



Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #125

District Attorney Information Technology (DOA -- Justice Information System Surcharge)

[LFB 2011-13 Budget Summary: Page 36, #1 and Page 41, #6]

CURRENT LAW

Under current law, a justice information system surcharge of \$21.50 is generally assessed with a court fee for the commencement or filing of certain court proceedings, including civil, small claims, forfeiture, wage earner, or garnishment actions, an appeal from municipal court, third party complaint in a civil action, or for filing a counterclaim or cross complaint in a small claims action. Of this amount, \$7.50 is deposited into the Department of Administration's (DOA) justice information system appropriation and used for district attorney information technology (DAIT). Base funding for the appropriation is \$4,345,700 PR and 16.2 PR positions.

GOVERNOR

Modify the current justice information systems appropriation to specify that the amounts in the Chapter 20 appropriation schedule would be provided by the DOA from the justice information system surcharge rather than the statutorily designated \$7.50 per assessment.

Repeal and recreate DOA's justice information systems appropriation. In recreating the appropriation, provide \$4,428,300 PR annually (a net additional \$308,200 PR annually) for DAIT for unspecified purposes.

DISCUSSION POINTS

1. Under current law, the state provides funding and staff for computer automation in district attorney offices statewide including the development of a Prosecutor Technology for Case Tracking (PROTECT) case management system, and the development of integrated justice information systems shared by district attorneys, the courts, law enforcement, and other justice agencies.

2. Base funding for DAIT was \$4,345,700 PR and 16.2 PR positions. Under the bill, an additional \$146,100 PR annually would be added for standard budget adjustments (full-funding of continuing salaries and fringe benefits), which would increase the total appropriation to \$4,491,800. If the budget reductions for employee contributions for pensions and health insurance (-\$89,100 PR annually) and budget efficiencies (-\$282,600 PR annually) were applied to this modified base, funding for DAIT would total \$4,120,100 PR annually before the transfer of the appropriation.

3. Total funding under the recreated appropriation is instead established at \$4,428,300 PR. The State Budget Office indicates that the base funding level for the recreated appropriation was \$4.8 million annually to roughly equate the appropriation total to the estimated revenues under previous revenue estimates [current revenue estimates are \$5.2 million annually]. The budget reductions of \$89,100 PR annually and \$282,600 PR annually were applied to that base amount to establish the recommended appropriation authority of \$4,428,300 PR annually. Therefore, there is a \$308,200 PR increase (\$4,428,300 compared to \$4,120,100 annually) that is not accounted for under either: (a) standard budget adjustments; (b) employee contributions for pensions and health insurance reductions; or (c) budget efficiency reductions.

4. It could be argued, however, that the amounts appropriated should equate to approved legislative activities for DAIT and not to projected revenues. Further, even if sufficient revenues exist for expanded DAIT activities, DOA should present information to the Legislature for additional expenditure need that could be approved, denied, or modified by the Legislature. Therefore, it could be argued that if the Legislature approves of employee contributions for pensions and health insurance reductions, and budget efficiencies equal to a 10% reduction in supplies and services, then \$308,200 PR annually should be deleted from the justice information systems appropriation [20.505(1)(kh) under the bill]. Under this alternative, total annual funding for DAIT would be \$4,120,100 PR. This amount is equivalent to the amount that would have been appropriated if standard budget adjustments, employee contributions for pensions and health insurance, and budget efficiencies had all been applied to the base.

5. Alternatively, the Legislature could approve the Governor's recommendation, which would provide additional funding to DAIT operations. Uses of this additional funding would be determined by DOA.

ALTERNATIVES

1. Approve the Governor's recommendation to provide an additional \$308,200 PR annually for District Attorney Information Technology.

2. Deny the Governor's recommendation. As a result, delete the increase of \$308,200 PR annually for DAIT from the justice information systems appropriation [20.505(1)(kh)].

ALT 2	Change to Bill
	Funding
PR	- \$616,400

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