

**State Commission on Judicial Conduct  
Summary of Recommendations - Senate**

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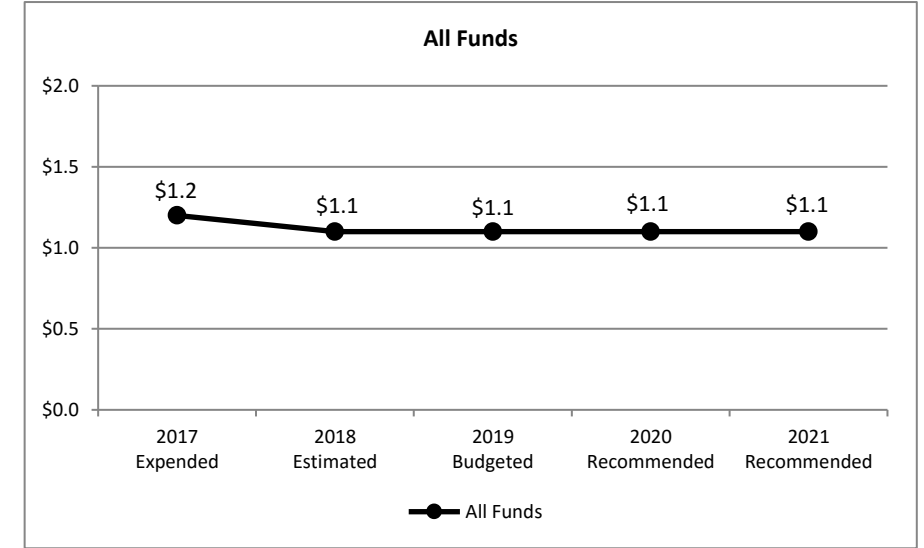
Eric Vinson, Executive Director

Darren Albrecht, LBB Analyst

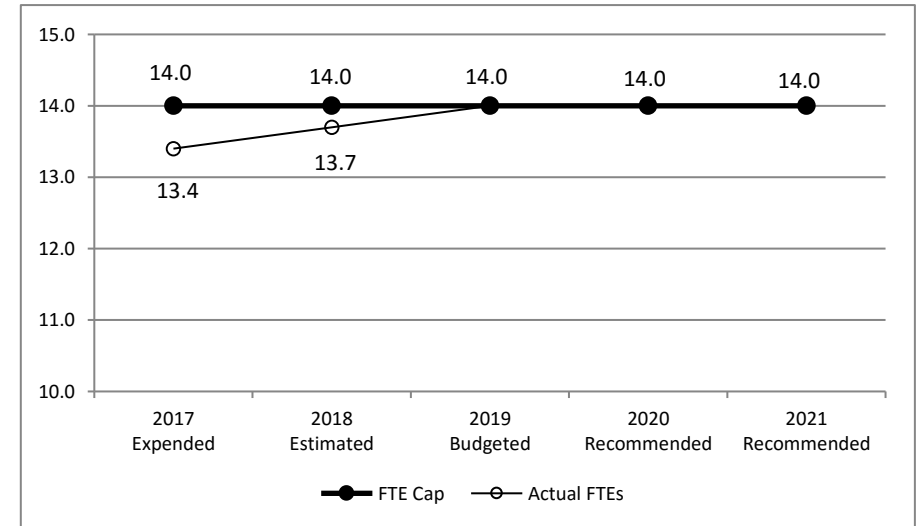
<b>Method of Financing</b>	<b>2018-19 Base</b>	<b>2020-21 Recommended</b>	<b>Biennial Change (\$)</b>	<b>Biennial Change (%)</b>
General Revenue Funds	\$2,268,622	\$2,288,084	\$19,462	0.9%
GR Dedicated Funds	\$0	\$0	\$0	0.0%
<i>Total GR-Related Funds</i>	<i>\$2,268,622</i>	<i>\$2,288,084</i>	<i>\$19,462</i>	<i>0.9%</i>
Federal Funds	\$0	\$0	\$0	0.0%
Other	\$0	\$0	\$0	0.0%
<b>All Funds</b>	<b>\$2,268,622</b>	<b>\$2,288,084</b>	<b>\$19,462</b>	<b>0.9%</b>

	<b>FY 2019 Budgeted</b>	<b>FY 2021 Recommended</b>	<b>Biennial Change</b>	<b>Percent Change</b>
FTEs	14.0	14.0	0.0	0.0%

**Historical Funding Levels (Millions)**



**Historical Full-Time-Equivalent Employees (FTEs)**



The bill pattern for this agency (2020-21 Recommended) represents an estimated 100% of the agency's estimated total available funds for the 2020-21 biennium.

**State Commission on Judicial Conduct**  
**Summary of Funding Changes and Recommendations - Senate**

Funding Changes and Recommendations for the 2020-21 Biennium compared to the 2018-19 Base Spending Level		General Revenue	GR-Dedicated	Federal Funds	Other Funds	All Funds	Strategy in Appendix A
<i>Funding Changes and Recommendations (each issue is explained in Section 3 and additional details are provided in Appendix A):</i>							
A)	General Revenue funding for travel to reimburse commissioners attending commission meetings (See also, Selected Fiscal and Policy Issues - Senate #1).	\$19,462	\$0	\$0	\$0	\$19,462	A.1.1
<b>TOTAL Funding Changes and Recommendations</b>		<b>\$19,462</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$19,462</b>	As Listed
<i>Funding Increases</i>		\$19,462	\$0	\$0	\$0	\$19,462	As Listed
<i>Funding Decreases</i>		\$0	\$0	\$0	\$0	\$0	As Listed

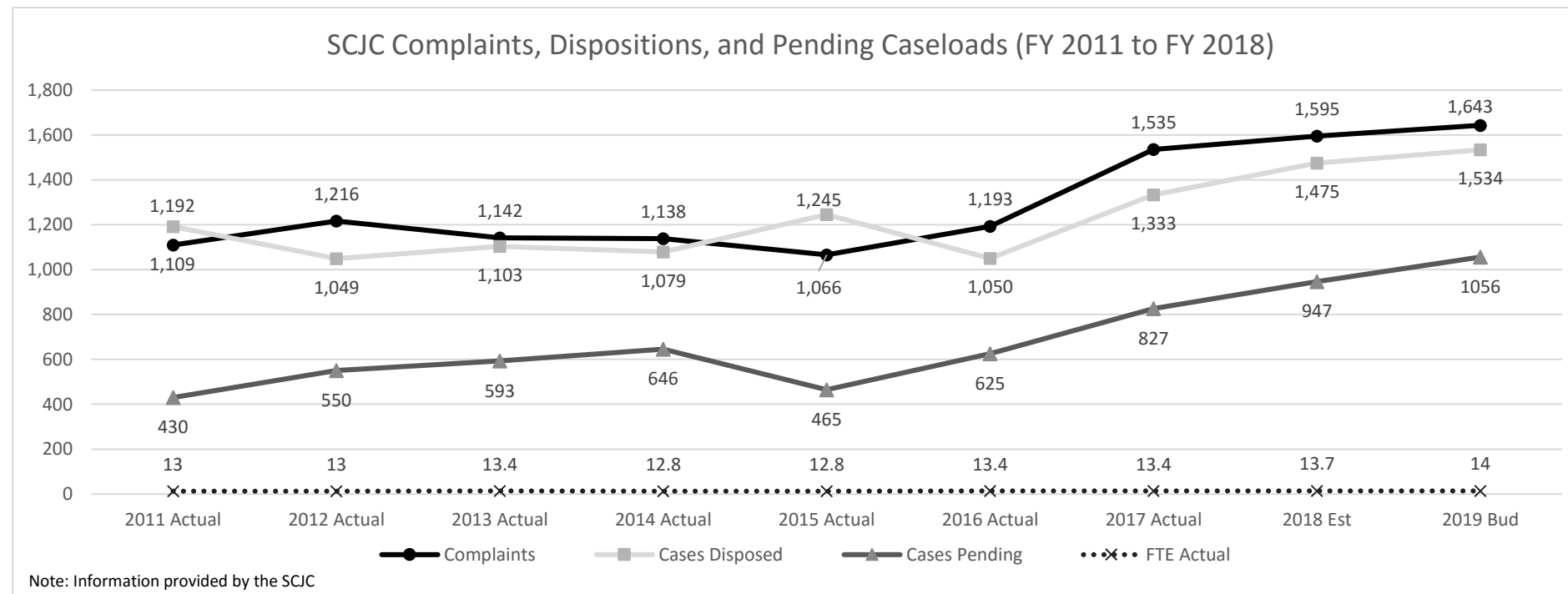
**State Commission on Judicial Conduct  
Selected Fiscal and Policy Issues - Senate**

1. **Travel Costs for Commission Meetings.** Recommendations provide \$78,462 in General Revenue to reimburse commissioners attending commission meetings, which includes an increase of \$19,462 above 2018-19 spending levels. Commission meetings are held every even numbered month for a total of twelve meetings in the biennium. Commissioners serve without compensation but are entitled to reimbursement for necessary expenses related to travel, board, and lodging in the performance of official duties, which include constitutionally required meetings and hearings to identify and administer appropriate disciplinary action regarding alleged misconduct by elected judges.

The total cost of annual commission meetings during the 2018-19 biennium are estimated to be \$68,731, exceeding the budgeted amount of \$59,000 by \$9,731. According to the agency, costs exceeding budgeted amounts have either been provided by the employing entities of certain commissioners or by commissioners electing not to be reimbursed due to lack of funding. Recommendations provide funding for an anticipated increase in travel costs and may result in all commissioners receiving a reimbursement.

2. **Investigator Travel and External Proceedings.** Recommendations do not include \$72,538 in General Revenue funding for an agency anticipated increase in investigator and attorney travel (\$22,538), external proceedings, and for hiring of external consultations (\$50,000). In fiscal year 2018, the State Commission on Judicial Conduct (SCJC) conducted nine external proceedings, including seven Courts of Review and two Formal Proceedings. Typically the agency has one or two external proceedings in a biennium. The agency has no control over these proceedings and must follow procedure for every proceeding regardless of when they are filed. The SCJC anticipates that it could increase the percentage of cases disposed from 95 percent to 104 percent with additional funding (See also, Items Not Included in Recommendations - Senate #1 and #2).

Overall, the agency has seen an increase in complaints, dispositions, and pending cases since fiscal year 2015 despite the downward trend in civil and criminal case filings statewide. The agency attributes this increase to the introduction of an online portal to the SCJC’s website to file complaints, making it faster and easier for constituents to file complaints, and overall population growth statewide. The agency reports that current staffing levels are inadequate to support the increase in caseload (See Also, Items Not Included in Recommendations - Senate #2). The following chart of data provided by the agency shows the number of complaints, dispositions, and cases pending for the SCJC for fiscal years 2011-2019.



**State Commission on Judicial Conduct  
Items Not Included in Recommendations - Senate**

	2020-21 Biennial Total			Information Technology Involved?	Contracting Involved?	Estimated Continued Cost 2022-23
	GR & GR-D	All Funds	FTEs			

**Agency Exceptional Items Not Included (in agency priority order)**

1)	General Revenue funding for increased attorney and investigator travel costs (\$22,538) and costs associated with external proceedings and expert consultations (\$50,000) (See also, Selected Fiscal and Policy Issues - Senate #2).	\$72,538	\$72,538	0.0	No	No	\$72,538
2)	General Revenue funding to hire one attorney (\$93,600 each year), one investigator (\$60,000 each year), one administrative professional (\$45,000 each year), as well as, other operating expenses (\$5,088 each year), to assist staff with the increased caseload, Special Courts of Review, and Final proceedings (See also, Selected Fiscal and Policy Issues - Senate #2).	\$407,376	\$407,376	3.0	No	No	\$407,376
3)	General Revenue funding to increase staff salaries to align with agency identified comparable government employment. This includes increasing four attorney salaries from an average of \$79,250 to \$93,600 per year (\$69,440 each year), all remaining staff with a 3 percent across the board increase (\$13,938 each year), changing a current investigator position to an attorney position (\$43,600 each year), and other operating costs (\$3,401 each year).	\$260,758	\$260,758	0.0	No	No	\$260,758
4)	General Revenue funding to increase the salary for the Executive Director position from \$126,660 to \$171,688 (\$45,028 each year) and change the classification from Salary Group 3 to Salary Group 4. The request also includes \$1,206 each year in Other Personnel Costs.	\$92,468	\$92,468	0.0	No	No	\$92,468

<b>TOTAL Items Not Included in Recommendations</b>	<b>\$833,140</b>	<b>\$833,140</b>	<b>3.0</b>		<b>\$833,140</b>
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**State Commission on Judicial Conduct  
Appendices - Senate**

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\* Appendix is not included - no significant information to report

\*\* Information is included in the presentation section of the packet

**State Commission on Judicial Conduct**  
**Funding Changes and Recommendations - Senate, by Strategy -- ALL FUNDS**

Strategy/Goal	2018-19 Base	2020-21 Recommended	Biennial Change	% Change	Comments
ADMINISTRATION AND ENFORCEMENT A.1.1	\$2,268,622	\$2,288,084	\$19,462	0.9%	Recommendations reflect an increase in General Revenue to fund travel reimbursements for commissioners to attend commission meetings (See also, Selected Fiscal and Policy Issues - Senate #1).
<b>Total, Goal A, ADMINISTRATION AND ENFORCEMENT</b>	<b>\$2,268,622</b>	<b>\$2,288,084</b>	<b>\$19,462</b>	<b>0.9%</b>	
<b>Grand Total, All Strategies</b>	<b>\$2,268,622</b>	<b>\$2,288,084</b>	<b>\$19,462</b>	<b>0.9%</b>	

**State Commission on Judicial Conduct  
FTE Highlights - Senate**

Full-Time-Equivalent Positions	Expended 2017	Estimated 2018	Budgeted 2019	Recommended 2020	Recommended 2021
Cap	14.0	14.0	14.0	14.0	14.0
Actual/Budgeted	13.4	13.7	14.0	NA	NA

Schedule of Exempt Positions (Cap)					
Executive Director	\$126,660	\$126,660	\$126,660	\$126,660	\$126,660

Notes:

a) The State Auditor's Office, Executive Compensation at State Agencies (Report 18-705, August 2018), indicates a market average of \$142,262 for the Executive Director position at SCJC. The report also recommends changing the salary classification group from 3 to 4 (See also, Items Not Included in Recommendations - Senate #4).



**State Commission on Judicial Conduct  
Performance Measure Highlights - Senate**

	<b>Expended 2017</b>	<b>Estimated 2018</b>	<b>Budgeted 2019</b>	<b>Recommended 2020</b>	<b>Recommended 2021</b>
<ul style="list-style-type: none"> <li><i>Percentage of Cases Disposed</i></li> </ul>	86.8%	94.0%	95.0%	95.0%	95.0%
<i>Measure Explanation: The number of cases disposed during the reporting period expressed as a percentage of cases filed during the reporting period.</i>					

**State Commission on Judicial Conduct**  
**Summary of Ten Percent Biennial Base Reduction Options Recommendations - Senate**

Priority	Item	Description/Impact	Biennial Reduction Amounts			Potential Revenue Loss	Reduction as % of Program GR/GR-D Total	Program GR/GR-D Total	Included in Introduced Bill?
			GR & GR-D	All Funds	FTEs				
1)	FTE and Travel Reductions	The reduction would result in the loss of one attorney position (\$79,250), two investigator positions (\$100,000), one administrative professional position (\$40,000), and a 6.5 percent reduction in travel (\$7,612). The loss of four positions represents 31 percent of agency staff.	\$226,862	\$226,862	4.0	\$0	10%	\$2,268,622	No
<b>TOTAL, 10% Reduction Options</b>			<b>\$226,862</b>	<b>\$226,862</b>	<b>4.0</b>	<b>\$0</b>			