

Trial Court Budget Crisis – Fiscal Year 2010

Access to justice is a cornerstone of democracy and a fully functioning court system is a critical function of government. The Trial Court represents only 2.08 percent of the total FY10 budget and the Governor's vetoes of Trial Court funding effectively represent 12.5 percent of the total vetoed.

FUNDING STATUS:

- Legislature's Conference Committee recommended FY10 Trial Court budget of \$569.1 million; Governor Patrick reduced funding to \$550.7 million with \$18.5 million in vetoes
- Trial Court seeks restoration of funding to \$569.1 million through override of vetoes to six Trial Court accounts

IMPACT OF CUTS ON MASSACHUSETTS CITIZENS:

FY10 budget approved by Governor Patrick will severely impact the court's ability to serve families, children, the elderly, domestic violence victims, incapacitated and low-income litigants, and many others. Inadequate court funding will adversely affect local citizens and communities across the state in many ways, including the following:

- delay case processing, which jeopardizes public safety; staffing levels already are below adequate level of service
- impact the Trial Court's ability to manage collection of \$123.5 million in revenue for the Commonwealth
- further consolidate and relocate court operations through termination and reduction of leases
- impede access to emergency petitions on domestic and family matters, such as restraining orders, juvenile care & protection orders, and Children in Need of Services petitions
- increase number of pre-trial detainees, exacerbating jail overcrowding and increasing costs
- delay resolution of business disputes

BUDGET REDUCTION ACTIONS ALREADY TAKEN BY THE JUDICIARY:

- reduced staffing levels by 275 positions through absolute hiring freeze and targeted voluntary personnel reductions; unable to fill critically needed positions, including law clerks
- unable to pay full salaries negotiated for 3,500 clerical employees for FY09 and FY10
- relocated court operations in order to terminate leases in Winchendon and Lawrence; renegotiating all private leases and consolidating space
- eliminated all non-core judicial functions, including alternate dispute resolution services, and restricted assignment of guardians ad litem -- key access-to-justice services
- eliminated funding for per diem court reporters, education conferences, out-of-state travel, and information technology projects; cut legal subscriptions, reference materials, utilities, equipment and supplies