

Agency: 050 Commission on Judicial Conduct

Decision Package Code/Title: Rate Adjustment – Office of the Attorney General

Budget Period: 2013-15

Budget Level: Maintenance Level

Recommendation Summary Text:

The Commission on Judicial Conduct (CJC) requests additional funding in the supplemental 2013-2015 biennium. This would adjust the funding provided under the central service model to support the costs of uncontrollable and unanticipated legal services from the Attorney General's Office (AGO). Without this funding, CJC will not have sufficient funding necessary to operate and fulfill its core mission.

Fiscal Detail

Operating Expenditures	<u>FY 2014</u>	<u>FY 2015</u>	<u>Total</u>
001-1 General Fund – Basic Account-State	0	\$12,000	\$12,000
Total Cost	0	\$12,000	\$12,000

Staffing	<u>FY 2014</u>	<u>FY 2015</u>	<u>Annual</u>
<u>Average</u>			
FTEs (number of staff requested)	0	0	0

Package Description:

The level of service provided by the AGO increased during fiscal year 2014, which exceeds the 2013-15 biennial appropriation. As a result, the CJC's AGO appropriation reflects a negative balance. This supplemental budget request is to recover the \$12,000 negative variance. The requested amount reflects actual costs associated with unanticipated litigation.

Narrative Justification and Impact Statement

What specific performance outcomes does the agency expect?

The agency operates under a lean, focused budget to fulfill its singular constitutional mandate – to enforce the ethics code for state judges. Replacement of these funds will permit the agency to fulfill its mandate – there are no side initiatives or programs to divert funds from in order to offset this expense.

Is this decision package essential to implement a strategy identified in the agency's strategic plan?

In order to investigate and, where necessary, prosecute cases of judicial misconduct, the CJC needs to have access to

its actual budgetary allotment. The agency was statutorily required to have the AGO defend against a frivolous lawsuit filed based on alleged conduct that had not in fact occurred, and the CJC has no funding allotted for that purpose. The defense costs were taken directly from the monies allotted for the CJC's basic constitutional function.

Does this decision package provide essential support to one of the Governor's priorities?

Not applicable

Does this decision package make key contributions to statewide results? Would it rate as a high priority in the Priorities of Government process?

Not applicable

What are the other important connections or impacts related to this proposal?

Not applicable

What alternatives were explored by the agency, and why was this alternative chosen?

No alternatives available

What are the consequences of not funding this package?

Failure to fund this package leaves the CJC with a negative balance in its AGO allotment for the remainder of the 2013-15 biennium that will drain funds from other areas of the agency's basic operation. The agency will lack funds to pursue even a single contested case of judicial misconduct.

What is the relationship, if any, to the state's capital budget?

None.

What changes would be required to existing statutes, rules, or contracts, in order to implement the change?

None.

Expenditure and revenue calculations and assumptions

Not applicable

Which costs and functions are one-time? Which are ongoing? What are the budget impacts in future biennia?

All costs described are one-time.

Objects of Expenditure

		<u>FY 2014</u>	<u>FY 2015</u>	<u>Total</u>
E	Goods and Services	0	\$12,000	\$12,000
	Total Objects	0	\$12,000	\$12,000

Staffing Impact: No staffing impact.