

Judiciary/Supreme Court

Senate Finance and Financial Institutions Committee

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Legislative Service Commission

May 12, 2005

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LSC Redbook for the Judiciary/Supreme Court

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May 12, 2005

Judiciary/Supreme Court

- Relocated to the Ohio Judicial Center in March 2004
- Budget includes operations, maintenance, and security costs associated with managing the Ohio Judicial Center
- Majority of GRF budget covers state share of Ohio judges' salaries

OVERVIEW

Mission and Operations

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; and
- Addresses complaints alleging the unauthorized practice of law.

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. Am. Sub. H.B. 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.

Relocation to Ohio Courts Building

In the spring of 2004, the Supreme Court and other judicial agencies relocated to the Ohio Judicial Center at 65 South Front Street in downtown Columbus. The Ohio Judicial Center, formerly known as the Ohio Departments Building, underwent an \$85.6 million restoration and was completed at the beginning of calendar year 2004. The Supreme Court of Ohio manages all building operations and does not charge rent to the other judicial agencies occupying space in the building.

FYs 2006-2007 GRF budget

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.

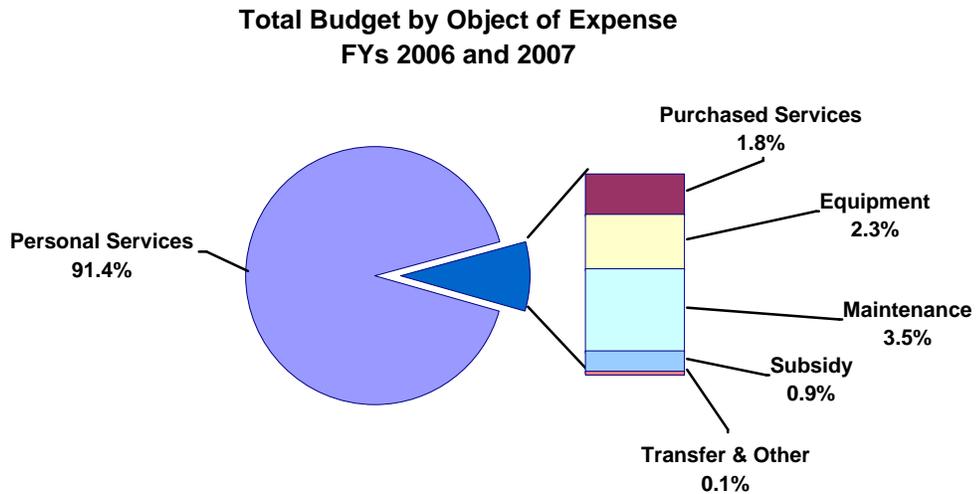
That said, the Judiciary/Supreme Court's (JSC) proposed biennial budget totals \$263.5 million (\$129.0 million in FY 2006 and \$134.4 million in FY 2007), over 94% of which represents funding appropriated from the GRF. The JSC GRF budget has the following three readily identifiable components.

- (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 2006 cost of \$76.8 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 2006 cost of \$19.6 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 2006 cost of around \$25.2 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.

FYs 2006-2007 Object of Expense Summary

The pie chart immediately below shows the total recommended appropriations (FYs 2006 and 2007) by major object of expense. This information is shown for the GRF and for all funds.

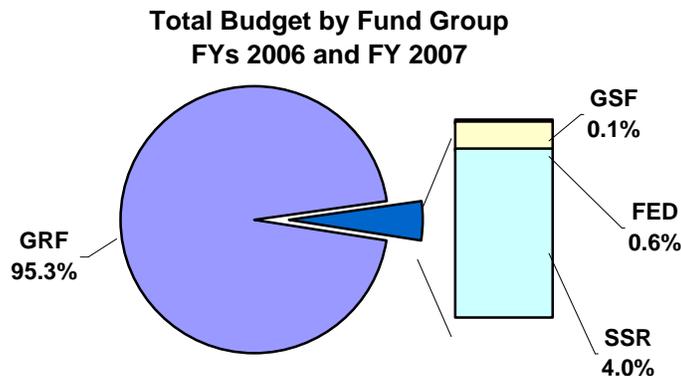


Special Revenue Funds

Non-GRF funds totaling \$6.1 million in FY 2006 and \$6.3 million in FY 2007 are also appropriated for the purpose of providing judicial education, continuing legal education, bar admissions, and attorney registration. These non-GRF appropriations will also fund approximately 52 legal and support positions at the Supreme Court.

FYs 2006-2007 Expense by Fund Summary

The pie chart immediately below shows the total recommended appropriations (FYs 2006 and 2007) by division. This information is shown for the GRF and for all funds.



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.

Staffing Levels

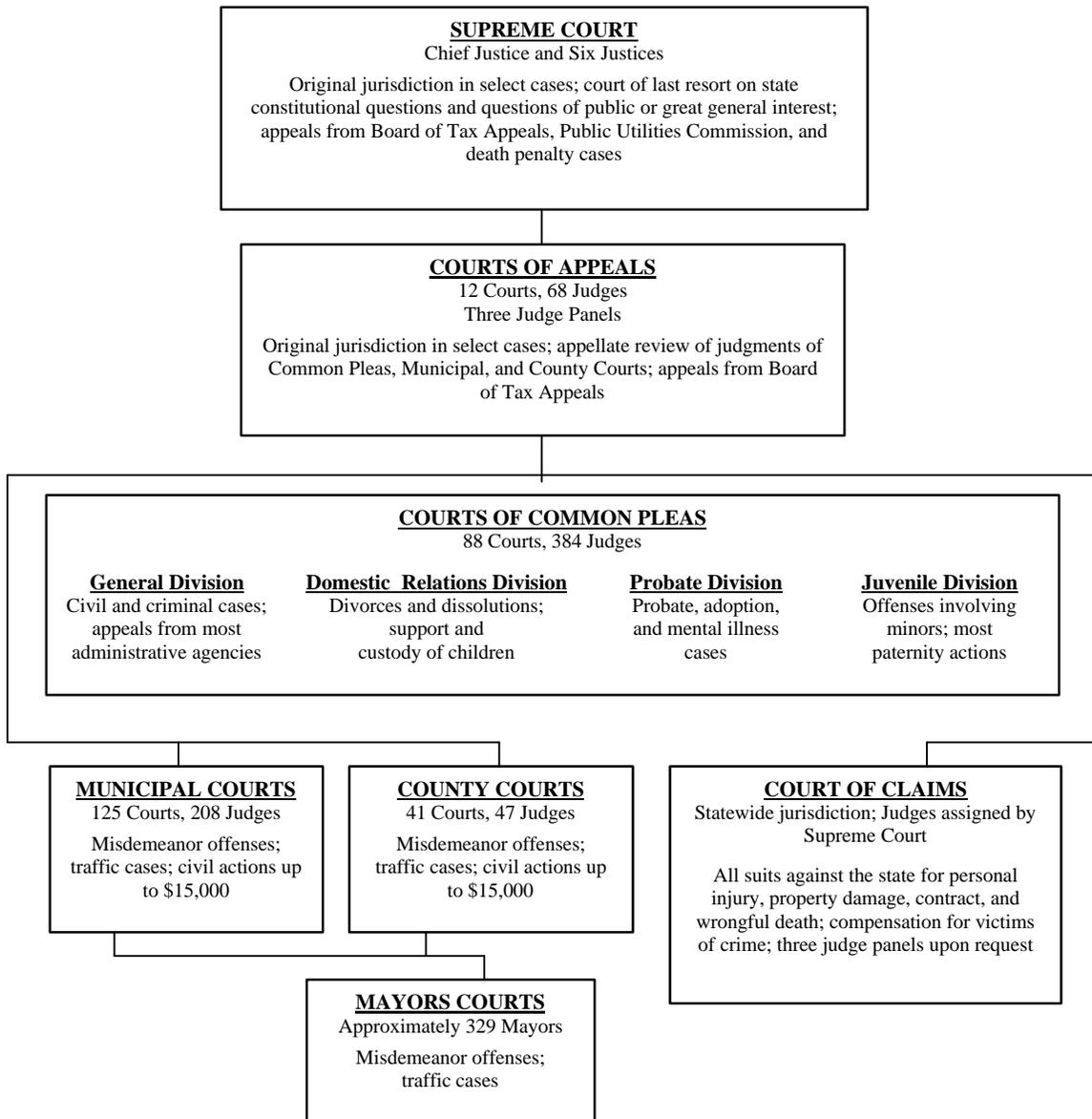
The table below displays the number of staff paid, or to be paid, by the Supreme Court from FYs 2000 through 2007. The staffing levels displayed in the table do not include judges, courts of appeals staff, and clerks of county courts for whom the Court pays all or a portion of their annual salary and fringe benefits.

Supreme Court Staffing Levels by Fiscal Year							
2000	2001	2002	2003	2004	2005*	2006*	2007*
202.25	209.5	216.5	224.5	249.25	255.00	258.00	261.00

*The staffing levels displayed in the above table represent full-time equivalents (FTEs). The number of FTEs for FYs 2005, 2006, and 2007 are estimates.

FACTS AND FIGURES

The chart below visually depicts the structure of the Ohio judicial system as of January 2005.



ANALYSIS OF EXECUTIVE PROPOSAL

Operating Expenses

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 operating expenses of the Judiciary/Supreme Court, as well as the Governor’s recommended funding levels.

Fund	ALI	Title	FY 2006	FY 2007
General Revenue Fund				
GRF	005-321	Operating Expenses	\$121,661,980	\$126,300,227
GRF	005-401	State Criminal Sentencing Council	\$328,676	\$343,730
GRF	005-406	Law-Related Education	\$216,131	\$222,615
GRF	005-502	Legal Education Opportunity Commission	\$685,000	\$1,270,000
General Revenue Fund Subtotal			\$122,891,787	\$128,136,572
State Special Revenue Fund				
4C8	005-605	Attorney Registration	\$3,169,774	\$3,264,867
5T8	005-609	Grants and Awards	\$10,000	\$10,000
643	005-607	Commission on Continuing Legal Education	\$569,203	\$586,261
6A8	005-606	Supreme Court Admissions	\$1,410,718	\$1,453,042
State Special Revenue Fund Subtotal			\$5,159,695	\$5,314,170
General Services Fund				
GSF	005-601	Continuing Judicial Education	\$130,000	\$130,000
General Services Fund Subtotal			\$130,000	\$130,000
Federal Special Revenue				
FED	005-603	Federal Grants	\$848,070	\$861,382
Federal Special Revenue Subtotal			\$848,070	\$861,382
Total Funding: Operating Expenses			\$129,029,552	\$134,442,124

This analysis focuses on the Court's services and activities that can be grouped 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, 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: See table above

Implication of Executive Recommendation: Under the executive budget, total GRF funding for the Judiciary/Supreme Court will increase: (1) by \$3.9 million in FY 2006, an increase of 3.3% from an adjusted FY 2005 appropriation of \$118.9 million and (2) by \$5.2 million in FY 2007, an increase of 4.3% from the FY 2006 requested amount.

The Court's GRF funding request includes \$685,000 in FY 2006 and \$1,270,000 in FY 2007 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 never spent. 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.

Permanent Law Provisions:

Vehicle Allowances (R.C. section 141.04). The executive budget contains one permanent law change that will directly affect the Supreme Court of Ohio. As amended, Section 141.04 of the Revised Code will provide a \$500 vehicle allowance per month for the Chief Justice and six Justices of the Supreme Court. According to the Court, for over 30 years the Justices of the Supreme Court have been assigned Court-owned vehicles for travel purposes. By transitioning to a vehicle allowance method, the Court anticipates a cost savings of approximately \$20,000 to \$25,000 per year based on eliminating the costs of buying, maintaining, and fueling vehicles, as well as staff time in performing those tasks.

Temporary Law Provisions:

The executive budget contains eight temporary law provisions that address the Court's budget. Those temporary law provisions are summarized below.

(1) **Law-Related Education (Section 206.75).** The funding and temporary law associated with the Court's GRF line item 005-406, Law-Related Education, can be summarized as follows.

- The provision 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 \$216,131 in FY 2006 and \$222,615 in FY 2007.
- 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.

- 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 Program, and the Youth for Justice Summit, as well as an annual statewide law and citizenship conference.

(2) **Commission for Legal Education Opportunity (Section 206.75)**. 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.

- The provision 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.
- The provision 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 2006 and \$1,270,000 in FY 2007.
- 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.

(3) **Continuing Judicial Education (Section 206.75)**. The funding and temporary law associated with the Court’s Continuing Judicial Education Fund (Fund 672) can be summarized as follows.

- The provision 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.
- The provision 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.

(4) **Federal Grants Fund (Section 206.75)**. The funding and temporary law associated with the Court’s Federal Grants Fund (Fund 3J0) can be summarized as follows.

- The provision 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.
- The provision 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.

(5) **Attorney Registration Fund (Section 206.75)**. The funding and temporary law associated with the Court’s Attorney Registration Fund (Fund 4C8) can be summarized as follows.

- The provision permits the Fund’s moneys to be used to finance any activities, including compensating employees, considered appropriate by the Court.
- The provision 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.

(6) **Grants and Awards (Section 206.75)**. The funding and temporary law associated with the Court’s Grants and Awards Fund (Fund 5T8) can be summarized as follows.

- The provision stipulates that the Fund’s revenue stream consists of grants and other moneys awarded by the State Justice Institute, the Division 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.
- The provision 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 relatively little cash flow activity in the fund.

(7) **Supreme Court Admissions Fund (Section 206.75)**. The funding and temporary law associated with the Court's Supreme Court Admissions Fund (Fund 6A8) can be summarized as follows.

- The provision 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.
- The provision 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.

(8) **Continuing Legal Education Fund (Section 206.75)**. The funding and temporary law associated with the Court's Continuing Legal Education Fund (Fund 643) can be summarized as follows.

- The provision 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.
- The provision 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

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$94,996,070	\$97,725,993	\$105,170,327	\$118,401,294	\$118,855,655	\$121,441,259
	2.9%	7.6%	12.6%	0.4%	2.2%

Source: GRF

Legal Basis: Section 61 of Am. Sub. H.B. 95 of the 125th 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, the 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 this GRF line item (005-321).

GRF 005-401 State Criminal Sentencing Council

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$289,530	\$280,145	\$249,517	\$356,371	\$328,676	\$343,730
	-3.2%	-10.9%	42.8%	-7.8%	4.6%

Source: GRF

Legal Basis: Section 61 of Am. Sub. H.B. 95 of the 125th 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 line item supports the operation of the State Criminal Sentencing Council, which is established in ORC 181.21. 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.

Judiciary / Supreme Court - Catalog of Budget Line Items

GRF 005-402 Task Force on Family Law and Children

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$2,405	\$0	\$0	\$0	\$0	\$0
	-100.0%	N/A	N/A	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 line item 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

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$197,790	\$203,724	\$209,836	\$216,131	\$216,131	\$222,615
	3.0%	3.0%	3.0%	0.0%	3.0%

Source: GRF

Legal Basis: Section 61 of Am. Sub. H.B. 95 of the 125th G.A. (originally established by Am. Sub. H.B. 94 of the 124th G.A., the main appropriations act covering FYs 2002 and 2003)

Purpose: Funds appropriated to the line item 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 line item and related temporary law were part of the Office of the Attorney General's budget prior to FY 2004 (GRF 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 line item 010-401, Law-Related Education, and moved its funding and purpose to create this 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 Program, and the Youth for Justice Summit, as well as an annual statewide law and citizenship conference.

Judiciary / Supreme Court - Catalog of Budget Line Items

GRF 005-502 Commission for Legal Education Opportunity

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$0	\$0	\$0	\$0	\$435,000	\$875,000
	N/A	N/A	N/A	N/A	101.1%

Source: GRF

Legal Basis: Originally established by Am. Sub. H.B. 94 of the 124th G.A., the main appropriations act covering FYs 2002 and 2003

Purpose: As stipulated in related temporary law, the purpose of the line item is to fund activities of the Commission for Legal Education Opportunity for purposes of assisting minority, low-income, and educationally disadvantaged college graduates in the transition to legal education. The line item's 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. A prior FY 2003 appropriation of \$657,600 for this purpose went unspent by the Supreme Court as part of an effort to reduce GRF expenditures.

GRF 010-321 Operating Expenses - Supreme Court

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$216,947	\$0	\$0	\$0	\$0	\$0
	-100.0%	N/A	N/A	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 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.

General Services Fund Group

5Q7 005-608 Court Security Operations Manual

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$30,764	\$0	\$0	\$0	\$0	\$0
	-100.0%	N/A	N/A	N/A	N/A

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

Legal Basis: Discontinued line item (originally established by Controlling Board on June 11, 2001)

Purpose: The line item's funds consisted of 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.

Judiciary / Supreme Court - Catalog of Budget Line Items

672 005-601 Continuing Judicial Education

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$100,040	\$176,799	\$103,561	\$129,000	\$130,000	\$130,000
	76.7%	-41.4%	24.6%	0.8%	0.0%

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 61 of Am. Sub. H.B. 95 of the 125th 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.

Federal Special Revenue Fund Group

3J0 005-603 Federal Grants

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$516,075	\$572,252	\$451,486	\$1,360,404	\$848,070	\$861,382
	10.9%	-21.1%	201.3%	-37.7%	1.6%

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 61 of Am. Sub. H.B. 95 of the 125th 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. 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, (2) develop and organize training on domestic violence, (3) train court security personnel, (4) evaluate physical court security statewide, and 4) develop computer software to assist juvenile courts in the automation of information processing and the collection and analysis of juvenile court data statewide. The Supreme Court of Ohio has received various grants from the State Justice Institute that cover continuing education, measurement of trial court performance standards, faculty development workshops, and the impact of substance abuse on the courts. In addition, the Supreme Court has received a grant from the Ohio Department of Mental Health to fund a Specialized Dockets Program Manager.

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

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$1,928,195	\$2,147,137	\$2,517,114	\$3,077,450	\$3,169,774	\$3,264,867
	11.4%	17.2%	22.3%	3.0%	3.0%

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 61 of Am. Sub. H.B. 95 of the 125th 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, moneys deposited to the credit of the fund 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.

Judiciary / Supreme Court - Catalog of Budget Line Items

5T8 005-609 Grants and Awards

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$0	\$0	\$44,068	\$89,767	\$10,000	\$10,000
	N/A	N/A	103.7%	-88.9%	0.0%

Source: SSR: Grants and other moneys awarded to the Supreme Court of Ohio by private foundations such as the Ohio State Bar Foundation

Legal Basis: Section 61 of Am. Sub. H.B. 95 of the 125th G.A. (originally established by Controlling Board on February 25, 2002)

Purpose: The fund serves 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

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$465,611	\$482,745	\$480,895	\$587,210	\$569,203	\$586,261
	3.7%	-0.4%	22.1%	-3.1%	3.0%

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 61 of Am. Sub. H.B. 95 of the 125th G.A. (originally established by Am. Sub. H.B. 94 of the 124th G.A., the main appropriations act covering FYs 2002 and 2003)

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.

Judiciary / Supreme Court - Catalog of Budget Line Items

6A8 005-606 Supreme Court Admissions

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$851,199	\$925,238	\$976,761	\$1,267,428	\$1,410,718	\$1,453,042
	8.7%	5.6%	29.8%	11.3%	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 61 of Am. Sub. H.B. 95 of the 125th G.A. (originally established by Am. Sub. H.B. 94 of the 124th G.A., the main appropriations act covering FYs 2002 and 2003)

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.

LSC Budget Spreadsheet by Line Item, FY 2006 - FY 2007

<i>Fund</i>	<i>ALI</i>	<i>ALI Title</i>	<i>Estimated 2005</i>	<i>As Introduced 2006</i>	<i>House Passed 2006</i>	<i>% Change Est. 2005 to House 2006</i>	<i>As Introduced 2007</i>	<i>House Passed 2007</i>	<i>% Change House 2006 to House 2007</i>
JSC Judiciary / Supreme Court									
GRF	005-321	Operating Expenses - Judiciary/Supreme Court	\$118,401,294	\$ 121,661,980	\$ 118,855,655	0.4%	\$ 126,300,227	\$ 121,441,259	2.2%
GRF	005-401	State Criminal Sentencing Council	\$356,371	\$ 328,676	\$ 328,676	-7.8%	\$ 343,730	\$ 343,730	4.6%
GRF	005-406	Law-Related Education	\$216,131	\$ 216,131	\$ 216,131	0.0%	\$ 222,615	\$ 222,615	3.0%
GRF	005-502	Commission for Legal Education Opportunity	\$0	\$ 685,000	\$ 435,000	N/A	\$ 1,270,000	\$ 875,000	101.1%
General Revenue Fund Total			\$ 118,973,796	\$ 122,891,787	\$ 119,835,462	0.7%	\$ 128,136,572	\$ 122,882,604	2.5%
672	005-601	Continuing Judicial Education	\$129,000	\$ 130,000	\$ 130,000	0.8%	\$ 130,000	\$ 130,000	0.0%
General Services Fund Group Total			\$ 129,000	\$ 130,000	\$ 130,000	0.8%	\$ 130,000	\$ 130,000	0.0%
3J0	005-603	Federal Grants	\$1,360,404	\$ 848,070	\$ 848,070	-37.7%	\$ 861,382	\$ 861,382	1.6%
Federal Special Revenue Fund Group Total			\$ 1,360,404	\$ 848,070	\$ 848,070	-37.7%	\$ 861,382	\$ 861,382	1.6%
4C8	005-605	Attorney Registration	\$3,077,450	\$ 3,169,774	\$ 3,169,774	3.0%	\$ 3,264,867	\$ 3,264,867	3.0%
5T8	005-609	Grants and Awards	\$89,767	\$ 10,000	\$ 10,000	-88.9%	\$ 10,000	\$ 10,000	0.0%
643	005-607	Commission on Continuing Legal Education	\$587,210	\$ 569,203	\$ 569,203	-3.1%	\$ 586,261	\$ 586,261	3.0%
6A8	005-606	Supreme Court Admissions	\$1,267,428	\$ 1,410,718	\$ 1,410,718	11.3%	\$ 1,453,042	\$ 1,453,042	3.0%
State Special Revenue Fund Group Total			\$ 5,021,855	\$ 5,159,695	\$ 5,159,695	2.7%	\$ 5,314,170	\$ 5,314,170	3.0%
Total All Budget Fund Groups			\$ 125,485,055	\$ 129,029,552	\$ 125,973,227	0.4%	\$ 134,442,124	\$ 129,188,156	2.6%

As Introduced (Executive)

As Passed by the House

(CD-530-JSC) Vehicle Allowance for Supreme Court Justices**R.C. 141.04**

Provides a \$500 vehicle allowance per month for the chief justice and the justices of the Supreme Court.

Fiscal effect: According to the Court, for over 30 years the justices of the Supreme Court have been assigned Court-owned vehicles for travel purposes. By transitioning to a vehicle allowance method, the Court anticipates a cost savings of approximately \$20,000 to \$25,000 per year based on eliminating the costs of buying, maintaining, and fueling vehicles, as well as staff time in performing those tasks.

R.C. 141.04

Same as the Executive.

As Introduced (Executive)**As Passed by the House****(CD-533-JSC) Law-Related Education****Section: 206.75**

Earmarks all of the moneys appropriated to GRF appropriation item 005-406, Law-Related Education, for distribution 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.

Section: 206.75

Same as the Executive.

(CD-562-JSC) Commission for Legal Education Opportunity**Section: 206.75**

Requires GRF appropriation item 005-502, Commission for Legal Education Opportunity, be used to fund the activities of the Commission for Legal Education Opportunity created 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, and also permits those appropriated moneys to be used to establish and provide an intensive course study for certain eligible college graduates, to provide annual stipends for certain students, and to pay the program's administrative costs.

Section: 206.75

Same as the Executive.

As Introduced (Executive)

As Passed by the House

(CD-542-JSC) Continuing Judicial Education**Section: 206.75**

Specifies that:

(1) The moneys deposited to the credit of the Continuing Judicial Education Fund (Fund 672) consist 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;

(2) The moneys appropriated to its related non-GRF appropriation item 005-601, Continuing Judicial Education, be used to pay expenses for continuing education courses for judges and court personnel;

(3) The Administrative Director of the Court may increase the appropriation item's appropriation authority if the Administrative Director deems it necessary;

(4) The Director of Budget and Management and the Controlling Board are prohibited from transferring moneys from Fund 672 to any other fund; and

(5) Any interest earned on the fund's moneys are credited to the fund.

Section: 206.75

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

As Introduced (Executive)

As Passed by the House

(CD-544-JSC) Federal Grants

Section: 206.75

Section: 206.75

Specifies that:

(1) The moneys deposited to the credit of the Federal Grants Fund (Fund 3J0) consist of grants and other moneys awarded to the Court by the federal government or other entities that receive moneys directly from the federal government;

(1) Same as the Executive.

(2) Any moneys appropriated to its related non-GRF appropriation item 005-603, Federal Grants, be used in a manner consistent with the purpose of the grant or award;

(2) Same as the Executive.

(3) The Administrative Director of the Court may increase the appropriation item's appropriation authority if the Administrative Director deems it necessary;

(3) Same as the Executive.

(4) The Director of Budget and Management and the Controlling Board are prohibited from transferring moneys from Fund 3J0 to any other fund; and

(4) Same as the Executive.

(5) Any interest earned on the fund's moneys are to be transferred or credited to the state's GRF.

(5) Same as the Executive.

As Introduced (Executive)

As Passed by the House

(CD-545-JSC) Attorney Registration

Section: 206.75

Section: 206.75

Specifies that:

(1) The Court may use the moneys appropriated to non-GRF appropriation item 005-605, Attorney Registration, to compensate employees and fund the appropriate activities of certain offices established by the Court pursuant to the Rules for the Government of the Bar of Ohio, as well as to fund other activities considered appropriate by the Court;

(1) Same as the Executive.

(2) The Administrative Director of the Court may increase the appropriation item's appropriation authority if the Administrative Director deems it necessary;

(2) Same as the Executive.

(3) The Director of Budget and Management and the Controlling Board are prohibited from transferring moneys from the Attorney Registration Fund (Fund 4C8) to any other fund; and

(3) Same as the Executive.

(4) Any interest earned on the fund's moneys are credited to the fund.

(4) Same as the Executive.

(CD-547-JSC) Grants and Awards

Section: 206.75

Section: 206.75

Specifies that:

As Introduced (Executive)

As Passed by the House

- (1) The moneys deposited to the credit of the Grants and Awards Fund (Fund 5T8) consist of grants and other moneys awarded to the Court by the State Justice Institute, the Division of Criminal Justice Services, or other entities;
- (2) Any moneys appropriated to its related non-GRF appropriation item 005-609, Grants and Awards, be used in a manner consistent with the purpose of the grant or award;
- (3) The Administrative Director of the Court may increase the appropriation item's appropriation authority if the Administrative Director deems it necessary;
- (4) The Director of Budget and Management and the Controlling Board are prohibited from transferring moneys from Fund 5T8 to any other fund; and
- (5) Any interest earned on the fund's moneys are to be transferred or credited to the state's GRF.

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.
- (5) Same as the Executive.

(CD-549-JSC) Supreme Court Admissions

Section: 206.75

Section: 206.75

Specifies that:

- (1) The moneys appropriated to non-GRF appropriation item 005-606, Supreme Court Admissions, be used to compensate Court employees who are primarily responsible for administering the Attorney Admissions Program;

- (1) Same as the Executive.

As Introduced (Executive)

As Passed by the House

(2) Those moneys may be used to fund any other activities considered appropriate by the Court;

(2) Same as the Executive.

(3) The Administrative Director of the Court may increase the appropriation item's appropriation authority if the Administrative Director deems it necessary;

(3) Same as the Executive.

(4) The Director of Budget and Management and the Controlling Board are prohibited from transferring moneys from the Supreme Court Admissions Fund (Fund 6A8) to any other fund; and

(4) Same as the Executive.

(5) Any interest earned on the fund's moneys are credited to the fund.

(5) Same as the Executive.

(CD-550-JSC) Continuing Legal Education

Section: 206.75

Section: 206.75

Specifies that:

(1) The moneys appropriated to non-GRF appropriation item 005-607, Commission on Continuing Legal Education, be used to compensate employees of the Commission on Continuing Legal Education;

(1) Same as the Executive.

(2) Those moneys may be used to fund other activities of the Commission considered appropriate by the Court;

(2) Same as the Executive.

(3) The Administrative Director of the Court may increase the appropriation item's appropriation authority if the Administrative Director deems it necessary;

(3) Same as the Executive.

As Introduced (Executive)

As Passed by the House

(4) The Director of Budget and Management and the Controlling Board are prohibited from transferring moneys from the Continuing Legal Education Fund (Fund 643) to any other fund; and

(4) Same as the Executive.

(5) Any interest earned on the fund's moneys are credited to the fund.

(5) Same as the Executive.