 1981)

Purpose: The GRF line item was used to fund the operation of the Supreme Court of Ohio. At the request of the Supreme Court of Ohio, the FY 2002-2003 biennial operating budget deleted this existing GRF line item, and moved its funding and purpose into GRF line item 005-321, Operating Expenses - Judiciary/Supreme Court.

GRF 010-401 Law-Related Education

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
\$197,163	\$203,077	\$0	\$0	\$0	\$0
	3.0%		N/A	N/A	N/A

Source: GRF

Legal Basis: Discontinued line item (originally established by Am. Sub. H.B. 298 of 119th G.A., the main operating appropriations act covering FYs 1992 and 1993)

Purpose: Funds appropriated to the GRF special purpose account were guided by temporary law stipulating that the moneys be "...distributed directly to the Ohio Center for Law-Related Education for the purposes of providing continuing citizenship education activities to primary and secondary students, expanding delinquency prevention programs, increasing activities for at-risk youth, and accessing additional public and private money for new programs." An analogous GRF special purpose account and related temporary law are part of the Office of the Attorney General's budget (line item 055-405, Law-Related Education).

At the request of the Supreme Court of Ohio, the FY 2002-2003 biennial operating budget deleted this existing GRF line item 010-401, Law-Related Education, and moved its funding and purpose into new newly-created GRF line item 005-406.

The Ohio Center for Law-Related Education is a nonprofit organization that delivers a variety of law-related and citizenship education services -- both programs and materials -- to teachers and students of primary and secondary schools, and draws its financial support from a mix of public and private sources. Its major statewide efforts include the Ohio Mock Trial Program, the Ohio Government in Action Project, and the Youth for Justice Summit, as well as an annual statewide law and citizenship conference.

General Services Fund Group

5Q7 005-608 Court Security Operations Manual

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
\$0	\$0	\$30,764	\$0	\$0	\$0
	N/A	N/A	-100.0%	N/A	N/A

Source: GSF: Transfer of GRF funds from the Judicial Conference of Ohio

Legal Basis: originally established by Controlling Board on June 11, 2001

Purpose: The GRF funds were a one-time transfer from the Judicial Conference of Ohio to the Supreme Court of Ohio solely to cover the costs of printing and distributing the Court Security Operations Manual.

672 005-601 Continuing Judicial Education

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
\$118,718	\$217,149	\$100,040	\$265,000	\$126,000	\$120,000
	82.9%	-53.9%	164.9%	-52.5%	-4.8%

Source: GSF: (1) Fees paid by judges and court personnel for attending continuing education courses, and (2) other gifts and grants received for the purpose of continuing judicial education

Legal Basis: Section 65 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Am. Sub. H.B. 694 of the 114th G.A.)

Purpose: Temporary law stipulates that: (1) revenue credited to the fund be used to pay expenses for continuing education courses for judges and other personnel, (2) if it is determined by the Administrative Director of the Supreme Court of Ohio that additional appropriations are necessary, the amounts are appropriated, (3) no money in the fund may be transferred to any other fund by the Director of Budget and Management or the Controlling Board, and (4) interest earned on moneys in the fund is to be credited to the fund.

6A2 005-602 Dispute Resolution

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
\$0	\$30,107	\$0	\$0	\$0	\$0
	N/A		N/A	N/A	N/A

Source: GSF: Grants and other moneys awarded from various sources, including the Ohio Commission on Dispute Resolution and Conflict Management, the Ohio State Bar Foundation, and the State Justice Institute, to promote dispute resolution in Ohio courts

Legal Basis: Discontinued line item (Rule XIII of the Supreme Court Rules for the Government of the Bar of Ohio; originally established by Controlling Board in August 1990)

Purpose: Funds in this account were used to promote dispute resolution programs in the courts and for the education of judges, attorneys, and other court personnel in dispute resolution concepts. The fund was originally created for the purpose of receiving and distributing grant moneys from the state's Commission on Dispute Resolution and Conflict Management. Cash activity in the fund has typically accelerated when a grant or other moneys are first received and then slows considerably over time as that money is disbursed.

Federal Special Revenue Fund Group

3J0 005-603 Federal Grants

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
\$766,099	\$921,851	\$516,075	\$1,114,887	\$1,030,061	\$1,030,061
	20.3%	-44.0%	116.0%	-7.6%	0.0%

Source: FED: Mix of federal grants with varying durations and award amounts, most recently, CFDA 16.585, Office of Justice Programs, CFDA 16.579, Drug Control and System Improvement - Formula Grant (through the Office of Criminal Justice Services), and CFDA 93.586, State Court Improvement Program (through the U.S. Department of Health and Human Services)

Legal Basis: Section 65 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board in February 1991)

Purpose: The fund has historically served as a depository for federal grants, as well as grants from the State Justice Institute - a private, nonprofit organization based in Alexandria, Virginia that distributes federally-funded project support to courts and judicial systems - and the Ohio State Bar Association. Recent federal grants passed through the state's Office of Criminal Justice Services have been awarded to the Supreme Court of Ohio to: (1) conduct educational programs and provide direct technical assistance to help courts manage their dockets more efficiently, and (2) develop computer software to assist juvenile courts in the automation of information processing and the collection and analysis of juvenile court data statewide. In addition, the Supreme Court of Ohio has received various grants from the State Justice Institute that cover continuing education, measurement of trial court performance standards, court law libraries, faculty development workshops, and the impact of substance abuse on the courts.

Temporary law stipulates that: (1) moneys deposited into the fund are to be used in a manner consistent with the purpose of the grant or award, (2) if it is determined by the Administrative Director of the Supreme Court of Ohio that additional appropriations are necessary, the amounts are appropriated, (3) no money in the fund may be transferred to any other fund by the Director of Budget and Management or the Controlling Board, and (4) interest earned on moneys in the fund is to be credited or transferred to the state's GRF.

State Special Revenue Fund Group

4C8 005-605 Attorney Registration

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
\$0	\$0	\$1,928,195	\$2,219,541	\$2,332,733	\$2,495,171
	N/A	N/A	15.1%	5.1%	7.0%

Source: SSR: Attorney registration fees and penalties collected under Rule VI of the Supreme Court Rules for the Government of the Bar of Ohio constitute the Attorney Registration Fund (an administrative account which is not part of the state treasury); moneys deposited pursuant to Supreme Court Rules for the Government of the Bar of Ohio; Rule VI, Section 7(B) states that moneys in the Attorney Registration Fund may be placed in a custodial account or transferred into the state treasury to the credit of the Supreme Court Attorney Registration Fund (Fund 4C8), the Continuing Legal Education Fund (Fund 643), or both

Legal Basis: Section 65 of Am. Sub. H.B. 94 of the 124th G.A.; Rule VI, Section 7(B) of the Supreme Court Rules for the Government of the Bar of Ohio

Purpose: Temporary law stipulates that, in addition to funding other activities considered appropriate by the Supreme Court of Ohio, these moneys may be used to compensate employees and to fund the appropriate activities of the following offices established by the Supreme Court of Ohio pursuant to the Rules for the Government of the Bar of Ohio: the Office of the Disciplinary Counsel, the Board of Commissioners on Grievances and Discipline, the Clients' Security Fund, the Board of Commissioners on the Unauthorized Practice of Law, and the Office of Attorney Registration. Temporary law also stipulates that: (1) if it is determined by the Administrative Director of the Supreme Court of Ohio that additional appropriations are necessary, the amounts are appropriated, (2) no money in the fund may be transferred to any other fund by the Director of Budget and Management or the Controlling Board, and (3) interest earned on moneys in the fund is to be credited to the fund.

At the request of the Supreme Court of Ohio, the FY 2002-2003 biennial operating budget deleted its existing SSR line item 010-603, Attorney Registration, and moved its funding and purposes into this newly-created line item 005-605, Attorney Registration.

4C8 010-603 Attorney Registration

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
\$1,675,814	\$1,820,276	\$0	\$0	\$0	\$0
	8.6%		N/A	N/A	N/A

Source: SSR: Attorney registration fees and penalties collected under Rule VI of the Supreme Court Rules for the Government of the Bar of Ohio constitute the Attorney Registration Fund (an administrative account which is not part of the state treasury); moneys deposited pursuant to the Supreme Court Rules for the Government of the Bar of Ohio; Rule VI, Section 7(B) states that moneys in the Attorney Registration Fund may be placed in a custodial account or transferred into the state treasury to the credit of the Supreme Court Attorney Registration Fund (Fund 4C8), the Continuing Legal Education Fund (Fund 643), or both

Legal Basis: Discontinued line item (Rule VI, Section 7(B) of the Supreme Court Rules for the Government of the Bar of Ohio; originally established by Am. Sub. H.B. 298 of the 119th G.A.)

Purpose: Temporary law stipulated that, in addition to funding other activities considered appropriate by the Supreme Court of Ohio, these moneys were to be used to compensate employees and to fund the appropriate activities of the following offices established by the Supreme Court of Ohio pursuant to the Rules for the Government of the Bar of Ohio: the Office of the Disciplinary Counsel, the Board of Commissioners on Grievances and Discipline, the Clients' Security Fund, the Board of Commissioners on the Unauthorized Practice of Law, and the Office of Attorney Registration. Temporary law also stipulated that: (1) if it was determined by the Administrative Director of the Supreme Court of Ohio that additional appropriations were necessary, the amounts were appropriated, (2) no money in the fund could be transferred to any other fund by the Director of Budget and Management or the Controlling Board, and (3) interest earned on moneys in the fund was to be credited to the fund.

At the request of the Supreme Court of Ohio, the FY 2002-2003 biennial operating budget deleted this existing SSR line item 010-603, Attorney Registration, and moved its funding and purposes into newly-created SSR line item 005-605, Attorney Registration.

5T8 005-609 Grants and Awards

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
\$0	\$0	\$0	\$33,296	\$33,296	\$33,296
	N/A	N/A	N/A	0.0%	0.0%

Source: SSR: Grants and other moneys awarded to the Supreme Court of Ohio by the State Justice Institute, the Office of Criminal Justice Services, and other entities

Legal Basis: originally established by Controlling Board on February 25, 2002

Purpose: The fund will serve as a depository for certain grants and private foundation awards to further initiatives of the Supreme Court of Ohio and the Ohio Criminal Sentencing Commission. Temporary law stipulates that: (1) moneys deposited into the fund are to be used in a manner consistent with the purpose of the grant or award, (2) if it is determined by the Administrative Director of the Supreme Court of Ohio that additional appropriations are necessary, the amounts are appropriated, (3) no money in the fund may be transferred to any other fund by the Director of Budget and Management or the Controlling Board, and (4) interest earned on moneys in the fund is to be credited or transferred to the state's GRF.

643 005-607 Commission on Continuing Legal Education

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
\$0	\$0	\$465,611	\$590,016	\$568,788	\$587,210
	N/A	N/A	26.7%	-3.6%	3.2%

Source: SSR: (1) Accreditation fees paid by the sponsors of continuing legal education activities, and (2) late filing fees and sanctions paid by attorneys

Legal Basis: Section 65 of Am. Sub. H.B. 94 of the 124th G.A.

Purpose: Temporary law stipulates that: (1) moneys in the fund are to be used to compensate employees of the Commission on Continuing Legal Education and to fund other activities of the Commission considered appropriate by the Supreme Court of Ohio, (2) if it is determined by the Administrative Director of the Supreme Court of Ohio that additional appropriations are necessary, the amounts are appropriated, (3) no money in the fund may be transferred to any other fund by the Director of Budget and Management or the Controlling Board, and (4) interest earned on moneys in the fund is to be credited to the fund.

At the request of the Supreme Court of Ohio, the FY 2002-2003 biennial operating budget deleted its existing SSR line item 010-601, Commission on Continuing Legal Education, and moved its funding and purpose into newly-created SSR line item 005-607, Commission on Continuing Legal Education.

643 010-601 Commission on Continuing Legal Education

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
\$501,067	\$491,260	\$0	\$0	\$0	\$0
	-2.0%		N/A	N/A	N/A

Source: SSR: (1) Accreditation fees paid by the sponsors of continuing legal education activities, and (2) late filing fees and sanctions paid by attorneys

Legal Basis: Discontinued line item (originally established by Controlling Board in 1989)

Purpose: Temporary law stipulated that: (1) moneys in the fund were to be used to compensate employees of the Commission on Continuing Legal Education and to fund other activities of the commission considered appropriate by the Supreme Court of Ohio, (2) if it was determined by the Administrative Director of the Supreme Court of Ohio that additional appropriations were necessary, the amounts were appropriated, (3) no money in the fund could be transferred to any other fund by the Director of Budget and Management or the Controlling Board, and (4) interest earned on moneys in the fund was to be credited to the fund.

At the request of the Supreme Court of Ohio, the FY 2002-2003 biennial operating budget deleted this existing SSR line item 010-601, Commission on Continuing Legal Education, and moved its funding and purpose into new SSR line item 005-607, Commission on Continuing Legal Education.

6A8 005-606 Supreme Court Admissions

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
\$0	\$0	\$851,199	\$1,194,558	\$1,230,514	\$1,267,428
	N/A	N/A	40.3%	3.0%	3.0%

Source: SSR: (1) Fees collected for admission to the practice of law (Rule I), (2) fees charged by the Supreme Court of Ohio for admissions-related services, and (3) fees collected for the limited practice of law by foreign legal consultants (Rule XI) constitute the Admissions Fund (an administrative account which is not part of the state treasury); moneys deposited pursuant to the Supreme Court Rules for the Government of the Bar of Ohio; Rule I, Section 14(D) states that moneys in the Admissions Fund may be placed in a custodial account or transferred to the credit of the Supreme Court Admissions Fund (Fund 6A8) in the state treasury

Legal Basis: Section 65 of Am. Sub. H.B. 94 of the 124th G.A.

Purpose: Temporary law stipulates that: (1) moneys in the fund are to be used to compensate Supreme Court employees who are primarily responsible for administering the Attorney Admissions Program and to fund any other activities considered appropriate by the Supreme Court of Ohio, (2) if it is determined by the Administrative Director of the Supreme Court of Ohio that additional appropriations are necessary, the amounts are appropriated, (3) no money in the fund may be transferred to any other fund by the Director of Budget and Management or the Controlling Board, and (4) interest earned on moneys in the fund is to be credited to the fund.

At the request of the Supreme Court of Ohio, the FY 2002-2003 biennial budget deleted its existing SSR line item 010-602, Supreme Court Admissions, and moved its funding and purpose into this newly-created SSR line item 005-606, Supreme Court Admissions.

6A8 010-602 Supreme Court Admissions

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
\$744,508	\$801,351	\$0	\$0	\$0	\$0
	7.6%		N/A	N/A	N/A

Source: SSR: (1) Fees collected for admission to the practice of law (Rule I), (2) fees charged by the Supreme Court for admissions-related services, and (3) fees collected for the limited practice of law by foreign legal consultants (Rule XI) constitute the Admissions Fund (an administrative account which is not part of the state treasury's); moneys deposited pursuant to the Supreme Court Rules for the Government of the Bar of Ohio; Rule I, Section 14(D) states that moneys in the Admissions Fund may be placed in a custodial account or transferred to the credit of the Supreme Court Admissions Fund (Fund 6A8) in the state treasury

Legal Basis: Discontinued line item (originally established by H.B. 390 of the 118th G.A.)

Purpose: Temporary law stipulated that: (1) moneys in this fund were to be used to compensate Supreme Court employees who are primarily responsible for administering the Attorney Admissions Program and to fund any other activities considered appropriate by the Supreme Court of Ohio, (2) if it was determined by the Administrative Director of the Supreme Court of Ohio that additional appropriations were necessary, the amounts were appropriated, (3) no money in the fund could be transferred to any other fund by the Director of Budget and Management or the Controlling Board, and (4) interest earned on moneys in the fund was to be credited to the fund.

At the request of the Supreme Court of Ohio, the FY 2002-2003 biennial operating budget deleted this existing SSR line item 010-602, Supreme Court Admissions, and moved its funding and purpose into newly-created SSR line item 005-606, Supreme Court Admissions.

LSC Budget Spreadsheet by Line Item, FY 2004 - FY 2005

Fund	ALI	ALI Title	2002	Estimated 2003	Executive 2004	% Change 2003 to 2004	Executive 2005	% Change 2004 to 2005
JSC Judiciary / Supreme Court								
GRF	005-321	Operating Expenses - Judiciary/Supreme Court	\$ 94,996,070	\$101,334,877	\$ 114,846,495	13.3%	\$ 119,867,425	4.4%
GRF	005-401	State Criminal Sentencing Council	\$ 289,530	\$300,308	\$ 346,194	15.3%	\$ 356,371	2.9%
GRF	005-402	Task Force On Family Law and Children	\$ 2,405	\$0	\$ 0	N/A	\$ 0	N/A
GRF	005-406	Law-Related Education	\$ 197,790	\$203,724	\$ 209,836	3.0%	\$ 216,131	3.0%
GRF	005-502	Commission for Legal Education Opportunity	---	\$150,000	\$ 685,000	356.7%	\$ 1,270,000	85.4%
GRF	010-321	Operating Expenses - Supreme Court	\$ 216,947	\$0	\$ 0	N/A	\$ 0	N/A
General Revenue Fund Total			\$ 95,702,741	\$ 101,988,909	\$ 116,087,525	13.8%	\$ 121,709,927	4.8%
5Q7	005-608	Court Security Operations Manual	\$ 30,764	\$0	\$ 0	N/A	\$ 0	N/A
672	005-601	Continuing Judicial Education	\$ 100,040	\$265,000	\$ 126,000	-52.5%	\$ 120,000	-4.8%
General Services Fund Group Total			\$ 130,804	\$ 265,000	\$ 126,000	-52.5%	\$ 120,000	-4.8%
3J0	005-603	Federal Grants	\$ 516,075	\$1,114,887	\$ 1,030,061	-7.6%	\$ 1,030,061	0.0%
Federal Special Revenue Fund Group Total			\$ 516,075	\$ 1,114,887	\$ 1,030,061	-7.6%	\$ 1,030,061	0.0%
4C8	005-605	Attorney Registration	\$ 1,928,195	\$2,219,541	\$ 2,332,733	5.1%	\$ 2,495,171	7.0%
5T8	005-609	Grants and Awards	---	\$33,296	\$ 33,296	0.0%	\$ 33,296	0.0%
643	005-607	Commission on Continuing Legal Education	\$ 465,611	\$590,016	\$ 568,788	-3.6%	\$ 587,210	3.2%
6A8	005-606	Supreme Court Admissions	\$ 851,199	\$1,194,558	\$ 1,230,514	3.0%	\$ 1,267,428	3.0%
State Special Revenue Fund Group Total			\$ 3,245,005	\$ 4,037,411	\$ 4,165,331	3.2%	\$ 4,383,105	5.2%
Total All Budget Fund Groups			\$ 99,594,626	\$ 107,406,207	\$ 121,408,917	13.0%	\$ 127,243,093	4.8%