

FAST FACTS

From the House Appropriations Committee

JOE MARKOSEK, DEMOCRATIC CHAIRMAN October 6, 2011



Judicial Funding Update

While the Judiciary continues to deal with a budget shortfall, an often overlooked aspect of court funding is the continuation of Act 49 of 2009 by Act 30 of 2011. These acts generate approximately \$26.1 million each year for the Unified Judicial System (UJS) and approximately \$2.5 million for the Access to Justice (ATJ) account.

Both acts required the courts to collect an \$11.25 surcharge on certain court filing fees, excluding vehicle violations. Of the \$11.25 fee:

- \$10.25 is deposited into a separate reserve account within the Judicial Computer System Augmentation Account for the operation of the Judicial Department and

- \$1 is deposited into the ATJ account.

Act 49 will generate the following revenue for the Judiciary between Dec. 8, 2009 and Jan. 7, 2012:

- \$55.8 million for UJS and
- \$5.4 million for ATJ.

Act 30, signed by the governor on July 7, 2011, extends the \$11.25 fee through Dec. 31, 2014.

According to the Administrative Office of Pennsylvania Courts, revenue estimates for the Judiciary during the 36-month period beginning Jan. 8, 2012 through Dec. 31, 2014:

- \$78.2 million for UJS and
- \$7.6 million for the Access to Justice account.

According to the courts, state funds have fallen short of Judiciary needs for several years:

- \$27.5 million in 2009/10;
- \$12 million in 2010/11 and
- \$23 million in 2011/12.

The chart below shows state Judiciary funding decreasing from \$359 million in 2007/08 to \$357 million in 2011/12. These deficits have, in part, been funded by Act 49 revenues and by a cumulative total of \$30 million in unreimbursed loans from the Judicial Computer System as far back as fiscal year 2005/06.

Access to Justice, enacted in July 2002 to provide civil legal assistance to low-income residents without charge, is also funded by a \$2 surcharge on filings in state courts.

Revenue from Act 49 of 2009 (Extended by Act 30 of 2011)				
\$11.25 Surcharge				
(amounts in thousands)	Act 49		Act 30	
	UJS	ATJ	UJS	ATJ
FY 2009/10	\$9,966	\$972		
FY 2010/11	\$26,113	\$2,547		
FY 2011/12*	\$19,722	\$1,924	\$6,391	\$623
FY 2012/13*			\$26,113	\$2,547
FY 2012/14*			\$26,113	\$2,547
FY 2014/15*			\$19,584	\$1,910
Total	\$55,801	\$5,443	\$78,201	\$7,627

(*Estimated)

Judiciary Funding					
(amounts in thousands)	FY 2007/08	FY 2008/09	FY 2009/10	FY 2010/11	FY 2011/12
	Actual	Actual	Actual	Available	Budget
Supreme Court	\$15,097	\$14,875	\$13,424	\$13,424	\$13,424
Superior Court	\$27,927	\$28,520	\$26,237	\$26,237	\$26,237
Commonwealth Court	\$16,971	\$17,649	\$15,926	\$15,926	\$15,926
Courts of Common Pleas	\$84,842	\$87,695	\$79,136	\$79,136	\$92,083
District Justices	\$63,595	\$65,366	\$58,986	\$58,986	\$68,039
All Other Judiciary Lines	\$91,225	\$93,036	\$83,151	\$83,151	\$83,151
General Fund Total	\$299,657	\$307,141	\$276,860	\$276,860	\$298,860
Federal Funds	\$1,570	\$1,441	\$1,766	\$2,143	\$1,420
Augmentations	\$1,059	\$0	\$0	\$0	\$0
Restricted Revenue	\$56,883	\$61,074	\$57,048	\$57,048	\$57,048
Total	\$359,169	\$369,656	\$335,674	\$336,051	\$357,328