

# Judiciary/Supreme Court

**Senate Finance and Financial Institutions Committee**

*Matthew L. Stiffler, Budget Analyst  
Legislative Service Commission*

*May 17, 2007*

*Additional copies are available on our web site at [www.lsc.state.oh.us](http://www.lsc.state.oh.us)  
Click on 'Budget Documents' then 'Redbooks'*

# LSC Redbook

## for the

### Judiciary/Supreme Court

Senate Finance and Financial Institutions Committee

*Matthew L. Stiffler, Budget Analyst*  
*Legislative Service Commission*

#### TABLE OF CONTENTS

<b>OVERVIEW.....</b>	<b>1</b>
Mission and Operations .....	1
Relocation to Ohio Courts Building.....	1
FYs 2008-2009 GRF budget .....	2
FYs 2008-2009 Object of Expense Summary .....	3
Special Revenue Funds .....	3
FYs 2008-2009 Expense by Fund Summary.....	3
Criminal Sentencing Commission .....	4
Staffing Levels .....	4
Annual Salaries Paid from the State Treasury.....	4
Ohio Judicial System Structure .....	5
<b>ANALYSIS OF EXECUTIVE PROPOSAL.....</b>	<b>6</b>
<b>Operating Expenses .....</b>	<b>6</b>
Judicial Operations .....	6
<b>ATTACHMENTS:</b>	
Catalog of Budget Line Items	
LSC Budget Spreadsheet By Line Item: Executive to House Passed	
Comparison Document: Permanent and Temporary Law	

*May 17, 2007*

# Judiciary/Supreme Court

---

- 
- Three-quarters of GRF budget covers state share of judicial and court of appeals staff salaries
  - \$10.4 million to support court technology initiative

## 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.
- Addresses complaints alleging the unauthorized practice of law.

### 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 2008-2009 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 \$287.4 million (\$139.7 million in FY 2008 and \$147.7 million in FY 2009), roughly 95% of which represents funding appropriated from the GRF. The GRF budget for The Judiciary/Supreme Court has the following readily identifiable components.

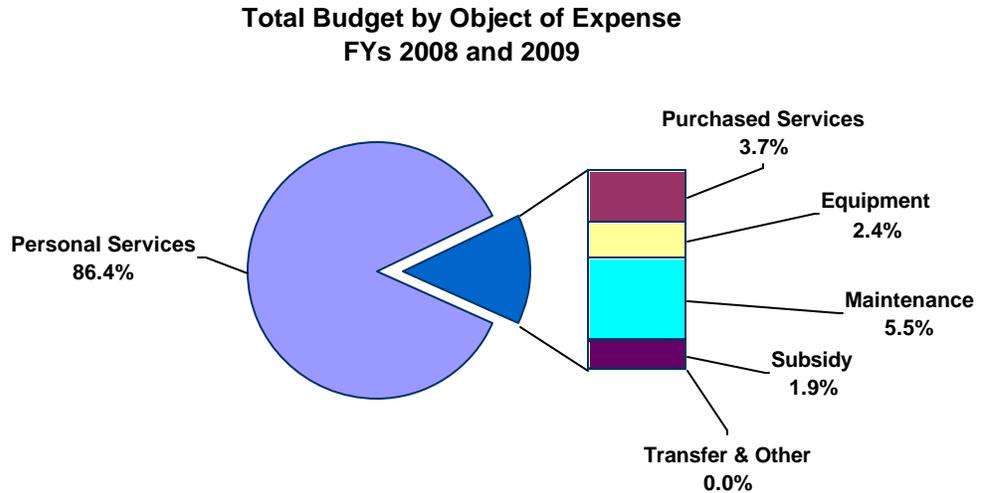
- **Judicial salaries.** This component of the GRF budget funds the state's share of the salaries and benefits of judges of the courts of appeals, courts of common pleas, municipal courts, county courts, and county clerks of courts (estimated at \$81.05 million in FY 2008 and \$84.86 million in FY 2009).
- **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 (estimated at \$21.74 million in FY 2008 and \$22.64 million in FY 2009).
- **Supreme Court operations.** This component of the GRF budget funds the salaries of the justices and staff, the operation and maintenance of the Ohio Courts Building, and the provision of programs that benefit the trial and appellate courts (estimated at \$24.99 million in FY 2008 and \$25.61 million in FY 2009).

These components also suggest that, for any given year, between 70% and 75% of the Court's expenditures pay for the state share of the salaries and fringe benefits of judges and certain court personnel and 18% to 20% pays for the operation of the Supreme Court.

The executive-recommended budget also contains GRF appropriations totaling \$4.0 million in FY 2008 and \$6.5 million in FY 2009 to support implementation of the Ohio Courts Technology Initiative. The project's total estimated cost is \$25 million.

## FYs 2008-2009 Object of Expense Summary

The pie chart immediately below shows the total recommended appropriations (FYs 2008 and 2009) by major object of expense. This information is shown for the GRF and for all funds.

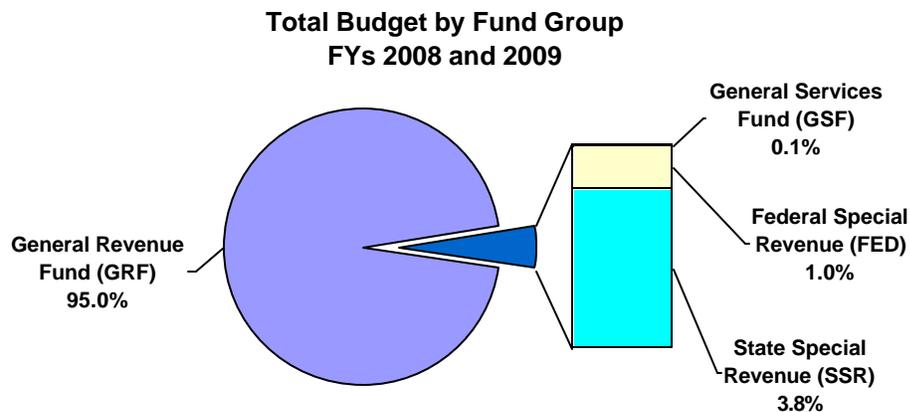


## Special Revenue Funds

Non-GRF funds totaling \$7.1 million in FY 2008 and \$7.2 million in FY 2009 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 56 legal and support positions at the Supreme Court.

## FYs 2008-2009 Expense by Fund Summary

The pie chart immediately below shows the total recommended appropriations (FYs 2008 and 2009) 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 total number of staff paid, or to be paid, by the Supreme Court from FYs 2006 through 2009. The staffing levels displayed in the table include Supreme Court staff, 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.

<b>Supreme Court Staffing Levels by Fiscal Year*</b>			
<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>
1,583	1,590	1,598	1,607

\*The total number of staff for FYs 2007, 2008, and 2009 are estimates.

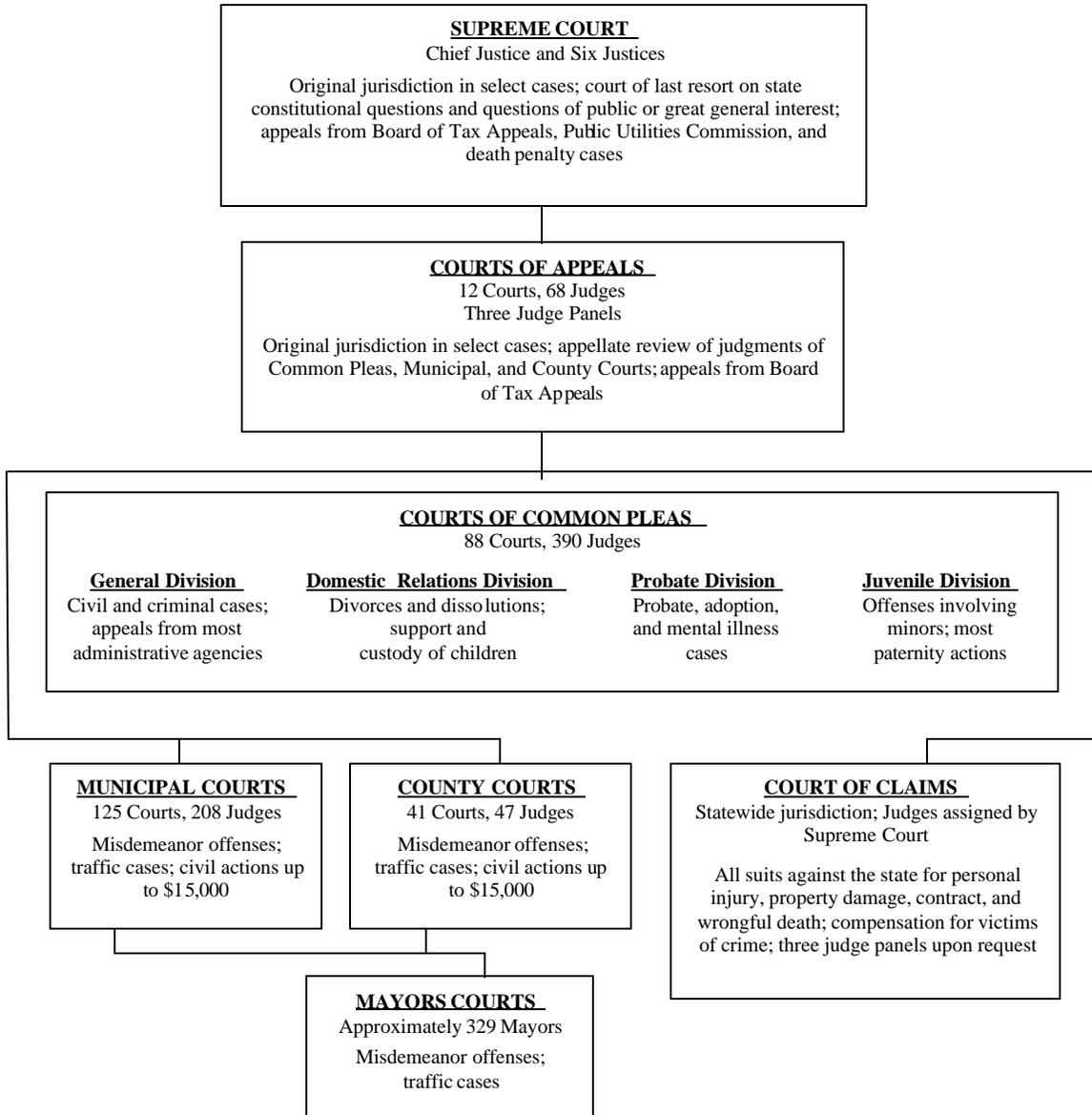
## **Annual Salaries Paid from the State Treasury**

The annual salaries paid from the state treasury by the Supreme Court are summarized in the table below.

<b>Annual Salaries Payable from the State Treasury</b>	
<b>Office</b>	<b>Portion of Annual Salary Payable from the State Treasury</b>
Justices of the Supreme Court and Court staff	100% of salary
Judges of the courts of appeals and R.C. section 2501.16 employees	100% of salary in most cases (some R.C. section 2501.16 employees' salaries are split between the county and the state)
Common pleas, municipal, and county court judges	Varies; determined by statute
County clerks of courts	1/8 of salary for court of appeals -related services

## Ohio Judicial System Structure

The chart below visually depicts the structure of the Ohio judicial system as of January 2007.



## ANALYSIS OF EXECUTIVE PROPOSAL

For budget purposes, as detailed below, the Judiciary/Supreme Court is considered a single program series agency and its activities are not subdivided into multiple programs.

### Program Series

### Judicial Operations

**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 2008	FY 2009
<b>General Revenue Fund</b>				
GRF	005-321	Operating Expenses	\$127,778,192	\$133,144,970
GRF	005-401	State Criminal Sentencing Council	\$331,500	\$336,770
GRF	005-406	Law-Related Education	\$229,290	\$236,172
GRF	005-409	Ohio Courts Technology Initiative	\$4,000,000	\$6,500,000
GRF	005-502	Commission for Legal Education Opportunity	\$250,000	\$350,000
<b>General Revenue Fund Subtotal</b>			<b>\$132,588,982</b>	<b>\$140,567,912</b>
<b>State Special Revenue Fund</b>				
4C8	005-605	Attorney Services	\$3,841,416	\$3,936,058
5T8	005-609	Grants and Awards	\$100,000	\$100,000
6A8	005-606	Supreme Court Admissions	\$1,496,633	\$1,541,532
<b>State Special Revenue Fund Subtotal</b>			<b>\$5,438,049</b>	<b>\$5,577,590</b>
<b>General Services Fund</b>				
GSF	005-601	Continuing Judicial Education	\$136,000	\$140,000
<b>General Services Fund Subtotal</b>			<b>\$136,000</b>	<b>\$140,000</b>
<b>Federal Special Revenue</b>				
FED	005-603	Federal Grants	\$1,518,491	\$1,467,693
<b>Federal Special Revenue Subtotal</b>			<b>\$1,518,491</b>	<b>\$1,467,693</b>
<b>Total Funding: Judicial Operations</b>			<b>\$139,681,522</b>	<b>\$147,753,195</b>

### Judicial Operations

**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 Judiciary/Supreme Court 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 operating expenses, and (5) operations of the Ohio Criminal Sentencing Commission.

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

**Line Items:** See table above

**Implication of Executive Recommendation:** Under the executive-recommended budget, total GRF funding for The Judiciary/Supreme Court will increase: (1) by \$9.7 million in FY 2008, an increase of 7.9% from the total estimated FY 2007 GRF expenditure of \$122.9 million, and (2) by \$8.0 million in FY 2009, an increase of 6.0% from the FY 2008 requested amount.

The Court's GRF funding request includes \$4.0 million in FY 2008 and \$6.5 million in FY 2009 to support the Ohio Courts Technology Initiative (GRF line item 005-409). By developing a shared network, this initiative will permit all courts and justice system partners in Ohio to access and warehouse data efficiently. The concept behind the Ohio Courts Technology Initiative already exists, and the Court is now prepared to implement pilot programs to test the outcome of the strategic plan.

### **Permanent Law**

It does not appear that the executive-recommended budget contains any permanent law provisions directly affecting operations of the Supreme Court.

### **Temporary Law**

The executive-recommended budget contains nine temporary law provisions, summarized below, that address the Court's budget.

**Law-Related Education (Section 313.10).** The funding and temporary law associated with the Court's GRF line item 005-406, Law-Related Education, can be summarized as follows.

- The Court is required 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 \$229,290 in FY 2008 and \$236,172 in FY 2009.
- 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.

**Ohio Courts Technology Initiative (Section 313.10).** Temporary law associated with the Court's GRF line item 005-409, Ohio Courts Technology Initiative, requires these moneys to be used to fund an initiative by the Supreme Court to facilitate the exchange of information and warehousing of data by and between Ohio courts and other justice system partners through the creation of an Ohio Courts Network, the delivery of technology services to courts throughout the state, including the provision of hardware, software, and the development and implementation of educational and training programs for judges and court personnel, and the creation and operation of the Commission on Technology and the Courts by the Supreme Court for the promulgation of statewide rules, policies, and uniform standards, and to aid in the orderly adoption and comprehensive use of technology in Ohio courts. The GRF amounts appropriated for this purpose total \$4.0 million in FY 2008 and \$6.5 million in FY 2009.

**Commission for Legal Education Opportunity (Section 313.30).** Temporary law associated with the Court's GRF line item 005-502, Commission for Legal Education Opportunity, stipulates that 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 provision also permits these moneys to 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. The amount so earmarked totals \$250,000 in FY 2008 and \$350,000 in FY 2009. 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 (Section 313.10).** The funding and temporary law associated with the Court's Continuing Judicial Education Fund (Fund 672) can be summarized as follows.

- The fund's revenue stream is to 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, 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.

**Federal Grants Fund (Section 313.10).** The funding and temporary law associated with the Court's Federal Grants Fund (Fund 3J0) can be summarized as follows.

- The fund's revenue stream is to consist 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.

***Attorney Services (Section 313.30).*** The funding and temporary law associated with the Court's Attorney Services Fund (Fund 4C8), which is the renamed Attorney Registration Fund, can be summarized as follows.

- The fund's revenue stream is to consist of moneys received by the Court pursuant to the Rules for the Government of the Bar of Ohio
- In addition to funding other activities considered appropriate by the Court, these moneys may be used to compensate employees and to fund appropriate activities of the Office of the Disciplinary Counsel, the Board of Commissioners on Grievances and Discipline, the Clients' Security Fund, and the Attorney Services Division.
- The Court is permitted 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 (Section 313.30).*** The funding and temporary law associated with the Court's Grants and Awards Fund (Fund 5T8) can be summarized as follows.

- The fund's revenue stream is to consist 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.

***Supreme Court Admissions Fund (Section 313.30).*** The funding and temporary law associated with the Court's Supreme Court Admissions Fund (Fund 6A8) can be summarized as follows.

- The appropriated amounts are to be used to compensate employees who are primarily responsible for administering the Attorney Admissions Program. The Court is also permitted to fund any other activities considered appropriate.
- The Court is permitted 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.

***Fund Elimination (Section 313.30).*** At the request of the Supreme Court of Ohio, the executive recommended: (1) transfers the fund's cash balance to the Attorney Services Fund (Fund 4C8), (2) cancels any existing encumbrances against related line item 005-607 and re-establishes those encumbrances against line item 005-605, Attorney Services, (3) appropriates the re-established encumbrances, and (4) abolishes the fund.

g:\budget\budget.127\redbooks\senateredbooks\jsc.doc/cm

## General Revenue Fund

### GRF 005-321 Operating Expenses - Judiciary/Supreme Court

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$105,170,327	\$111,094,477	\$116,088,022	\$121,441,259	<b>\$127,778,192</b>	<b>\$133,144,970</b>
	5.6%	4.5%	4.6%	5.2%	4.2%

**Source:** GRF

**Legal Basis:** Section 206.75 of Am. Sub. H.B. 66 of the 126th 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

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$249,517	\$259,048	\$258,013	\$343,730	<b>\$331,500</b>	<b>\$336,770</b>
	3.8%	-0.4%	33.2%	-3.6%	1.6%

**Source:** GRF

**Legal Basis:** Section 206.75 of Am. Sub. H.B. 66 of the 126th 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.

**GRF 005-406 Law-Related Education**

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$209,836	\$216,131	\$216,131	\$222,615	<b>\$229,290</b>	<b>\$236,172</b>
	3.0%	0.0%	3.0%	<b>3.0%</b>	<b>3.0%</b>

**Source:** GRF

**Legal Basis:** Section 206.75 of Am. Sub. H.B. 66 of the 126th G.A. (originally established by Am. Sub. H.B. 94 of the 124th G.A., the main operating 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.

**GRF 005-409 Ohio Courts Technology Initiative**

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$0	\$0	\$0	\$0	\$4,000,000	\$6,500,000
					62.5%

**Source:** GRF

**Legal Basis:** Section 313.10 as proposed in the As Introduced version of H.B. 119 of the 127th G.A.

**Purpose:** Temporary law requires these moneys to be used to fund an initiative by the Supreme Court to facilitate the exchange of information and warehousing of data by and between Ohio courts and other justice system partners through the creation of an Ohio Courts Network, the delivery of technology services to courts throughout the state, including the provision of hardware, software, and the development and implementation of educational and training programs for judges and court personnel, and the creation and operation of the Commission on Technology and the Courts by the Supreme Court for the promulgation of statewide rules, policies, and uniform standards, and to aid in the orderly adoption and comprehensive use of technology in Ohio courts.

**GRF 005-502 Commission for Legal Education Opportunity**

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$0	\$0	\$0	\$875,000	\$250,000	\$350,000
			N/A	-71.4%	40.0%

**Source:** GRF

**Legal Basis:** Section 206.75 of Am. Sub. H.B. 66 of the 126th G.A. (originally established by Am. Sub. H.B. 94 of the 124th G.A., the main operating 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.

## General Services Fund Group

### 672 005-601 Continuing Judicial Education

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$103,561	\$91,983	\$115,949	\$130,000	<b>\$136,000</b>	<b>\$140,000</b>
	-11.2%	26.1%	12.1%	4.6%	2.9%

**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 206.75 of Am. Sub. H.B. 66 of the 126th G.A. (originally established by Am. Sub. H.B. 694 of the 114th G.A.)

**Purpose:** Temporary law stipulates that: (1) the line item be used to pay expenses for continuing education courses for judges and court 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 moneys 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

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$451,486	\$992,823	\$1,751,856	\$1,507,578	<b>\$1,518,491</b>	<b>\$1,467,693</b>
	119.9%	76.5%	-13.9%	<b>0.7%</b>	<b>-3.3%</b>

**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 206.75 of Am. Sub. H.B. 66 of the 126th 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) the line item 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 moneys 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 Services

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$2,517,114	\$2,627,960	\$2,987,805	\$3,264,867	<b>\$3,841,416</b>	<b>\$3,936,058</b>
	4.4%	13.7%	9.3%	<b>17.7%</b>	<b>2.5%</b>

**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 206.75 of Am. Sub. H.B. 66 of the 126th G.A.; Rule VI, Section 7(B) of the Supreme Court Rules for the Government of the Bar of Ohio

**Purpose:** Existing temporary law stipulates that, in addition to funding other activities considered appropriate by the Supreme Court of Ohio, the line item 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 moneys 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 2008-2009 biennial operating budget as contained in the As Introduced version of H.B. 119 of the 127th G.A.: (1) renames Fund 4C8 from to the Attorney Registration Fund to the Attorney Services Fund, and (2) amends the list of Supreme Court offices that may utilize the moneys deposited to the credit of the fund by deleting existing references to the Board of Commissioners on the Unauthorized Practice of Law and the Office of Attorney Registration and inserting the Attorney Services Division.

**5T8 005-609 Grants and Awards**

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$44,068	\$27,701	\$89,234	\$260,000	\$100,000	\$100,000
	-37.1%	222.1%	191.4%	-61.5%	0.0%

**Source:** SSR: Grants and other moneys awarded to the Supreme Court of Ohio by the State Justice Institute, the Division of Criminal Justice Services, or other entities, e.g., the Ohio Bar Foundation

**Legal Basis:** Section 206.75 of Am. Sub. H.B. 66 of the 126th G.A. (originally established by Controlling Board on February 25, 2002)

**Purpose:** Temporary law stipulates that: (1) the line item 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 moneys 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**

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$480,895	\$453,530	\$408,741	\$586,261	\$0	\$0
	-5.7%	-9.9%	43.4%		

**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 206.75 of Am. Sub. H.B. 66 of the 126th G.A. (originally established by Am. Sub. H.B. 94 of the 124th G.A., the main operating appropriations act covering FYs 2002 and 2003)

**Purpose:** Existing temporary law stipulates that: (1) the line item 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 moneys 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 2008-2009 biennial operating budget as contained in the As Introduced version of H.B. 119 of the 127th G.A.: (1) transfers the fund's cash balance to the Attorney Services Fund (Fund 4C8), (2) cancels any existing encumbrances against related line item 055-607 and re-establishes those encumbrances against line item 005-605, Attorney Services, (3) appropriates the re-established encumbrances, and (4) abolishes the fund.

**6A8 005-606 Supreme Court Admissions**

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$976,761	\$1,041,340	\$1,116,488	\$1,453,042	<b>\$1,496,633</b>	<b>\$1,541,532</b>
	6.6%	7.2%	30.1%	<b>3.0%</b>	<b>3.0%</b>

**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 206.75 of Am. Sub. H.B. 66 of the 126th G.A. (originally established by Am. Sub. H.B. 94 of the 124th G.A., the main operating appropriations act covering FYs 2002 and 2003)

**Purpose:** Temporary law stipulates that: (1) the line item 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 moneys 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 purposes into this newly-created SSR line item 005-606, Supreme Court Admissions.

## LSC Budget Spreadsheet by Line Item, FY 2008 - FY 2009

<i>Fund</i>	<i>ALI</i>	<i>ALI Title</i>	<i>Estimated 2007</i>	<i>As Introduced 2008</i>	<i>House Passed 2008</i>	<i>% Change Est. 2007 to House 2008</i>	<i>As Introduced 2009</i>	<i>House Passed 2009</i>	<i>% Change House 2008 to House 2009</i>
<b>JSC Judiciary / Supreme Court</b>									
GRF	005-321	Operating Expenses - Judiciary/Supreme Court	\$121,441,259	\$ 127,778,192	\$ 127,778,192	5.2%	\$ 133,144,970	\$ 133,144,970	4.2%
GRF	005-401	State Criminal Sentencing Council	\$343,730	\$ 331,500	\$ 331,500	-3.6%	\$ 336,770	\$ 336,770	1.6%
GRF	005-406	Law-Related Education	\$222,615	\$ 229,290	\$ 229,290	3.0%	\$ 236,172	\$ 236,172	3.0%
GRF	005-409	Ohio Courts Technology Initiative	\$0	\$ 4,000,000	\$ 4,000,000	N/A	\$ 6,500,000	\$ 6,500,000	62.5%
GRF	005-502	Commission for Legal Education Opportunity	\$875,000	\$ 250,000	\$ 250,000	-71.4%	\$ 350,000	\$ 350,000	40.0%
<b>General Revenue Fund Total</b>			<b>\$ 122,882,604</b>	<b>\$ 132,588,982</b>	<b>\$ 132,588,982</b>	<b>7.9%</b>	<b>\$ 140,567,912</b>	<b>\$ 140,567,912</b>	<b>6.0%</b>
672	005-601	Continuing Judicial Education	\$130,000	\$ 136,000	\$ 136,000	4.6%	\$ 140,000	\$ 140,000	2.9%
<b>General Services Fund Group Total</b>			<b>\$ 130,000</b>	<b>\$ 136,000</b>	<b>\$ 136,000</b>	<b>4.6%</b>	<b>\$ 140,000</b>	<b>\$ 140,000</b>	<b>2.9%</b>
3J0	005-603	Federal Grants	\$1,507,578	\$ 1,518,491	\$ 1,518,491	0.7%	\$ 1,467,693	\$ 1,467,693	-3.3%
<b>Federal Special Revenue Fund Group Total</b>			<b>\$ 1,507,578</b>	<b>\$ 1,518,491</b>	<b>\$ 1,518,491</b>	<b>0.7%</b>	<b>\$ 1,467,693</b>	<b>\$ 1,467,693</b>	<b>-3.3%</b>
4C8	005-605	Attorney Services	\$3,264,867	\$ 3,841,416	\$ 3,841,416	17.7%	\$ 3,936,058	\$ 3,936,058	2.5%
5T8	005-609	Grants and Awards	\$260,000	\$ 100,000	\$ 100,000	-61.5%	\$ 100,000	\$ 100,000	0.0%
643	005-607	Commission on Continuing Legal Education	\$586,261	\$ 0	\$ 0	-100.0%	\$ 0	\$ 0	N/A
6A8	005-606	Supreme Court Admissions	\$1,453,042	\$ 1,496,633	\$ 1,496,633	3.0%	\$ 1,541,532	\$ 1,541,532	3.0%
<b>State Special Revenue Fund Group Total</b>			<b>\$ 5,564,170</b>	<b>\$ 5,438,049</b>	<b>\$ 5,438,049</b>	<b>-2.3%</b>	<b>\$ 5,577,590</b>	<b>\$ 5,577,590</b>	<b>2.6%</b>
<b>Total All Budget Fund Groups</b>			<b>\$ 130,084,352</b>	<b>\$ 139,681,522</b>	<b>\$ 139,681,522</b>	<b>7.4%</b>	<b>\$ 147,753,195</b>	<b>\$ 147,753,195</b>	<b>5.8%</b>

## As Introduced (Executive)

## As Passed by the House

**1 (CD-610-JSC) Law-Related Education****Section: 313.10**

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: 313.10**

Same as the Executive.

**2 (CD-611-JSC) Ohio Courts Technology Initiative****Section: 313.10**

Earmarks all of the moneys appropriated to GRF appropriation item 005-409, Ohio Courts Technology Initiative, to fund an initiative by the Supreme Court to facilitate the exchange of information and warehousing of data by and between Ohio courts and other justice system partners through the creation of an Ohio Courts Network, the delivery of technology services to courts throughout the state, including the provision of hardware, software, and the development and implementation of educational and training programs for judges and court personnel, and the creation and operation of the Commission on Technology and the Courts by the Supreme Court for the promulgation of statewide rules, policies, and uniform standards, and to aid in the orderly adoption and comprehensive use of technology in Ohio courts.

**Section: 313.10**

Same as the Executive.

**As Introduced (Executive)**

**As Passed by the House**

**3 (CD-617-JSC) Commission for Legal Education Opportunity**

**Section: 313.10**

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: 313.10**

Same as the Executive.

**4 (CD-620-JSC) Continuing Judicial Education**

**Section: 313.10**

Specifies that:

- (1) The Continuing Judicial Education Fund (Fund 672) shall 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 related GSF appropriation item 005-601, Continuing Judicial Education, will be used to pay expenses for continuing education courses for judges and court personnel;
- (3) The Administrative Director of the Supreme Court may increase the appropriation item's appropriation authority if the Administrative Director deems it necessary;

**Section: 313.10**

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

As Introduced (Executive)	As Passed by the House
<p>(4) The Director of Budget and Management and the Controlling Board are prohibited from transferring moneys from Fund 672 to any other fund; and</p> <p>(5) Any interest earned on the fund's moneys are credited to the fund.</p>	<p>(4) Same as the Executive.</p> <p>(5) Same as the Executive.</p>
<p><b>5 (CD-629-JSC) Federal Grants</b></p>	
<p><b>Section: 313.10</b></p>	<p><b>Section: 313.10</b></p>
<p>Specifies that:</p>	
<p>(1) The moneys deposited to the credit of the Federal Grants Fund (Fund 3J0) shall 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;</p> <p>(2) Any moneys appropriated to its related FED appropriation item 005-603, Federal Grants, are to be used in a manner consistent with the purpose of the grant or award;</p> <p>(3) The Administrative Director of the Court may increase the appropriation item's appropriation authority if the Administrative Director deems it necessary;</p> <p>(4) The Director of Budget and Management and the Controlling Board are prohibited from transferring moneys from Fund 3J0 to any other fund; and</p> <p>(5) Any interest earned on the fund's moneys are to be transferred or credited to the state's GRF.</p>	<p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p> <p>(4) Same as the Executive.</p> <p>(5) Same as the Executive.</p>

**As Introduced (Executive)**

**As Passed by the House**

**6 (CD-631-JSC) Attorney Services**

**Section: 313.10**

Specifies that:

- (1) The Attorney Services Fund (Fund 4C8), formerly known as the Attorney Registration Fund, shall consist of moneys received by the Supreme Court pursuant to the Rules for the Government of the Bar of Ohio;
- (2) The related SSR appropriation item 005-605, Attorney Services, shall be used to compensate employees and to fund appropriate activities of the following offices of the Supreme Court: the Office of Disciplinary Counsel, the Board of Commissioners on Grievances and Discipline, the Clients' Security Fund, and the Attorney Services Division, as well as other activities considered appropriate by the Supreme Court;
- (3) The Administrative Director of the Supreme 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 4C8 to any other fund; and
- (5) Any interest earned on the fund's moneys are credited to the fund.

**Section: 313.10**

- (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**

**7 (CD-638-JSC) Grants and Awards**

**Section: 313.10**

Specifies that:

- (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 SSR 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 Supreme 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 credited to the state's GRF.

**Section: 313.10**

- (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.

**8 (CD-642-JSC) Supreme Court Admissions**

**Section: 313.10**

Specifies that:

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

**Section: 313.10**

- (1) Same as the Executive.

As Introduced (Executive)	As Passed by the House
<p>Program, and to fund any other activities considered appropriate by the Court;</p> <p>(2) The Administrative Director of the Supreme Court may increase the appropriation item's appropriation authority if the Administrative Director deems it necessary;</p> <p>(3) The Director of Budget and Management and the Controlling Board are prohibited from transferring moneys from Fund 6A8 to any other fund; and</p> <p>(4) Any interest earned on the fund's moneys are credited to the fund.</p>	<p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p> <p>(4) Same as the Executive.</p>
<p><b>9 (CD-644-JSC) Fund Elimination</b></p>	
<p><b>Section: 313.10</b> Specifies that:</p>	<p><b>Section: 313.10</b></p>
<p>(1) The Director of Budget and Management shall transfer the cash balance in the Commission on Continuing Legal Education Fund (Fund 643) to the Attorney Services Fund (Fund 4C8), cancel any existing encumbrances against SSR appropriation item 005-607, Commission on Continuing Legal Education, and re-establish them against SSR appropriation item 005-605, Attorney Services;</p> <p>(2) The amounts of the re-established encumbrances are appropriated; and</p> <p>(3) Upon completion of these transfers, the Commission on Continuing Legal Education Fund (Fund 643) is abolished.</p>	<p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p>