

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 Judicial Branch represents only 2.4 percent of the total state budget.

FUNDING STATUS:

- Gov. Patrick proposed an FY10 Trial Court budget of \$560 million; the House has recommended an FY10 Trial Court budget of \$553 million
- Trial Court now seeks \$591.2 million, comprised of \$573.7 million to maintain services at current restricted levels and \$17.5 million to fund the FY10 portion of the Local 6 contract

IMPACT OF CUTS ON MASSACHUSETTS CITIZENS:

The House budget proposal would 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 proposed would adversely affect local citizens and communities across the state by the:

- elimination of 400 positions through layoffs and 400 positions through a hiring freeze will:
 - delay case processing, jeopardizing public safety and increasing overall spending; 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
- forced consolidation and relocation of court operations through termination and reduction of leases
- impeded access to emergency petitions on domestic and family matters, such as restraining orders, juvenile care & protection orders, and Children in Need of Services petitions
- increased number of pre-trial detainees, exacerbating jail overcrowding and increasing costs

BUDGET REDUCTION ACTIONS ALREADY TAKEN BY THE JUDICIARY:

- voluntarily cut \$22.1 million from FY09 budget at Gov. Patrick's request in October 2008
- limited hiring since July 2007; absolute hiring freeze since October 2008
- eliminated Alternative Dispute Resolution Services contracts 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