

Table of Contents

Supreme Court

<i>Agency Profile</i>	1
Agency Expenditure Overview (REVISED)	4
Agency Financing by Fund (REVISED)	5
Agency Change Summary (REVISED)	8
<u>Change Item(s)</u>	10
<i>Maintain Core Justice Operations</i>	10
<i>Civil Legal Services</i>	12
<i>Paid Family Medical Leave Insurance (REVISED)</i>	16
<i>MN Court Records Online - Phase III Development (NEW)</i>	19
<i>Cyber Security Infrastructure (NEW)</i>	21
<i>Courthouse Security Grants (NEW)</i>	24
<u>Program</u>	27
Supreme Court Operations	27
<i>Program Narrative</i>	27
Program Expenditure Overview (REVISED)	30
Program Financing by Fund (REVISED)	31
<u>Program</u>	33
Civil Legal Services	33
<i>Program Narrative</i>	33
Program Expenditure Overview	35
Program Financing by Fund	36
<u>Additional Documents</u>	37
<i>Federal Funds Summary</i>	37

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AT A GLANCE

The Supreme Court, consisting of seven members, is the highest court in Minnesota, serving as the final guardian of the Minnesota Constitution and interpreting/applying the United States Constitution.

- In 2019, 95 direct appeals and 620 petitions for further review were filed with the Supreme Court.
- The Chief Justice is the administrative head of the Judicial Branch, which includes 321 justices and judges and 2,500 employees.

The Supreme Court serves all Minnesota citizens.

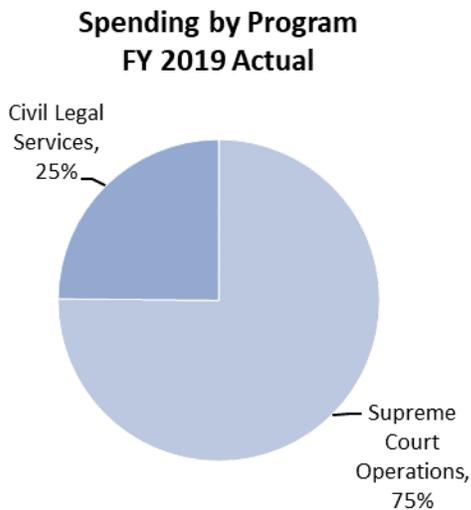
PURPOSE

The mission of the Judicial Branch is to provide justice through a system that assures equal access for the fair and timely resolution of cases and controversies.

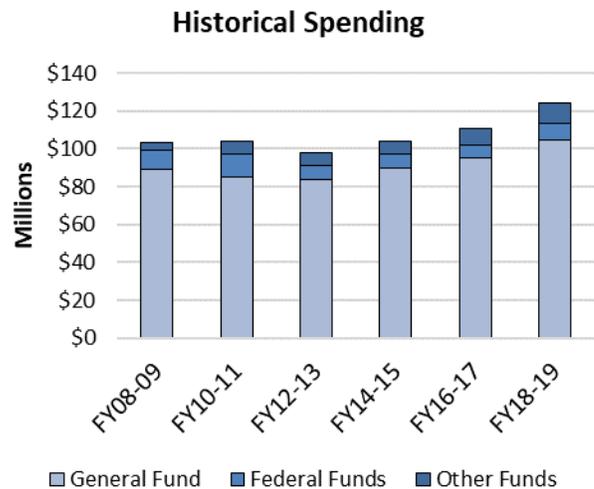
The Supreme Court has original jurisdiction in remedial cases as prescribed by law, appellate jurisdiction over all cases, and supervisory jurisdiction over all courts in the state. Election contests and appeals for first-degree murder cases are automatically appealed to the Supreme Court. The Supreme Court is solely responsible for the regulation of the practice of law and for judicial and lawyer discipline. The Court also promulgates rules of practice and procedure for the legal system in the state.

The Chief Justice is responsible for supervising administrative operations of the state court system.

BUDGET



Source: Budget Planning & Analysis System (BPAS)



Source: Consolidated Fund Statement

The Supreme Court expended \$64 million in FY 2019. Of this amount, \$55 million (86%) was from state general fund appropriations. The remaining \$9 million (14%) was funded through various sources, such as federal and local government grants, Interest on Lawyers’ Trust Accounts, and fees.

STRATEGIES

As the state's highest court, the Supreme Court hears oral arguments in the State Capitol Courtroom and the Minnesota Judicial Center. The Supreme Court reviews matters on certiorari, meaning it reviews cases to set precedent, to clarify legal issues, to resolve statutory conflicts, and to answer constitutional questions. The Supreme Court considers appeals from judgments from the Court of appeals, the Workers Compensation Court of Appeals, and the Tax Court. It hears special term matters, motions, and petitions for extraordinary relief. The Supreme Court also hears mandatory cases, including first degree murder convictions and election contests. The Court promulgates rules of practice and procedure for the legal system in the state.

In addition to hearing appeals, the Supreme Court is responsible for regulating the practice of law and making recommendations for improvement of the judicial system.

The Chief Justice is responsible for supervising administrative operations of the state court system. The Chief Justice is assisted by the State Court Administrator's Office, which provides the administrative infrastructure for the Judicial Branch, including providing finance, human resources, technology, education, communications, research/evaluation, caseload management and cross-district judicial assignments. The Chief Justice serves as chair of the Judicial Council, the policy-making entity for the Judicial Branch.

The mission of the Judicial Branch is *"To provide justice through a system that assures equal access for the fair and timely resolution of cases and controversies."* The Supreme Court conducts its administrative functions in support of three strategic goals to deliver its mission:

1. *Access to Justice – A justice system that is open, affordable, understandable, and provides appropriate levels of service to all users.*
Ensuring access to justice for all is an enduring commitment for Minnesota's court system. It is also an increasingly challenging concern given changing court customer expectations, shifting demographics and increased competition for scarce resources. Ensuring access to justice also requires keeping our courthouses safe. Ensuring the justice system is open, affordable, effective and accountable to the people it serves.
2. *Effective Administration of Justice - A justice system that adopts approaches and processes for the fair and just resolution of all cases.*
Over the last two decades, Minnesota courts have worked diligently to become increasingly efficient and effective. The Judicial Branch is focused on being a well-managed court system that seeks innovative ways to promote justice for individual litigants in individual cases.
3. *Public Trust and Accountability - A justice system that engenders public trust and confidence through impartial decision-making and accountability for the use of public resources.*
The Judicial Branch is accountable to the public. An overwhelming majority of Minnesotans have confidence in the state's judicial branch as an institution. It is critical that the Judicial Branch maintain and continuously improve public trust and accountability. The Judicial Branch must meet this challenge by collaborating with court customers to eliminate disparities in the court system.

The Judicial Council conducts a rigorous strategic planning process that guides the work of the State Court Administrator's Office in support of the Judicial Branch's three strategic goals. The strategic plan is reviewed and updated biennially.

In recent years, as part of the Judicial Council's strategic planning, the Judicial Branch has begun implementing an ambitious reform agenda involving the use of technology and the re-engineering of business practices in a system-wide effort to expand services and ensure equal access to justice. The centerpiece of this effort – the eCourtMN Initiative – transformed Minnesota's courts from a paper-based environment to an electronic information environment that will ensure convenient, timely, and appropriate access to case information for all stakeholders, and result in more timely and efficient processing of cases. Electronic filing of cases, at both the trial and

appellate levels, became mandatory on July 1, 2016. Current efforts focus on leveraging technology to provide high-quality, consistent, and convenient court administration services anywhere in the state.

RESULTS

It is the policy of the Minnesota Judicial Branch to establish core performance goals and to monitor key results that measure progress toward meeting these goals in order to ensure accountability of the Branch, improve overall operations of the court and enhance the public’s trust and confidence in the Judiciary. Throughout the year the Supreme Court reviews performance measure results. This review is shared with the Judicial Council (the Branch’s governing body) twice a year.

The Supreme Court timing objectives identify the Court’s performance based on the case type: Mandatory/Original Cases (e.g. First Degree Murder cases and Election Contests); Discretionary Cases (e.g. appeals from judgments from the Court of Appeals, the Workers Compensation Court of Appeals, and the Tax Court); and Expedited Cases (Appeals in termination of parental rights and adoption cases).

Type of Measure	Name of Measure	FY2018		FY2019	
		Number of Cases	Percent that met Timing Objective	Number of Cases	Percent that met Timing Objective
Results	Mandatory/Original Cases Ninety five percent of the cases will be disposed of within 180 days of submission to the Supreme Court.	78	85%	58	87%
Results	Discretionary Cases Ninety five percent of petitions for further review should be disposed of within sixty days of the filing of the request for review.	556	95%	526	89%
Results	Expedited Cases Ninety five percent of expedited appeals (termination of parental rights, adoptions) should be disposed of within 25 days of filing the appeal.	17	90%	19	95%

Data are from the *Judicial Branch 2018 & 2019 Performance Measures – Key Results and Measures Annual Reports*. The reports can be found at www.mncourts.gov.

The Minnesota Constitution, Article VI, https://www.revisor.mn.gov/constitution/#article_6, provides the legal authority for the Supreme Court. M.S. 2.724 provides legal authority for the chief justice’s administrative responsibilities: <https://www.revisor.mn.gov/statutes/cite/2.724>. M.S. 480.05 provides legal authority for the Supreme Court’s rule making authority: <https://www.revisor.mn.gov/statutes/cite/480.05>. M.S. 480.13-17 provide legal authority for the position and duties of the state court administrator: <https://www.revisor.mn.gov/statutes/cite/480.13>, <https://www.revisor.mn.gov/statutes/cite/480.14>, <https://www.revisor.mn.gov/statutes/cite/480.15>, <https://www.revisor.mn.gov/statutes/cite/480.16>, <https://www.revisor.mn.gov/statutes/cite/480.17>.

Supreme Court

Agency Expenditure Overview

(Dollars in Thousands)

	Actual FY18	Actual FY19	Actual FY20	Estimate FY21	Forecast Base		Governor's Recommendation	
					FY22	FY23	FY22	FY23
<u>Expenditures by Fund</u>								
1000 - General	50,153	54,875	54,070	59,792	56,502	56,502	61,636	61,780
2000 - Restrict Misc Special Revenue	4,987	2,959	3,715	4,737	4,290	4,290	4,290	4,290
2001 - Other Misc Special Revenue				22	22	22	22	22
2403 - Gift	1,065	1,253	1,075	1,178	149	148	149	148
3000 - Federal	4,110	4,584	4,779	5,782	4,821	4,821	4,821	4,821
3010 - Coronavirus Relief				3,500				
6000 - Miscellaneous Agency	18	21	19					
Total	60,333	63,691	63,658	75,011	65,784	65,783	70,918	71,061
Biennial Change				14,645		(7,102)		3,310
Biennial % Change				12		(5)		2
Governor's Change from Base								10,412
Governor's % Change from Base								8

Expenditures by Program

Supreme Court Operations	44,548	47,866	46,819	54,471	48,890	48,889	51,816	50,689
Civil Legal Services	15,785	15,824	16,839	20,540	16,894	16,894	19,102	20,372
Total	60,333	63,691	63,658	75,011	65,784	65,783	70,918	71,061

Expenditures by Category

Compensation	30,669	32,661	35,037	36,838	36,522	36,522	38,428	38,322
Operating Expenses	9,119	11,314	8,859	13,097	9,437	9,437	9,457	9,437
Grants, Aids and Subsidies	19,506	17,482	19,079	23,290	18,687	18,686	21,895	22,164
Capital Outlay-Real Property	184	195	45					
Other Financial Transaction	855	2,040	638	1,786	1,138	1,138	1,138	1,138
Total	60,333	63,691	63,658	75,011	65,784	65,783	70,918	71,061

Full-Time Equivalent

	260.49	269.03	276.70	276.66	270.72	265.81	274.95	274.95
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Supreme Court

Agency Financing by Fund

(Dollars in Thousands)

	Actual FY18	Actual FY19	Actual FY20	Estimate FY21	Forecast Base		Governor's Recommendation	
					FY22	FY23	FY22	FY23
1000 - General								
Balance Forward In	1,000	2,270	0	2,297				
Direct Appropriation	51,036	53,499	56,367	57,495	56,502	56,502	61,636	61,780
Transfers In		616			750	750	750	750
Transfers Out		616			750	750	750	750
Cancellations		894						
Balance Forward Out	1,883		2,297					
Expenditures	50,153	54,875	54,070	59,792	56,502	56,502	61,636	61,780
Biennial Change in Expenditures				8,833		(858)		9,554
Biennial % Change in Expenditures				8		(1)		8
Governor's Change from Base								10,412
Governor's % Change from Base								9
Full-Time Equivalents	228.88	234.64	241.32	241.32	235.38	230.47	239.61	239.61

2000 - Restrict Misc Special Revenue

Balance Forward In	1,738	1,140	1,913	2,669	1,777	1,332	1,777	1,332
Receipts	3,534	3,728	4,470	3,845	3,845	3,845	3,845	3,845
Transfers In	804							
Balance Forward Out	1,089	1,909	2,668	1,777	1,332	887	1,332	887
Expenditures	4,987	2,959	3,715	4,737	4,290	4,290	4,290	4,290
Biennial Change in Expenditures				507		128		128
Biennial % Change in Expenditures				6		2		2
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents	5.45	5.47	5.46	5.46	5.46	5.46	5.46	5.46

2001 - Other Misc Special Revenue

Receipts				22	22	22	22	22
Expenditures				22	22	22	22	22
Biennial Change in Expenditures				22		22		22
Biennial % Change in Expenditures								
Governor's Change from Base								0
Governor's % Change from Base								0

Supreme Court

Agency Financing by Fund

(Dollars in Thousands)

	Actual FY18	Actual FY19	Actual FY20	Estimate FY21	Forecast Base		Governor's Recommendation	
					FY22	FY23	FY22	FY23

2403 - Gift

Balance Forward In	4,417	3,553	2,388	1,361	305	228	305	228
Receipts	198	73	48	122	72	72	72	72
Balance Forward Out	3,550	2,373	1,362	305	228	152	228	152
Expenditures	1,065	1,253	1,075	1,178	149	148	149	148
Biennial Change in Expenditures				(65)		(1,956)		(1,956)
Biennial % Change in Expenditures				(3)		(87)		(87)
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents		0.11	0.04					

3000 - Federal

Balance Forward In	1,364	1,078	927	961				
Receipts	3,787	4,313	4,814	4,821	4,821	4,821	4,821	4,821
Balance Forward Out	1,041	807	961					
Expenditures	4,110	4,584	4,779	5,782	4,821	4,821	4,821	4,821
Biennial Change in Expenditures				1,868		(919)		(919)
Biennial % Change in Expenditures				21		(9)		(9)
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents	26.16	28.81	29.88	29.88	29.88	29.88	29.88	29.88

3010 - Coronavirus Relief

Direct Appropriation				3,500	0	0	0	0
Expenditures				3,500				
Biennial Change in Expenditures				3,500		(3,500)		(3,500)
Biennial % Change in Expenditures								
Governor's Change from Base								0
Governor's % Change from Base								

6000 - Miscellaneous Agency

Balance Forward In	78	82	81					
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Supreme Court

Agency Financing by Fund

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY18	FY19	FY20	FY21	FY22	FY23	FY22	FY23
Receipts	20	20	19					
Transfers Out			81					
Balance Forward Out	81	81						
Expenditures	18	21	19					
Biennial Change in Expenditures				(19)		(19)		(19)
Biennial % Change in Expenditures				(50)				
Governor's Change from Base								0
Governor's % Change from Base								

Supreme Court

Agency Change Summary

(Dollars in Thousands)

	FY21	FY22	FY23	Biennium 2022-23
Direct				
Fund: 1000 - General				
FY2021 Appropriations	57,495	57,495	57,495	114,990
Base Adjustments				
Program or Agency Sunset		(993)	(993)	(1,986)
Forecast Base	57,495	56,502	56,502	113,004
Change Items				
Maintain Core Justice Operations		306	1,800	2,106
Civil Legal Services		2,208	3,478	5,686
Paid Family Medical Leave Insurance		20		20
MN Court Records Online - Phase III Development		850		850
Cyber Security Infrastructure		750		750
Courthouse Security Grants		1,000		1,000
Total Governor's Recommendations	57,495	61,636	61,780	123,416
Fund: 3010 - Coronavirus Relief				
FY2021 Appropriations	3,500	3,500	3,500	7,000
Base Adjustments				
All Other One-Time Appropriations		(3,500)	(3,500)	(7,000)
Forecast Base	3,500	0	0	0
Total Governor's Recommendations	3,500	0	0	0
Dedicated				
Fund: 2000 - Restrict Misc Special Revenue				
Planned Spending	4,737	4,290	4,290	8,580
Forecast Base	4,737	4,290	4,290	8,580
Total Governor's Recommendations	4,737	4,290	4,290	8,580
Fund: 2001 - Other Misc Special Revenue				
Planned Spending	22	22	22	44
Forecast Base	22	22	22	44
Total Governor's Recommendations	22	22	22	44
Fund: 2403 - Gift				
Planned Spending	1,178	149	148	297
Forecast Base	1,178	149	148	297
Total Governor's Recommendations	1,178	149	148	297
Fund: 3000 - Federal				

(Dollars in Thousands)

	FY21	FY22	FY23	Biennium 2022-23
Planned Spending	5,782	4,821	4,821	9,642
Forecast Base	5,782	4,821	4,821	9,642
Total Governor's Recommendations	5,782	4,821	4,821	9,642
 Revenue Change Summary				
Dedicated				
Fund: 2000 - Restrict Misc Special Revenue				
Forecast Revenues	3,845	3,845	3,845	7,690
Total Governor's Recommendations	3,845	3,845	3,845	7,690
 Fund: 2001 - Other Misc Special Revenue				
Forecast Revenues	22	22	22	44
Total Governor's Recommendations	22	22	22	44
 Fund: 2403 - Gift				
Forecast Revenues	122	72	72	144
Total Governor's Recommendations	122	72	72	144
 Fund: 3000 - Federal				
Forecast Revenues	4,821	4,821	4,821	9,642
Total Governor's Recommendations	4,821	4,821	4,821	9,642
 Non-Dedicated				
Fund: 1000 - General				
Forecast Revenues	476	476	476	952
Total Governor's Recommendations	476	476	476	952

Supreme Court

FY 2022-23 Biennial Budget Change Item

Change Item Title: Maintain Core Justice Operations

Fiscal Impact (\$000s)	FY 2022	FY 2023	FY 2024	FY 2025
General Fund				
Expenditures	306	1,800	1,800	1,800
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	306	1,800	1,800	1,800
FTEs	4.2	9.1	9.1	9.1

Recommendation:

The Governor recommends funding for this request from the Supreme Court.

The Judicial Branch seeks \$2,106,000 in the FY2022-23 biennium to increase the compensation of Supreme Court justices by 0% in FY2022 and 3% in FY2023, provide a 0% compensation pool for employees in FY2022 and 3% compensation pool in FY2023, and to fund unavoidable health insurance premium increases in each year. The request represents a 2.52% increase in the Supreme Court biennial base budget. The request maintains the current complement of employees.

Rationale/Background:

The budget request is focused on:

- Ensuring access, fairness and equity in the judicial system.
- Recognizing the vital role judges and employees have in ensuring access to justice; and
- Helping to maintain the quality and capacity of employees and judges necessary to effectively and efficiently address a growing caseload and long-term impacts from the pandemic.

In order for the Judicial Branch to continue driving innovation in our court system and improve services to Minnesotans, the Judicial Branch needs to retain and attract skilled and knowledgeable employees and judges who can maintain and operate a modern, efficient, and technology-based court system.

In recognition of the severe fiscal challenges facing our state, the request provides for a two-part budget increase that reflects this difficult challenge yet makes investments in core judicial operations that will help ensure the fair and timely resolution of cases and controversies.

The Supreme Court also requests funding for unavoidable health insurance increases. Health insurance premiums are estimated to increase by 5.32% in 2022 and 5.35% in 2023. The Judicial Branch does not negotiate its own insurance agreements – it participates in the general plan negotiated by Minnesota Management and Budget. The Judicial Branch cannot absorb the increased employer insurance contribution costs and would need to divert funding from court functions to pay for the increases without additional funding.

Proposal:

The FY2022-23 biennial budget request maintains the current level of services provided by the Judicial Branch. Without new funding to the employer-share of unavoidable health care cost increases, the Judicial Branch would

need to divert funding from other court functions to pay for these cost increases. The salary increases in the second year of the biennium are meant to continue efforts to protect the rights of our citizens, ensure prompt services, and efficient dispute resolution, through the Branch's ability to retain and recruit qualified, skilled staff and judges.

Impact on Children and Families:

- The change level request does not directly impact children and families.
- There are no potential positive or negative impacts on children and families.
- The change level request will enable the Judicial Branch to continue efforts to attract and retain skilled and knowledgeable employees and judges who can maintain and operate a modern, efficient, and technology-based court system. In FY17, the Branch implemented a formal pay-for-performance structure for unrepresented staff and prioritized pay-for-performance in collective bargaining, ensuring that all employee increases are based on performance. These pay-for-performance structures recognize exemplary performance and serve as performance accountability mechanisms.

Equity and Inclusion:

- The change level request does not directly impact any Racial and Ethnic groups.
- The change level request is not aimed at reducing or eliminating any disparities for Racial and Ethnic groups.
- There are no potential positive or negative impacts on the identified groups.
- The change level request will enable the Judicial Branch to continue efforts to attract and retain skilled and knowledgeable employees and judges who can maintain and operate a modern, efficient, and technology-based court system. In FY17, the Branch implemented a formal pay-for-performance structure for unrepresented staff and prioritized pay-for-performance in collective bargaining, ensuring that all employee increases are based on performance. These pay-for-performance structures recognize exemplary performance and serve as performance accountability mechanisms.

Results:

This proposal is intended to allow the Supreme Court to continue to provide current levels of service and information to the public.

Supreme Court

FY 2022-23 Biennial Budget Change Item

Change Item Title: Civil Legal Services

Fiscal Impact (\$000s)	FY 2022	FY 2023	FY 2024	FY 2025
General Fund				
Expenditures	2,208	3,478	3,478	3,478
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	2,208	3,478	3,478	3,478
FTEs	0	0	0	0

Recommendation:

The Governor recommends funding this request from Civil Legal Services submitted through the Supreme Court.

Civil Legal Services (CLS), a core function that ensures our legal system delivers justice to Minnesotans statewide, requests an increase of \$2,208,000 to its base funding in both years of the 2022-2023 biennium, along with an additional \$1,270,000 increase in the second year of the 2022-2023 biennium. The total requested increase for CLS for the 2022-2023 biennium is \$5,686,000. This increase will continue the improvement of legal outcomes and enhance services to Minnesotans with low incomes or disabilities, or who are elderly, including a disproportionately high number of Black, Indigenous, and People of Color (BIPOC), who need civil legal help to meet their basic human needs. The requested increase will be used for compensation enhancement for CLS attorneys, whose salaries are significantly lower than their public sector counterparts, a problem that has become a crisis for CLS statewide. CLS programs' total collective budget, including the appropriation, is \$45,386,820. The requested increase would be 4.6% of all CLS funding in FY 2022 and 7.1% of all CLS funding in FY 2023.

Rationale/Background:

CLS opens the doors of the legal system and delivers justice to the most vulnerable people in Minnesota communities statewide. The client communities CLS serves – including BIPOC, the elderly, people with disabilities, and families with low incomes – have experienced disproportionate harm as a result of the ongoing COVID-19 pandemic and public health emergency. Demand for CLS services is increasing, as Minnesotans seek help for civil legal problems arising out of the pandemic. The increased need for help in areas such as housing stability and homelessness prevention, consumer protection, and domestic violence safety advocacy, will only continue as the economic fallout of the pandemic continues to disproportionately affect the Minnesotans CLS serves.

CLS attorneys are the go-to experts for resolving the various civil legal problems visited on people in times of economic crisis. CLS creates strong and stable families and communities by helping people find solutions to civil legal disputes. CLS helps victims of domestic violence achieve safety, preserves housing stability and prevents homelessness caused by illegal and improper evictions and foreclosures, protects vulnerable Minnesotans from financial exploitation, and maximizes the ability of people who are elderly or have disabilities to live safely and independently in their communities.

CLS increases efficiency in the state court system by redirecting cases that are without merit or can be resolved in another manner, and by ensuring efficient use of the courts when CLS clients come before a judge. CLS increases public access to easily understood legal resources by developing, and continuously expanding, the nationally recognized website www.LawHelpMN.org, which serves as a free resource to all Minnesotans statewide. In

addition, the return on investment (ROI) in CLS is high. The most recent Economic Impact Study conducted by the Minnesota Legal Services Coalition demonstrates that, for every dollar invested in CLS, CLS returns nearly \$4 to communities statewide. Additionally, in 2019, CLS used legal representation to protect or to recover more than \$20,418,114 in child support, household financial support, and public benefits for Minnesotans statewide.

Inadequate financial resources for CLS to provide legal representation to meet the demand for its services and to address critical human needs has been persistent for decades. Presently, CLS is forced to turn away over half of eligible clients seeking its services due to lack of resources. The lack of available financial resources has also resulted in a CLS compensation deficit crisis. Presently, the average starting salary for CLS attorneys is \$50,335. To illustrate the CLS compensation deficit crisis, this is 76.5% of the current starting salary of \$65,800 for public defenders. This compensation deficit widens as CLS attorneys and public defenders become more experienced. For example, CLS attorneys with 7 years of experience have average annual salaries of \$56,987, and those with 10 years of experience have average annual salaries of \$60,428, which are 8.2%-13.4% lower than the salaries of *first-year* public defenders.

To illustrate the problem more broadly, here is a list of starting salaries for attorney and non-attorney positions who work as part of the legal and social services systems alongside CLS attorneys:

2020 Starting Staff Attorney Salaries

- Ramsey County Attorney - \$67,131
- Minnesota Assistant Public Defender - \$65,800
- Minnesota Judicial Branch Associate Attorney - \$62,598
- Minnesota Judicial Branch Law Clerk - \$56,000

2020 Starting Salaries for Non-Attorney Positions

- Pine County Social Worker - \$51,376
- Minnesota Judicial Branch Self Help Specialist - \$49,632

The average CLS starting attorney salary of \$50,335 is simply not competitive. The resulting CLS compensation deficit crisis leads to CLS staff turnover, which in turn leads to increased CLS costs for recruiting, hiring, on-boarding, and training, only to see the cycle of turnover continue. As the turnover cycle persists from one year to the next, the impact of the crisis deepens, as CLS cannot serve as many clients as would be possible with more stable staffing. Increased general fund support to address the CLS compensation deficit will help CLS to retain the expertly skilled legal staff CLS recruits and trains, and – as a result – to be more effective and efficient in helping vulnerable Minnesotans to vindicate their most basic civil rights to meet their basic human needs.

Proposal:

The funding requested will support the existing CLS program, which provides legal help to over 100,000 vulnerable Minnesotans in over 44,000 legal cases in all 87 counties statewide. From 2017 to 2019, CLS increased by nearly 17.3% the number of its clients facing foreclosure or eviction who remained housed or had improved housing conditions; increased by 2.2% the number of women and children who are victims of domestic violence for whom we achieved safety; and increased by over 64% the number of Minnesotans helped who received education and self-help resources about their legal rights through our dynamic, redesigned LawHelpMN.org website. CLS achieved these outcomes despite the widespread staff turnover, described above, arising out of the CLS compensation deficit. The intended result of the requested increase is additional improved outcomes for Minnesotans with low incomes needing legal representation or advice to meet their need for safety, shelter, food, health care, and basic income.

CLS partners with the courts, public libraries, domestic violence shelters, social service systems, and volunteers to achieve these results. CLS has an active working group focused on maximizing coordination in CLS intake and referral processes within the existing CLS infrastructure in Minnesota, and is participating in a newly launched Civil Justice Subcommittee of the Judicial Branch's Committee on Equality and Justice. These collaborative, system-improvement-focused efforts will result in improved and increased access to justice for elder Minnesotans, Minnesotans with disabilities, and Minnesotans with low incomes. Here is how CLS will invest the requested increase in CLS funding and how the CLS system will benefit as a result:

A minimum of \$4,833,100 of the requested increase for the FY22-23 biennium will be invested in CLS salary improvement. This will enable a minimum of a 6% increase in CLS staff salaries over the course of the two years of the biennium. This level of increase would allow CLS to bring its starting attorney salary up to approximately 81% of the current starting salary for public defenders and to take modest steps to address the wider gaps between CLS and public defender salaries at higher experience levels.

CLS continues to innovate and to refine its use of the newest and best technological platforms to facilitate the efficient and effective triaging, intake, and referral processes throughout the statewide CLS system, wherever Minnesotans go for legal help, to ensure that there is no wrong door for accessing CLS. CLS also continues to expand direct outreach to underserved communities in Minnesota to meet people where they live and work, facilitating access to justice at locations of identifiable community need. Increasing CLS competitiveness in compensation with other public sector legal employers will help CLS providers retain key staff to facilitate these important system-improvement activities. Without the increase, CLS will continue to experience the effects of the CLS compensation deficit on CLS providers' budgets, staffing, and services.

Impact on Children and Families:

CLS stabilizes the lives, health, safety, and well-being of children and families, ensuring that they have the foundational life stability they need to pursue economic, educational, housing, and other life opportunities. Specifically, CLS uses legal advocacy to keep children in the school of their family's choice, which helps with the life stability and mental health of the family. Safe and stable housing is critical to the health and educational success of Minnesota's children. CLS ensures safety and stability in families' homes, preventing illegal evictions and homelessness, which would otherwise disrupt families' economic security and children's education. CLS ensures that children and their parents are safe in their homes, through domestic violence prevention and housing health and safety advocacy. CLS ensures that all children, regardless of ability, have equal access to educational opportunities. CLS secures economic and health care benefits, ensuring that families are financially secure and stable in their lives. In addition to providing legal representation services in housing, economic security, health care, disability rights, and other life- and education-stabilizing practice areas, CLS utilizes its unique network of community partners to connect clients with community-based resources and supports for child care, food and nutrition, early childhood education, health care, housing stability, mental health services, and other foundational life needs.

Equity and Inclusion:

CLS provides access to the justice system for Black, Indigenous, and People of Color; people with disabilities; the elderly; the LGBTQ community; and veterans. These populations have disproportionate numbers of people with low incomes who qualify for CLS services. While most CLS providers serve all of these populations and target outreach to them, CLS has specific programs to address the unique legal needs of people with disabilities and the elderly.

In 2019, 60% of clients served by CLS were non-white (27% Black, 17% Hispanic, 5% Asian, 4% Native American, and 7% Other/Declined to Report).

Equity and Inclusion efforts are sustainable because equity is a core value of CLS and central to our mission and our cause of equal justice for all.

Results:

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Previous</i>	<i>Current</i>	<i>Dates</i>
Results	Number of families and individuals receiving legal representation.	46,521	44,920	2017 and 2019
Results	Number of children and women who are victims of domestic violence who achieved safety.	3,342	3,416	2017 and 2019
Results	Number of families and individuals faced with foreclosure or eviction who remained housed or have improved housing conditions.	4,583	5,376	2017 and 2019
Results	Number of seniors and people with disabilities receiving legal representation.	16,804	16,906	2017 and 2019
Quantity	Number of people obtaining education and self-help resources about legal rights and responsibilities through technological innovation.	319,764	525,182	2017 and 2019

Supreme Court

FY 2022-23 Biennial Budget Change Item

Change Item Title: Paid Family and Medical Leave Insurance

Fiscal Impact (\$000s)	FY 2022	FY 2023	FY 2024	FY 2025
General Fund				
Expenditures				
DEED	10,828	0	0	0
MMB	28	0	0	0
MMB Non-Operating	0	1,930	3,727	3,727
DLI	528	0	0	0
Supreme Court	20	0	0	0
DHS	0	0	0	468
Legislature-LCC	11	0	0	0
Transfer In	0	11,416	0	0
Paid Family Medical Leave Fund				
Expenditures				
DEED	0	23,880	51,671	50,755
MMB	0	23	13	13
DLI	0	518	468	618
DHS	0	574	0	115
Court of Appeals	0	0	0	5,600
Benefits	0		780,569	780,569
Revenues	0	446,199	862,769	880,024
Transfer Out	0	11,416	0	0
Net Fiscal Impact = (Expenditures – Revenues)	11,416	(419,848)	(26,321)	(38,159)
FTEs	14	75	301	326

Recommendation:

The Governor recommends \$11.416 million from the general fund in FY 2022 only and applying a 0.6% employer premium rate to employee wages beginning in calendar year 2023 to establish a Paid Family and Medical Leave Insurance program. The Governor recommends allowing employees to pay for one-half of the premium rate. In FY 2023 only, the Governor recommends a transfer of \$11.416 million from the Paid Family and Medical Leave fund to the general fund to reimburse agencies' startup costs. State appropriations will support the development of an IT system for collecting premiums and paying benefits, as well as initial staffing and administrative resources required to implement and operate this program at the Department of Employment and Economic Development, Minnesota Management and Budget, Department of Labor and Industry, the Supreme Court, Court of Appeals and the Legislative Coordinating Commission.

Rationale/Background:

Paid Family and Medical Leave is a program that most employees will need at one point but approximately 26 percent of all family and medical leaves do not include any wage replacement. According to the "Paid Family & Medical Leave Insurance: Options for Designing and Implementing a Minnesota Program" released in February 2016, around 10% of Minnesota workers take a family or medical leave in any given year. Fifty-nine percent (59%)

of current leaves in Minnesota are for own-health reasons (other than pregnancy), 17 percent are for bonding/parental leave (including pregnancy disability), and 24 percent of leaves are for caretaking a seriously ill family member.

Low-wage employees, certain minority groups, younger workers, and less educated populations are much more likely to manage leaves without any pay. Minnesota workers are less likely to receive compensation during leave for their own serious health condition or family care than for pregnancy or parental (bonding/maternity/paternity) leave. For many low-income Minnesotans, taking leave with little or no pay can create significant economic instability for their families, often during some of the most challenging times.

Without a comprehensive state paid family and medical leave program, Minnesotans are missing out on the economic stability and economy-boosting effects of keeping people employed while welcoming a new family member, caring for a sick loved one, or recovering from an illness or injury.

Proposal:

The Governor recommends creating a new Minnesota Family and Medical Leave Program administered by DEED. This program will provide wage replacement for family and medical leaves and will provide job protections for recipients, so they are assured of continued employment with their employer upon their return. Premiums collected will fund program benefits and ongoing administrative costs. Appropriations from the general fund and the new Paid Family and Medical Leave Fund will allocate:

- \$34.708 million in FY 2022-23 and \$102.426 million in FY 2024-25 for the Department of Employment and Economic Development will support the creation of a premium collection system, benefits payment system, user interface development, and program administration.
- \$1.930 million in FY 2022-23 and \$7.454 million in FY 2024-25 will be provided to Minnesota Management and Budget Non-Operating to offset employer-paid premium costs in the general fund for state executive and judicial branch agencies and offset the costs to agencies for obtaining notice acknowledgments from employees.
- \$51 thousand in FY 2022-23 and \$26 thousand in FY 2024-25 for Minnesota Management and Budget will fund state executive branch employee workplace notice costs as well as upgrades to the state’s payroll system necessary for the collection of premiums.
- \$1.046 million in FY 2022-23 and \$1.086 million in FY 2023-25 for the Department of Labor and Industry will fund oversight and compliance costs related to the program as well as IT systems upgrades.
- \$20 thousand in FY 2022-23 for the Supreme Court will fund a onetime update to the existing case management system that would calculate interest on judgments against employers.
- Starting in FY 2025, \$5.6 million per year would fund costs related to appeals filed with the Court of Appeals for denied benefit claims.
- \$11 thousand in FY 2022-23 for the Legislature-LCC will support onetime payroll system updates.
- \$574 thousand in FY 2023 and \$115 thousand ongoing starting in FY 2025 for the Department of Human Services to make systems modifications necessary for the implementation of the program. Income generated by individuals through participation in the family and medical leave program will be considered in eligibility determinations for MFIP, DWP, SNAP, Housing Support, MSA, GA, RCA, MA, MinnesotaCare, and CCAP. Implementation of the Minnesota Family and Medical Leave Program will also increase medical assistance nursing home rates starting in calendar year 2025. Nursing homes are reimbursed through a cost based method. The general fund cost of this is \$468 thousand in fiscal year 2025.

Impact on Children and Families:

Similar programs in other states have shown improvements in economic stability for families and positive impacts for children. Societal benefits include retaining more women in the labor force, reductions in the need and associated costs for nursing home and other institutional care, reductions in the need for public assistance when a new baby arrives, and less infant care shortages.

Equity and Inclusion:

According to the 2016 report, while almost three-quarters of Minnesota workers received at least some pay when they were out of work for family or medical reasons, low-wage (46%); black (42%); or Hispanic (39%); younger (39%); part-time (38%) or less educated (38%) workers are much more likely to manage leaves without any pay. This proposal is intended to help address that inequality and the economic impacts that that inequality has on these workers.

IT Related Proposals:

This recommendation includes funding for IT costs to create a system for collecting premiums from employers and paying program benefits to recipients. The development of the Paid Family and Medical Leave system will be a multi-year project. The total cost to build the system between FY 2022-2026 is \$67.841 million, including \$5.973 million for staff costs.

Results:

Department of Employment and Economic Development will track the following:

- Amount of leave taken
- Amount of benefit payments made to recipients
- Employer opt-outs
- Employee opt-ins
- Program tax collections and balance
- Customer satisfaction

Supreme Court

FY 2022-23 Biennial Budget Change Item

Change Item Title: Online Court Record Access

Fiscal Impact (\$000s)	FY 2022	FY 2023	FY 2024	FY 2025
General Fund				
Expenditures	850	0	0	0
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	850	0	0	0
FTEs	3	0	0	0

Recommendation:

The Governor recommends funding for this request from the Supreme Court.

The Judicial Branch seeks an \$850,000 one-time general fund appropriation in FY2022 to fund critical improvements to the Minnesota Court Record Online application. The request will not increase the Supreme Court base budget.

Rationale/Background:

In 2020, the Minnesota Judicial Branch launched an initiative to re-design and implement the application which provides internet access to many district court records. This initiative was necessary as the current on-line court records access system, developed by a private vendor, is outdated and will no longer be updated by the vendor. The new access system, Minnesota Court Records Online (MCRO), addresses performance issues currently experienced by users and will permit users expanded access to records, including the ability to download documents. The funds requested will permit the Branch to complete Phase Three of this project.

Remote access to district court records, including document access in some public case types, is required per the Minnesota Rules of Public Access. See Minn. R. Pub. Access 8, subd. 2. In addition, as demonstrated by the pandemic, the importance of current online services and the increased interest in conducting court business online has resulted in efforts to initiate a web-based services expansion plan to increase online and remote services options for litigants and the public. In March 2020, the Judicial Council, the administrative policy making body for the Judicial Branch, authorized the MCRO initiative.

Proposal:

The funds requested will enable the Judicial Branch to complete the project in a timely fashion by hiring three temporary employees and a contractor to augment current staff in the development and implementation of the initiative. This final phase of the initiative will permit individuals to download most district court case records, after paying the applicable copy access fee, which will be the same amount as the copy fee as provided in Minnesota Statutes, section 357.021, subdivision 2(2). This will eliminate the need for court users and justice partners to travel to a courthouse to access such records.

Impact on Children and Families:

All Minnesotans will benefit from improved and increased online access to court records.

Equity and Inclusion:

All Minnesotans will benefit from improved and increased online access to court records.

IT Related Proposals:

<i>Category</i>	<i>FY 2022</i>	<i>FY 2023</i>	<i>FY 2024</i>	<i>FY 2025</i>	<i>FY 2026</i>	<i>FY 2027</i>
Payroll						
Infrastructure						
Software						
Training						
Enterprise Services						
Professional/Technical Contracts	\$850,000	0	0	0	0	0
Other						
Total	\$850,000	0	0	0	0	0
MNIT FTEs	0	0	0	0	0	0

Results:

The citizens of Minnesota and justice partners will benefit from improved online access to most district court records.

The results will be measured by the completion of the project and feedback provided by system users and justice partners.

Supreme Court

FY 2022-23 Biennial Budget Change Item

Change Item Title: Cyber Security Infrastructure

Fiscal Impact (\$000s)	FY 2022	FY 2023	FY 2024	FY 2025
General Fund				
Expenditures	750	0	0	0
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	750	0	0	0
FTEs	0	0	0	0

Recommendation:

The Governor recommends funding for this request from the Supreme Court.

The Judicial Branch seeks a \$750,000 one-time general fund appropriation in FY2022 to fund critical improvements to the Judicial Branch Cyber Security Program. The request will not increase the Supreme Court base budget.

Rationale/Background:

The Judicial Branch launched its cyber security program in FY2017. This request seeks to enhance and further the program. The Branch's Cyber Security Program is aimed at mitigating the Branch's risk of major data breaches, data corruption, system outages, document/data loss, and cyberattacks. The Judicial Branch recently transitioned to statewide electronic filing of court cases, electronic case records, and online sharing of court records. This has resulted in increased dependence on the Branch's technology infrastructure. The Branch recognizes that as an organization's dependence on technology increases, there are ever increasing risks – major outages and cyber security incidents become more common and more costly. The strength and security of the Judicial Branch technology infrastructure is one of the Branch's highest priorities. The request addresses necessary hardware, and software needs to strengthen this effort.

The Judicial Branch is responsible for and committed to maintaining the security of the public, private, and sealed data regarding Minnesotans involved in the judicial system. The Cyber Security Program maintains and ensures the confidentiality, integrity, and availability of this data through a carefully coordinated protection network, which provides the Judicial Branch the necessary flexibility to protect against increasingly sophisticated cyberattacks.

A \$5 million appropriation was sought for the FY2020-21 biennial budget. The 2019 Legislature appropriated \$1.5 million for these efforts. Progress on maintaining and improving the protection network has been contingent on the Branch's ability to re-direct one time funds to this effort. The requested \$750,000 would provide funds to purchase necessary hardware and software to strengthen the Branch's cyber security response.

Proposal:

The Judicial Branch Cyber Security Program seeks funds to continue protecting the state’s district and appellate courts in an ever-changing cyber-threat landscape. In the program’s first three years of operation, the Branch formed a dedicated team and launched critical tools and policies to increase the Branch’s ability to secure sensitive data, identify vulnerabilities, and mitigate threats. The Judicial Branch is seeking funding for the resources and tools needed to continue these efforts.

The Judicial Branch’s transition to statewide electronic filing of court cases, electronic case records, online sharing of court records, and the expansion of online services has resulted in the need for a robust cyber security program. The Judicial Branch recognizes that as the organization’s dependence on technology increases, the risk of major outages and cyber security incidents become more common, impactful, and costly. To maintain the privacy, security, and legitimate business access of sensitive information, the strength and security of the Judicial Branch’s technology infrastructure is one of the Branch’s highest and ongoing priorities.

Cybercrime is becoming increasingly organized, and cybercriminals are continually modifying their attacks. In response, cybersecurity needs to constantly evolve to defend against and respond to those changing threats.

Impact on Children and Families:

All Minnesotans are impacted by the proposed change item. Data breaches, data corruption, system outages, document/data loss, and cyberattacks have a direct impact on the ability of Minnesotans to access the judicial system. Protection of Judicial Branch data and technology infrastructures is critical to the public trust and confidence placed in the Judicial Branch.

Equity and Inclusion:

All Minnesotans are impacted by the proposed change item. Data breaches, data corruption, system outages, document/data loss, and cyberattacks have a direct impact on the ability of Minnesotans to access the judicial system. Protection of Judicial Branch data and technology infrastructures is critical to the public trust and confidence placed in the Judicial Branch.

IT Related Proposals:

Category	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
Payroll						
Infrastructure						
Software	\$180,000	0	0	0	0	0
Training						
Enterprise Services						
Professional/Technical Contracts						
Other - Hardware	\$570,000	0	0	0	0	0
Total	\$750,000	0	0	0	0	0
MNIT FTEs	0	0	0	0	0	0

Results:

The Judicial Branch has promulgated policies and procedures to measure specific program performance measures as part of the Cyber Security Program implementation, including the following:

- **Quantity:** Have adequate policies and procedures been developed and are court staff and judicial officers sufficiently trained?
- **Quality:** Are all technology systems adequately secure?
- **Result:** The risk of data breaches, data corruption, system outages, document/data loss, and cyber-attacks is greatly reduced.

Periodic reports are provided to the Judicial Council. Internal policies and procedures are monitored for compliance. Periodic self-assessments are conducted.

Statutory Change(s):

No statutory changes are necessary.

Supreme Court

FY 2022-23 Biennial Budget Change Item

Change Item Title: Courthouse Security Grants

Fiscal Impact (\$000s)	FY 2022	FY 2023	FY 2024	FY 2025
General Fund				
Expenditures	1,000	0	0	0
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	1,000	0	0	0
FTEs	0	0	0	0

Recommendation:

The Governor recommends funding for this request from the Supreme Court.

The Supreme Court seeks a \$1 million one-time general fund appropriation to fund a competitive grant program for courthouse safety and security improvements, under the auspices of the Chief Justice. This appropriation would not cancel and be available until June 30, 2024.

If funded, counties would be able to apply for a one-time matching grant to fund courthouse security assessments, equipment, technology, or training needs. This proposal is modeled after the Safe and Secure Courthouse Initiative, funded by the 2016 Legislature, which provided a total of \$1 million in grants to 54 counties in 2017. At the time, the advisory panel administering the grant program received more than \$3.5 million in grant applications for the \$1 million fund.

Counties are currently responsible for the entire cost of providing courthouse safety and security so comparison to a relevant base budget is impractical.

Rationale/Background:

A Courthouse Security Workgroup was convened by Chief Justice Lorie S. Gildea in the spring of 2014 to review current courthouse security activities and infrastructure and to identify ways to improve courthouse security throughout the state. Membership on the Workgroup included county commissioners and administrators, county attorneys, county sheriffs, public defenders, judges, and Judicial Branch staff.

Utilizing national research on courthouse security best practices, the findings of five security assessments that were conducted at Minnesota courthouses in 2014, and surveys of courthouse staff, the Workgroup identified significant courthouse security needs across the state. Today, many courthouses have significant safety and security infrastructure needs. The Workgroup recognized that counties currently bear the entire cost of providing courthouse safety and security, which serves to protect citizens accessing both county and state government services, as well as both county and state employees. The ability to pay for these courthouse safety and security measures varies greatly from county to county.

The Workgroup considered several options for funding courthouse safety and security improvements, and recommended that the broad coalition of justice system and county government organizations represented on the Workgroup seek state funding to supplement county government investments in courthouse security. By establishing a state-county partnership in funding courthouse safety and security, this recommendation will

improve the safety of Minnesota’s courthouses for both citizens and staff, and ensure that all counties – small and large, rural and urban – have a greater ability to implement needed security improvements without relying solely on funding from local property tax payers.

The 2016 Legislature appropriated \$1 million for courthouse security and safety grants. The advisory committee which oversaw distribution of the grant funds received over \$3.5 million in requests for needed improvements and trainings. Fifty-four counties were awarded grants. The Judicial Branch seeks to replicate this successful county-state partnership with an additional \$1 million in grant funding. The recommended approach is focused on flexibility and accountability: it gives each county the ability to decide the best, most cost-effective approach to improving safety and security in their local facilities, while also ensuring that state funding is provided to worthy projects subject to significant review and evaluation.

Proposal:

The Supreme Court is seeking a one-time appropriation of \$1 million from the state general fund to establish a competitive grant program for courthouse safety and security improvements, under the auspices of the Chief Justice. The Chief Justice would establish an advisory panel of justice partners and county government officials to develop grant criteria, accept applications, review proposals, and make grant awards. This program replicates the 2017 Safe and Secure Courthouse Initiative.

All counties, regardless of current courthouse security measures in place, would be eligible to apply for a grant. Depending on the grant criteria, counties could seek grants to help fund courthouse safety and security infrastructure investments, refresh existing security infrastructure, provide security training, or address other courthouse security needs in their county. The 2017 Safe and Secure Courthouse Initiative grants funded a variety of courthouse security improvements, including:

- Professional security assessments of facilities;
- Security training for courthouse officials and staff;
- Installation of bullet-resistant glass at public service counters;
- Replacement of aging security equipment;
- Implementation of door locks, cameras, key card readers, and duress alarms; and
- Installation or upgrading security screening stations at courthouse entrances.

Grants were awarded to counties throughout the state and ranged from \$514 to nearly \$68,000. Of the 54 awarded grants, 13 were for less than \$5,000, and eight were for more than \$25,000. As required by law, each county provided a dollar-for-dollar match for its grant award, in either cash or in-kind services.

If approved, the Chief Justice will establish an advisory committee to issue grants and advise the Chief Justice on the awarding of courthouse security grants. The program will be administered by Supreme Court staff. It is anticipated that the advisory committee will meet in the summer and fall of 2021 and that the grant solicitation process will begin by January 2022.

Impact on Children and Families:

The Safe and Secure Courthouse Grant Initiative will benefit all citizens of Minnesota.

Equity and Inclusion:

The Safe and Secure Courthouse Grant Initiative will benefit all citizens of Minnesota.

Results:

The citizens of Minnesota and the county and state employees employed in the 105 court locations throughout the state will benefit from improved security at hearing facilities.

The results will be measured by the awarding of the grant funds made available and completion of the projects for which the funds were awarded.

Statutory Change(s):

The enabling language should mirror the rider language from the 2016 appropriation:

SUPREME COURT

\$ -0- \$ _____ \$ _____

For a competitive grant program established by the chief justice for the distribution of safe and secure courthouse fund grants to governmental entities responsible for providing or maintaining a courthouse or other facility where court proceedings are held. Grant recipients must provide a 50 percent nonstate match. This is a onetime appropriation and is available until June 30, 2024.

Program: Supreme Court Operations

mncourts.gov/

AT A GLANCE

- In 2019, 95 direct appeals and 620 petitions for further review were filed with the Supreme Court.
- The Chief Justice is the administrative head of the Judicial Branch, which includes 321 justices and judges and 2,500 employees.
- The Supreme Court publicly disciplined 35 Minnesota lawyers in 2019, 5 lawyers were disbarred.

PURPOSE AND CONTEXT

The Supreme Court is the highest court in Minnesota, serving as the final guardian of the Minnesota Constitution and interpreting/applying the United States Constitution.

The Supreme Court is solely responsible for the regulation of the practice of law and for judicial and lawyer discipline.

The mission of the Judicial Branch is “To provide justice through a system that assures equal access for the fair and timely resolution of cases and controversies.” The Supreme Court conducts its adjudicative and administrative functions in support of three strategic goals to deliver its mission:

1. *Access to Justice – A justice system that is open, affordable, understandable, and provides appropriate levels of service to all users.*
Ensuring access to justice for all is an enduring commitment for Minnesota’s court system. It is also an increasingly challenging concern given changing court customer expectations, shifting demographics and increased competition for scarce resources. Ensuring access to justice also requires keeping our courthouses safe. Ensuring the justice system is open, affordable, effective and accountable to the people it serves.
2. *Effective Administration of Justice - A justice system that adopts approaches and processes for the fair and just resolution of all cases.*
Over the last two decades, Minnesota courts have worked diligently to become increasingly efficient and effective. The Judicial Branch is focused on being a well-managed court system that seeks innovative ways to promote justice for individual litigants in individual cases.
3. *Public Trust and Accountability - A justice system that engenders public trust and confidence through impartial decision-making and accountability for the use of public resources.*
The Judicial Branch is accountable to the public. An overwhelming majority of Minnesotans have confidence in the state’s judicial branch as an institution. It is critical that the Judicial Branch maintain and continuously improve public trust and accountability. The Judicial Branch must meet this challenge by collaborating with court customers to eliminate disparities in the court system.

SERVICES PROVIDED

The Minnesota Supreme Court considers appeals from judgments from the Court of Appeals, the Workers Compensation Court of Appeals, and the Tax Court. It hears special term matters, motions, and petitions for extraordinary relief. The Supreme Court also hears mandatory cases, including first degree murder convictions and election contests. The Court promulgates rules of practice and procedure for the legal system in the state. The Court oversees the practice of law, including admission to the Bar, lawyer and judge discipline, and continuing legal education.

The Chief Justice is responsible for supervising administrative operations of the state court system. The Chief Justice serves as the chair of the Judicial Council, the policy making body for the Judicial Branch.

The Judicial Council conducts a rigorous strategic planning process that guides the work of the State Court Administrator’s Office in support of the Judicial Branch’s three strategic goals. The strategic plan is reviewed and updated biennially.

The Chief Justice is assisted by the State Court Administrator’s Office, which provides the administrative infrastructure for the Judicial Branch. The State Court Administrator’s Office is responsible for providing Judicial Branch finance, human resources, technology, education, communications, research/evaluation, caseload management and cross-district judicial assignments.

The Judicial Council conducts a rigorous strategic planning process that guides the work of the State Court Administrator’s Office in support of the Judicial Branch’s three strategic goals. The strategic plan is reviewed and updated biennially.

RESULTS

It is the policy of the Minnesota Judicial Branch to establish core performance goals and to monitor key results that measure progress toward meeting these goals in order to ensure accountability of the Branch, improve overall operations of the court and enhance the public’s trust and confidence in the Judiciary. Throughout the year the Supreme Court reviews performance measure results. This review is shared with the Judicial Council (the Branch’s governing body) twice a year.

The Supreme Court timing objectives identify the Court’s performance based on the case type: Mandatory/Original Cases (e.g. First Degree Murder cases and Election Contests); Discretionary Cases (e.g. appeals from judgments from the Court of Appeals, the Workers Compensation Court of Appeals, and the Tax Court); and Expedited Cases (Appeals in termination of parental rights and adoption cases).

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>FY2018</i>		<i>FY2019</i>	
		<i>Number of Cases</i>	<i>Percent that met Timing Objective</i>	<i>Number of Cases</i>	<i>Percent that met Timing Objective</i>
Results	Mandatory/Original Cases Ninety five percent of the cases will be disposed of within 180 days of submission to the Supreme Court.	78	85%	58	87%
Results	Discretionary Cases Ninety five percent of petitions for further review should be disposed of within sixty days of the filing of the request for review.	556	95%	526	89%
Results	Expedited Cases Ninety five percent of expedited appeals (termination of parental rights, adoptions) should be disposed of within 25 days of filing the appeal.	17	90%	19	95%

Data are from the *Judicial Branch 2018 & 2019 Performance Measures – Key Results and Measures Annual Reports*. The reports can be found at www.mncourts.gov.

The Minnesota Constitution, Article VI, https://www.revisor.mn.gov/constitution/#article_6, provides the legal authority for the Supreme Court. M.S. 2.724 provides legal authority for the chief justice's administrative responsibilities: <https://www.revisor.mn.gov/statutes/cite/2.724>. M.S. 480.05 provides legal authority for the Supreme Court's rule making authority: <https://www.revisor.mn.gov/statutes/cite/480.05>. M.S. 480.13-17 provide legal authority for the position and duties of the state court administrator: <https://www.revisor.mn.gov/statutes/cite/480.13>, <https://www.revisor.mn.gov/statutes/cite/480.14>, <https://www.revisor.mn.gov/statutes/cite/480.15>, <https://www.revisor.mn.gov/statutes/cite/480.16>, <https://www.revisor.mn.gov/statutes/cite/480.17>.

Supreme Court Operations

Program Expenditure Overview

(Dollars in Thousands)

	Actual FY18	Actual FY19	Actual FY20	Estimate FY21	Forecast Base		Governor's Recommendation	
					FY22	FY23	FY22	FY23
<u>Expenditures by Fund</u>								
1000 - General	36,448	41,140	39,350	45,072	41,782	41,782	44,708	43,582
2000 - Restrict Misc Special Revenue	2,907	869	1,596	2,417	2,116	2,116	2,116	2,116
2001 - Other Misc Special Revenue				22	22	22	22	22
2403 - Gift	1,065	1,253	1,075	1,178	149	148	149	148
3000 - Federal	4,110	4,584	4,779	5,782	4,821	4,821	4,821	4,821
6000 - Miscellaneous Agency	18	21	19					
Total	44,548	47,866	46,819	54,471	48,890	48,889	51,816	50,689
Biennial Change				8,875		(3,511)		1,215
Biennial % Change				10		(3)		1
Governor's Change from Base								4,726
Governor's % Change from Base								5

Expenditures by Activity

Supreme Court Operations	7,365	8,020	8,744	9,578	8,517	8,516	8,843	10,316
State Court Administration	34,896	37,389	35,600	42,319	37,811	37,811	40,411	37,811
Law Library Operations	2,287	2,457	2,475	2,574	2,562	2,562	2,562	2,562
Total	44,548	47,866	46,819	54,471	48,890	48,889	51,816	50,689

Expenditures by Category

Compensation	30,549	32,472	34,832	36,618	36,302	36,302	38,208	38,102
Operating Expenses	9,045	11,302	8,849	13,097	9,437	9,437	9,457	9,437
Grants, Aids and Subsidies	3,916	1,858	2,454	2,970	2,013	2,012	3,013	2,012
Capital Outlay-Real Property	184	195	45					
Other Financial Transaction	855	2,040	638	1,786	1,138	1,138	1,138	1,138
Total	44,548	47,866	46,819	54,471	48,890	48,889	51,816	50,689

Full-Time Equivalent

	259.49	267.19	274.74	274.70	268.76	263.85	272.99	272.99
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Supreme Court Operations

Program Financing by Fund

(Dollars in Thousands)

	Actual FY18	Actual FY19	Actual FY20	Estimate FY21	Forecast Base		Governor's Recommendation	
					FY22	FY23	FY22	FY23
1000 - General								
Balance Forward In	1,000	2,255		2,297				
Direct Appropriation	37,316	39,779	41,647	42,775	41,782	41,782	44,708	43,582
Transfers In		616			750	750	750	750
Transfers Out		616			750	750	750	750
Cancellations		894						
Balance Forward Out	1,868		2,297					
Expenditures	36,448	41,140	39,350	45,072	41,782	41,782	44,708	43,582
Biennial Change in Expenditures				6,833		(858)		3,868
Biennial % Change in Expenditures				9		(1)		5
Governor's Change from Base								4,726
Governor's % Change from Base								6
Full-Time Equivalents	228.88	234.64	241.32	241.32	235.38	230.47	239.61	239.61

2000 - Restrict Misc Special Revenue

Balance Forward In	1,144	603	1,368	2,153	1,481	1,110	1,481	1,110
Receipts	1,520	1,633	2,380	1,745	1,745	1,745	1,745	1,745
Transfers In	804							
Balance Forward Out	561	1,366	2,153	1,481	1,110	739	1,110	739
Expenditures	2,907	869	1,596	2,417	2,116	2,116	2,116	2,116
Biennial Change in Expenditures				236		219		219
Biennial % Change in Expenditures				6		5		5
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents	4.45	3.63	3.50	3.50	3.50	3.50	3.50	3.50

2001 - Other Misc Special Revenue

Receipts				22	22	22	22	22
Expenditures				22	22	22	22	22
Biennial Change in Expenditures				22		22		22
Biennial % Change in Expenditures								
Governor's Change from Base								0
Governor's % Change from Base								0

Supreme Court Operations

Program Financing by Fund

(Dollars in Thousands)

	Actual FY18	Actual FY19	Actual FY20	Estimate FY21	Forecast Base		Governor's Recommendation	
					FY22	FY23	FY22	FY23

2403 - Gift

Balance Forward In	4,417	3,553	2,388	1,361	305	228	305	228
Receipts	198	73	48	122	72	72	72	72
Balance Forward Out	3,550	2,373	1,362	305	228	152	228	152
Expenditures	1,065	1,253	1,075	1,178	149	148	149	148
Biennial Change in Expenditures				(65)		(1,956)		(1,956)
Biennial % Change in Expenditures				(3)		(87)		(87)
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents		0.11	0.04					

3000 - Federal

Balance Forward In	1,364	1,078	927	961				
Receipts	3,787	4,313	4,814	4,821	4,821	4,821	4,821	4,821
Balance Forward Out	1,041	807	961					
Expenditures	4,110	4,584	4,779	5,782	4,821	4,821	4,821	4,821
Biennial Change in Expenditures				1,868		(919)		(919)
Biennial % Change in Expenditures				21		(9)		(9)
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents	26.16	28.81	29.88	29.88	29.88	29.88	29.88	29.88

6000 - Miscellaneous Agency

Balance Forward In	78	82	81					
Receipts	20	20	19					
Transfers Out			81					
Balance Forward Out	81	81						
Expenditures	18	21	19					
Biennial Change in Expenditures				(19)		(19)		(19)
Biennial % Change in Expenditures				(50)				
Governor's Change from Base								0
Governor's % Change from Base								

Program: Civil and Family Legal Serviceswww.mncourts.gov**AT A GLANCE**

- In 2019, Civil Legal Services served 44,920 households consisting of more than 112,433 people throughout all 87 Minnesota counties.
- There is one Civil Legal Services attorney for every 5,773 eligible clients, compared with one private practice attorney for every 432 Minnesotans above legal aid income guidelines.
- 60% of clients represented are Black, Indigenous, and People of Color, 11% are seniors, 15% are people with disabilities, and 62% are women.

PURPOSE AND CONTEXT

The Supreme Court administers Civil Legal Services (CLS) funding. There are three sources of Supreme Court-administered CLS funding: the general fund, Interest on Lawyers Trust Accounts, and attorney registration fees. The Court administers these funds through its Legal Services Advisory Committee. By statute, 85% of the general fund support is distributed on a poverty population basis to the Minnesota Legal Services Coalition (“the Coalition”), six regional CLS organizations that provide a full range of civil legal help in all 87 Minnesota counties. The remaining 15% of general fund support is awarded on a competitive basis to CLS organizations through a grantmaking process. CLS also receives funding from federal and local government grants, philanthropic foundations, United Way, private law firms, corporations, and individual private donors.

The statewide civil legal services network is a core function of the justice system. The network delivers justice to vulnerable Minnesotans and increases efficiency in the civil legal system. CLS focuses on resolving civil legal matters that directly affect the basic human needs for economic security, personal safety, shelter, and household sustenance. All CLS clients have low incomes, live with disabilities, or are elderly. A disproportionately high number of CLS clients are Black, Indigenous, and People of Color (BIPOC). Network innovations to increase efficiency in serving historically marginalized and rural communities throughout the state include expanded public access to services through technology, controlled cost through shared service coordination, and leveraging of volunteer resources.

SERVICES PROVIDED

CLS opens the doors of the justice system to the most vulnerable people in communities throughout all 87 Minnesota counties. CLS creates strong and stable families and communities by helping people find solutions to civil legal disputes and delivering legal representation and advice. In 2019, CLS provided legal representation and advice to 44,920 households consisting of 112,433 people throughout all 87 Minnesota counties. Sixty percent (60%) of clients represented are BIPOC, 11% are seniors, 15% are people with disabilities, and 62% are women. Additionally, CLS provided education and self-help services to nearly 525,182 people counting unique visitors to the www.LawHelpMN.org website. CLS attorneys and advocates work from offices throughout the state, enabling direct service to people in all 87 Minnesota counties. CLS is continuously innovating and expanding the www.LawHelpMN.org website, most recently re-designing the site to include an online triage portal for people seeking legal help and information. The online triage system has improved the efficiency and effectiveness of the delivering resources to the people of Minnesota, guiding potential clients to the best available resource to address their legal problems. The self-help resources on the website include plain language fact sheets and easy-to-use legal forms. The website is used by the court system, public libraries, social service agencies, and the general public.

CLS priorities include [1] preserving housing stability and preventing homelessness due to improper eviction or foreclosure; [2] helping victims of domestic violence achieve safety; [3] maximizing the ability of people who are elderly or have disabilities to live safely and independently in their community; [4] ensuring that Minnesotans have health care and financial security; and [5] protecting people from financial exploitation. An essential part of the state’s domestic violence intervention system, CLS gives legal help to women and children served by the state’s network of domestic violence shelters and support programs. CLS has a similar relationship with social service systems that address homelessness or independent living for seniors or people with disabilities. The CLS partnership with the Minnesota Judicial Branch is also critical. CLS creates efficiencies in the state court system by redirecting cases that are without merit or can be resolved in another manner, and by ensuring efficient use of the courts when CLS clients come before a judge. CLS also creates efficiency by providing essential infrastructure to leverage and support volunteer attorneys through training, mentoring, www.ProJusticeMN.org, and Minnesota Legal Advice Online (MLAO). Finally, and critically, CLS has been engaged in nearly three years of action planning to maximize coordination in CLS intake and referral processes, driving toward the rollout of centralized phone intake through a 1-800 number, which will direct cases to coordinated intake hubs to open cases.

CLS organizations can operate in a virtual environment and continue to deliver legal representation services during disasters and emergencies, as CLS is presently doing during the COVID-19 pandemic. The Coalition’s expertise in legal advocacy for people in poverty is critical to a meaningful statewide response to address Minnesotans’ civil legal needs in the face of the ongoing, unprecedented public health emergency and economic crisis caused by the COVID-19 pandemic.

There is one CLS attorney for every 5,773 CLS-eligible clients, compared with one practicing attorney for every 432 Minnesotans above CLS income guidelines. CLS in Minnesota is forced to turn away 60 percent (3 out of 5) of eligible clients seeking its services due to lack of resources. The inability of CLS to meet the demand for its services to meet critical human needs has been persistent. CLS continues to create efficiencies through technological innovations, coordination, and leveraging volunteers to serve more eligible families and individuals, but the need for services far exceeds the capacity of CLS.

RESULTS

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Previous</i>	<i>Current</i>	<i>Dates</i>
Results	Number of families and individuals receiving legal representation.	46,521	44,920	2017 and 2019
Results	Number of children and women who are victims of domestic violence who achieved safety.	3,342	3,416	2017 and 2019
Results	Number of families and individuals faced with foreclosure or eviction who remained housed or have improved housing conditions.	4,583	5,376	2017 and 2019
Results	Number of seniors and people with disabilities receiving legal representation.	16,804	16,906	2017 and 2019
Quantity	Number of people obtaining education and self-help resources about legal rights and responsibilities through technological innovation.	319,764	525,182	2017 and 2019

Minn. Stat. §§ 480.24 to 480.244 provides the legal authority for Civil and Family Legal Services.

Civil Legal Services

Program Expenditure Overview

(Dollars in Thousands)

	Actual FY18	Actual FY19	Actual FY20	Estimate FY21	Forecast Base		Governor's Recommendation	
					FY22	FY23	FY22	FY23
<u>Expenditures by Fund</u>								
1000 - General	13,705	13,735	14,720	14,720	14,720	14,720	16,928	18,198
2000 - Restrict Misc Special Revenue	2,080	2,089	2,119	2,320	2,174	2,174	2,174	2,174
3010 - Coronavirus Relief				3,500				
Total	15,785	15,824	16,839	20,540	16,894	16,894	19,102	20,372
Biennial Change				5,770		(3,591)		2,095
Biennial % Change				18		(10)		6
Governor's Change from Base								5,686
Governor's % Change from Base								17

Expenditures by Activity

Legal Services	15,785	15,824	16,839	20,540	16,894	16,894	19,102	20,372
Total	15,785	15,824	16,839	20,540	16,894	16,894	19,102	20,372

Expenditures by Category

Compensation	120	189	204	220	220	220	220	220
Operating Expenses	75	12	9					
Grants, Aids and Subsidies	15,590	15,624	16,625	20,320	16,674	16,674	18,882	20,152
Total	15,785	15,824	16,839	20,540	16,894	16,894	19,102	20,372

Full-Time Equivalent

	1.00	1.84	1.96	1.96	1.96	1.96	1.96	1.96
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Civil Legal Services

Program Financing by Fund

(Dollars in Thousands)

	Actual FY18	Actual FY19	Actual FY20	Estimate FY21	Forecast Base FY22 FY23		Governor's Recommendation FY22 FY23	
1000 - General								
Balance Forward In	0	15	0					
Direct Appropriation	13,720	13,720	14,720	14,720	14,720	14,720	16,928	18,198
Cancellations		0						
Balance Forward Out	15		0					
Expenditures	13,705	13,735	14,720	14,720	14,720	14,720	16,928	18,198
Biennial Change in Expenditures				2,000		0		5,686
Biennial % Change in Expenditures				7		0		19
Governor's Change from Base								5,686
Governor's % Change from Base								19

2000 - Restrict Misc Special Revenue

Balance Forward In	594	537	545	516	296	222	296	222
Receipts	2,014	2,095	2,090	2,100	2,100	2,100	2,100	2,100
Balance Forward Out	529	543	516	296	222	148	222	148
Expenditures	2,080	2,089	2,119	2,320	2,174	2,174	2,174	2,174
Biennial Change in Expenditures				270		(91)		(91)
Biennial % Change in Expenditures				6		(2)		(2)
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalent	1.00	1.84	1.96	1.96	1.96	1.96	1.96	1.96

3010 - Coronavirus Relief

Direct Appropriation				3,500	0	0	0	0
Expenditures				3,500				
Biennial Change in Expenditures				3,500		(3,500)		(3,500)
Biennial % Change in Expenditures								
Governor's Change from Base								0
Governor's % Change from Base								

Supreme Court

Federal Funds Summary

(Dollars in Thousands)

Federal Agency and CFDA #	Federal Award Name and Brief Purpose	New Grant	FY 2020 Actuals	FY 2021 Budget	FY 2022 Base	FY 2023 Base	Required State Match or MOE?	FTEs
Dept. of Justice 16.588 (Funds pass through the Dept. of Public Safety)	Point of Contact Position Federal funds to support a position advising the SCAO on topics of domestic and sexual violence. Funds pass through the Dept. of Public Safety for distribution.	No	\$ 109	\$ 121	\$ 100	\$ 100	Yes	1.00
Dept. of Health & Human Services 93.563 (Funds pass through the Department of Human Services)	Expedited Child Support Program Payments for the federal share (66%) of Expedited Child Support. Expenditures include costs for personnel, magistrates, and operations.	No	\$ 4,113	\$ 5,130	\$ 4,192	\$ 4,192	Yes	25.41
Dept. of Health & Human Services 93.586	Court Improvement Program Expenditures for the Children Justice Initiative Grant. These grants are awarded to the state from the Federal Department of Human Services Administration for Children and Families.	No	\$ 558	\$ 531	\$ 529	\$ 529	Yes	3.47
	Federal Fund – Agency Total		\$ 4,779	\$ 5,782	\$ 4,821	\$ 4,821		29.88

Narrative

In FY2022 and FY2023 the Supreme Court will continue to receive federal funding for Child Support and the Court Improvement Program. The Order for Protection database grant ended in FY2014 and was replaced by the Stop Violence Against Women Act for a Point of Contact position grant. This grant has a state match of approximately 30%. The Expedited Child Support Program funds magistrates, personnel, and operating costs. The Expedited Child Support Program receives federal reimbursement at a rate of 66% for eligible expenditures, so less spending with state appropriated dollars would result in a proportionate decrease in federal reimbursement. The Court Improvement Program improves the processing of child protection cases and the outcomes for abused and neglected children. Estimates were based on past funding. Grants that will be ending did not include revenue projected past the end date.