## Greenbook

## **LBO Analysis of Enacted Budget**

# **Judiciary/Supreme Court**

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#### Attachment:

**Appropriation Spreadsheet** 

### LBO Greenbook

### **Judiciary/Supreme Court**

#### Quick look...

- The Judiciary/Supreme Court's (JSC) budget consists of three major components: (1) the operation of the Supreme Court, (2) the payment of the salaries and benefits of Ohio's judges, and (3) the payment of the salaries and benefits of the employees of the district courts of appeals.
- Total budget: \$234.0 million in FY 2026 and \$245.3 million in FY 2027.
- Sources of the budget: GRF (94.6%), state non-GRF (4.8%), and federal (0.6%).

Fund Group	FY 2024 Actual	FY 2025 Actual	FY 2026 Appropriation	FY 2027 Appropriation
General Revenue (GRF)	\$197,140,018	\$204,233,454	\$220,667,165	\$232,609,466
Dedicated Purpose (DPF)	\$11,338,418	\$9,795,463	\$11,190,583	\$11,193,522
Fiduciary (FID)	\$220,390	\$257,399	\$313,800	\$318,500
Federal (FED)	\$2,005,662	\$1,623,054	\$1,810,907	\$1,157,600
Total	\$210,704,487	\$215,909,370	\$233,982,455	245,279,088
% change		2.5%	8.4%	4.8%
GRF % change		3.6%	8.0%	5.4%

#### **Agency overview**

As specified in Article IV of the Ohio Constitution, the Supreme Court of Ohio can be viewed as having two distinct general responsibilities:

- Ruling upon legal matters, including cases arising under the U.S. Constitution or the Ohio Constitution, cases originating in the courts of appeals, cases in which there have been conflicting opinions on the same question from courts of appeals, cases involving the death penalty, and appeals arising from the actions of certain administrative agencies;
- Regulating the admission to and practice of law, promulgating rules of practice and procedure in Ohio courts, and exercising general superintendence over all Ohio courts.

The Court itself is comprised of a chief justice and six justices who are elected in even-numbered years to six-year terms. The majority of the cases heard by the Court are appeals from the state's 12 district courts of appeals.

#### **Budget highlights**

#### Judicial pay increases

The budget establishes a four-year schedule of 5% annual salary increases for justices and judges, county officials, township officials, and members of county boards of elections beginning

in CY 2026. The state will pay for all of the increases, as the local shares of judicial salaries will be held at their current levels.<sup>1</sup>

This pay increase replaces pay increase provisions from S.B. 296 of the 132<sup>nd</sup> General Assembly which increased the annual salaries of the Ohio Supreme Court justices and judges of the courts of appeals, courts of common pleas, municipal courts, and county courts by 1.75% over the preceding calendar year beginning in CY 2020 and running through CY 2028. The state pays one-eighth of the county-paid compensation for common pleas court clerks also serving as the clerk of the court of appeals, who are also subject to the salary increases.

Judiciary/Supreme Court (JSC) will incur a net increase in GRF expenditures averaging approximately \$9.0 million per year over the four-year period covering 2026, 2027, 2028, and 2029.

#### **Ohio Courts Network**

The budget transfers the Ohio Courts Technology Initiative from the Ohio Supreme Court to the Attorney General (AGO) beginning in FY 2026 with funding provided through AGO GRF line item 055321, Operating Expenses.<sup>2</sup> The transfer of duties will authorize the AGO to facilitate the exchange of information and warehousing of data by and between courts and other justice system partners through the maintenance of the Ohio Courts Network (OCN).

The AGO has arranged for a Memorandum of Understanding with the Court to run the OCN. Prior to this transfer, funding was provided through GRF ALI 005409, Ohio Courts Technology Initiative under JSC's budget. Under that line item, funding was used to facilitate the exchange of information and warehousing of data by and between Ohio courts and other justice system partners, including: (1) the continuing development and maintenance of the OCN, (2) operation of the Commission on Technology and the Courts which aids in the orderly adoption and use of technology in the courts, and (3) grants to local courts to support the adoption and use of relevant technology.

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<sup>&</sup>lt;sup>1</sup> Salaries for judges of the courts of common pleas and municipal and county courts are comprised of a portion paid by the state and a portion paid by the local governments under the jurisdiction of the court. For a complete breakdown of the funding split, please see LBO's infographic entitled "Ohio Courts: Judicial Salaries" located on the LSC website under Infographics: <a href="Lsc.ohio.gov">Lsc.ohio.gov</a>.

<sup>&</sup>lt;sup>2</sup> The budget earmarks \$4,505,000 in each fiscal year from GRF 055321, Operating Expenses, to fund an initiative by the AGO to facilitate the exchange of information and warehousing of data by and between courts and other justice system partners through the maintenance of an OCN.

#### Analysis of FY 2026-FY 2027 budget

#### **Operating Expenses – Judiciary/Supreme Court (ALI 005321)**

FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Actual	FY 2026 Appropriation	FY 2027 Appropriation			
GRF ALI 005321, Operating Expenses – Judiciary/Supreme Court								
183,306,685	\$183,949,969	\$191,727,723	\$199,292,679	\$218,911,023	\$230,757,735			
% change	0.4%	4.2%	3.9%	9.8%	5.4%			

This GRF line item's appropriation, which is expected to support nearly 92% of the Court's total biennial budget, is allocated for three major expenditure categories, in order of magnitude, as follows: (1) the payment of the state portion of the salaries and benefits of more than 700 judges, (2) the operating costs of the Court's administrative structure, and (3) the payment of salaries and benefits for 292 staff of the appellate courts.

#### **State Criminal Sentencing Commission (ALI 005401)**

FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Actual	FY 2026 Appropriation	FY 2027 Appropriation		
GRF ALI 005401, State Criminal Sentencing Commission							
\$1,043,838	\$1,111,321	\$1,044,890	\$908,737	\$1,506,142	\$1,601,731		
% change	6.5%	-6.0%	-13.0%	65.7%	6.3%		

This GRF line item is used for the operation of the State Criminal Sentencing Commission which is a 31-member commission originally created by S.B. 258 of the 118<sup>th</sup> General Assembly. The Commission reviews sentencing statutes and sentencing patterns and makes recommendations on statutory changes to the General Assembly.

#### **Law-Related Education (ALI 005406)**

FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Actual	FY 2026 Appropriation	FY 2027 Appropriation		
GRF ALI 005406, Law-Related Education							
\$212,500	\$487,500	\$375,000	\$375,000	\$250,000	\$250,000		
% change	129.4%	-23.1%	0.0%	-33.3%	0.0%		

This line item is earmarked in full by the budget for law-related education. In each fiscal year, \$250,000 is earmarked 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. The Center is a nonprofit organization that delivers a variety of law-related and citizenship education programs and materials to teachers and students of primary and secondary schools.

<b>Attorney Se</b>	rvices (AI	LI 005605)
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FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Actual	FY 2026 Appropriation	FY 2027 Appropriation		
DPF Fund 4C80 ALI 005605, Attorney Services							
\$10,652,457	10,711,296	\$10,965,598	\$9,252,579	\$10,718,083	\$10,721,022		
% change	0.6%	2.4%	-15.6%	15.8%	0.0%		

This line item is used to pay for various services and activities of the Court, including the Office of Disciplinary Counsel, the Board of Commissioners on Grievances and Discipline, the Clients' Security Fund, and the Attorney Services Division. The line item is supported by money appropriated from the Attorney Registration Fund (Fund 4C80), which consists of attorney registration and continuing legal education fees.

A related ongoing temporary law provision: (1) increases the line item's appropriation if deemed necessary by the Administrative Director of the Court, (2) prohibits the Director of Budget and Management or the Controlling Board from transferring money from Fund 4C80 to any other fund, and (3) requires any interest earned on the fund's money be credited to the fund.

#### **Court Interpreter Certification (ALI 005617)**

FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Actual	FY 2026 Appropriation	FY 2027 Appropriation			
DPF Fund 5HT0 ALI 005617, Court Interpreter Certification								
\$372	\$7,000	\$0	\$8,882	\$9,000	\$9,000			
% change	1,781.7%	-100.0%		1.3%	0.0%			

This line item provides for language experts to rate, or grade, the oral examinations of those applying to become certified court interpreters. It is supported by money appropriated from the Court Interpreter Fund (Fund 5HTO), which consists of court interpreter certification fees.

A related temporary law provision: (1) increases the line item's appropriation if deemed necessary by the Administrative Director of the Court, (2) prohibits the Director of Budget and Management or the Controlling Board from transferring money from Fund 5HTO to any other fund, and (3) requires any interest earned on the fund's money be credited to the fund.

#### **Civil Justice Grant Program (ALI 005626)**

FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Actual	FY 2026 Appropriation	FY 2027 Appropriation		
DPF Fund 5SP0 ALI 005626, Civil Justice Grant Program							
\$369,899	\$327,055	\$331,484	\$495,888	\$425,000	\$425,000		
% change	-11.6%	1.4%	49.6%	-14.3%	0.0%		

This line item is used for grants to not-for-profit organizations and agencies dedicated to providing legal aid to underserved populations, to fund innovative programs directed at this purpose, and to increase access to the judicial services of that population. It is supported by money appropriated from the Civil Justice Grant Program Fund (Fund 5SPO), which consists of: (1) \$150 of every pro hac vice fee charged to attorneys from other states trying cases in Ohio, and (2) revenues from a voluntary \$50 donation made as part of the biennium attorney registration process.

A related temporary law provision: (1) increases the line item's appropriation if deemed necessary by the Administrative Director of the Court, (2) prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund 5SPO to any other fund, and (3) requires any interest earned on the fund's money be credited to the fund.

#### **Grants and Awards (ALI 005609)**

FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Actual	FY 2026 Appropriation	FY 2027 Appropriation			
DPF Fund 5T80 ALI 005609, Grants and Awards								
\$7,084	\$90,465	\$294	\$0	\$1,000	\$1,000			
% change	1,177.0%	-99.7%	-100.0%		0.0%			

This line item is used to distribute grants and awards that the Court has received for a designated purpose or purposes and credited to the Grants and Awards Fund (Fund 5T80). Of significance, the fund received \$90,000 from the Cleveland Foundation in FY 2023 to promote fair sentencing across county courts, and to accelerate the participation of the Cuyahoga County Court of Common Pleas in the Ohio sentencing data platform.

A related ongoing temporary law provision: (1) increases the line item's appropriation if deemed necessary by the Administrative Director of the Court, (2) prohibits the Director of Budget and Management and the Controlling Board from transferring money from Fund 5T80 to any other fund, and (3) requires any interest earned on the fund's money be credited to the state's GRF.

#### **Continuing Judicial Education (ALI 005601)**

FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Actual	FY 2026 Appropriation	FY 2027 Appropriation			
DPF Fund 6720 ALI 005601, Continuing Judicial Education								
\$50,000	\$36,416	\$41,042	\$38,114	\$37,500	\$37,500			
% change	-27.2%	12.7%	-7.1%	-1.6%	0.0%			

This line item is used to pay for the expense of providing continuing education courses to judges and other court personnel. It is supported by money appropriated from the Judiciary/Supreme Court Education Fund (Fund 6720), which largely consists of fees paid by judges and other court personnel for attending continuing education courses.

A related, ongoing temporary law provision: (1) increases the line item's appropriation if deemed necessary by the Administrative Director of the Court, (2) prohibits the Director of Budget and Management or the Controlling Board from transferring moneys from Fund 6720 to any other fund, and (3) requires any interest earned on the fund's money be credited to the fund.

#### **County Law Library Resources Boards (ALI 005620)**

FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Actual	FY 2026 Appropriation	FY 2027 Appropriation			
FID Fund 5JY0 ALI 005620, County Law Library Resources Boards								
\$208,014	\$247,224	\$220,390	\$257,399	\$313,800	\$318,500			
% change	18.8%	-10.9%	16.8%	21.9%	1.5%			

This line item, which consists of money forwarded from each county law library resources fund and credited to the Statewide Consortium of County Law Library Resources Boards Fund (Fund 5JYO), provides funding for the operation of the Statewide Consortium of County Law Library Resources Boards. The Consortium was established in 2011 for the purposes of: (1) negotiating contracts that each county law library resources board may use for purchasing or obtaining access to legal research and reference materials, (2) cataloging existing resources held by county law library resources boards and facilitate the sharing of those resources, (3) developing and recommending guidelines for the collection of or access to legal resources, and (4) providing consultation and assistance to county law library resources boards.

A related temporary law provision: (1) increases the line item's appropriation if deemed necessary by the Administrative Director of the Court, (2) prohibits the Director of Budget and Management or the Controlling Board from transferring money from Fund 5JYO to any other fund, and (3) requires any interest earned on the fund's money be credited to the fund.

#### Federal Grants (ALI 005603)

FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Actual	FY 2026 Appropriation	FY 2027 Appropriation						
FED Fund 3J00 ALI 005603, Federal Grants											
\$1,702,057	\$2,078,008	\$2,005,662	\$1,623,054	\$1,810,907	\$1,157,600						
% change	22.1%	-3.5%	-19.1%	11.6%	-36.1%						

This line item is used to support grants awarded by the federal government.

A related, ongoing temporary law provision: (1) increases the line item's appropriation if deemed necessary by the Administrative Director of the Court, (2) prohibits the Director of Budget and Management and the Controlling Board from transferring money from Fund 3J00 to any other fund, and (3) requires any interest earned on the fund's money be transferred or credited to the state's GRF.

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### FY 2026 - FY 2027 Final Appropriations All Fund Groups - Detail

#### H.B. 96 - Main Operating Appropriations Bill

			Appropriation	Appropriation	FY 2025 to FY 2026	FY 2026 to FY 2027		
Detail by Agency	FY 2024	FY 2025	FY 2026	FY 2027	% Change	% Change		
JSC Judiciary/Supreme Court								
GRF 005321 Operating Expenses - Judiciary/Supreme Court	\$191,727,723	\$199,292,679	\$218,911,023	\$230,757,735	9.84%	5.41%		
GRF 005401 State Criminal Sentencing Commission	\$1,044,890	\$908,737	\$1,506,142	\$1,601,731	65.74%	6.35%		
GRF 005406 Law-Related Education	\$375,000	\$375,000	\$250,000	\$250,000	-33.33%	0.00%		
GRF 005409 Ohio Courts Technology Initiative	\$3,992,406	\$3,657,037	\$0	\$0	-100.00%	N/A		
General Revenue Fund Subtotal	\$197,140,018	\$204,233,454	\$220,667,165	\$232,609,466	8.05%	5.41%		
4C80 005605 Attorney Services	\$10,965,598	\$9,252,579	\$10,718,083	\$10,721,022	15.84%	0.03%		
5HT0 005617 Court Interpreter Certification	\$0	\$8,882	\$9,000	\$9,000	1.33%	0.00%		
5SPO 005626 Civil Justice Grant Program	\$331,484	\$495,888	\$425,000	\$425,000	-14.30%	0.00%		
5T80 005609 96 Grants and Awards	\$294	\$0	\$1,000	\$1,000	N/A	0.00%		
6720 005601 Continuing Judicial Education	\$41,042	\$38,114	\$37,500	\$37,500	-1.61%	0.00%		
Dedicated Purpose Fund Group Subtotal	\$11,338,418	\$9,795,463	\$11,190,583	\$11,193,522	14.24%	0.03%		
5JYO 005620 County Law Library Resources Boards	\$220,390	\$257,399	\$313,800	\$318,500	21.91%	1.50%		
Fiduciary Fund Group Subtotal	\$220,390	\$257,399	\$313,800	\$318,500	21.91%	1.50%		
3J00 005603 Federal Grants	\$2,005,662	\$1,623,054	\$1,810,907	\$1,157,600	11.57%	-36.08%		
Federal Fund Group Subtotal	\$2,005,662	\$1,623,054	\$1,810,907	\$1,157,600	11.57%	-36.08%		
Judiciary/Supreme Court Total	\$210,704,487	\$215,909,370	\$233,982,455	\$245,279,088	8.37%	4.83%		