



Fiscal Year 2010
Budget Request

January 2009

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I. Overview for the State Justice Institute

The State Justice Institute (SJI) was established by federal law (42 U.S.C. 10701 et seq.) in 1984 to award grants to improve the quality of justice in state courts, facilitate better coordination between state and federal courts, and foster innovative, efficient solutions to common issues faced by all courts. SJI is a non-profit corporation governed by an 11-member Board of Directors appointed by the President and confirmed by the Senate. By law, the President must appoint six state court judges, one state court administrator, and four members of the public – no more than two of whom may be of the same political party.

SJI is unique both in its mission and how it seeks to fulfill it. Only SJI has the authority to assist all state courts – criminal, civil, juvenile, family, and appellate – and the mandate to share the success of one state’s innovations with every state court system as well as the federal courts.

SJI carries out its mission in a variety of ways that maximize the impact of its funding, including:

- Placing practical products in the hands of the judges and court staff who can most benefit from them;
- Making sure that effective approaches in one state are quickly and economically shared with other courts nationwide;
- Establishing national resource centers where judges and court staff obtain expert guidance, test new technologies, and learn from each other;
- Convening national, regional, and in-state educational programs to speed the transfer of solutions to issues shared by courts across the nation; and,
- Delivering national technical assistance targeted at specific issues in the courts.

SJI has supported numerous grants to state courts and court support organizations that have improved the administration of justice in the United States. These include projects that have addressed the impact of immigration in the state courts, improved court security, promoted fiscally-sound and data-driven policies and practices on sentencing, and provided assistance to improve access to justice. SJI has also supported many worthwhile projects that have enhanced state court performance and accountability.

For FY 2010, SJI requests \$5,131,000 to enhance its efforts to improve the quality of justice in state courts. The request is \$1,031,000 above the level provided in the FY 2009 House Commerce, Justice, Science and Related Agencies (CJS) Bill (H.R. 7322), and \$131,000 above the level provided by the Senate CJS Bill (S 3182).¹ The request is \$1,869,000 below the level as authorized by the State Justice Institute Reauthorization Act of 2004 (P.L. 108-372).

¹ As of January 2009, both the House and Senate Appropriations Committees had approved their versions of the FY 2009 CJS Bill.

II. Appropriations Language and Analysis of Appropriations Language

Appropriations Language

STATE JUSTICE INSTITUTE

SALARIES & EXPENSES

For the necessary expenses of the State Justice Institute, as authorized by the State Justice Authorization Act of 1984 (*42 U.S.C. 10701 et seq.*), [\$4,100,000] \$5,131,000, of which \$250,000 shall remain available until September 30, 2011: Provided, That not to exceed \$2,500 shall be available for official reception and representation expenses.

Analysis of Appropriations Language

- At the time of this budget submission, SJI was operating under a Continuing Resolution (P.L. 110-329) for FY 2009. The appropriations language cited above is the FY 2009 House Commerce, Justice, Science and Related Agencies (CJS) Bill (H.R. 7322), which provided \$4,100,000 to SJI as opposed to the FY 2009 Senate CJS Bill (S 3182), which provided \$5,000,000. For the purposes of the FY 2010 budget request, SJI used the lower of the two marks as the baseline estimate for FY 2009.
- SJI grants often span across fiscal years; therefore, a grant made in one fiscal year may not be complete until the next fiscal year or beyond. This has created a deobligation issue that, while small in scope, nevertheless leaves funding available in SJI's prior year Treasury accounts that could be used for future grants. The two-year budget authority of \$250,000 will allow SJI the flexibility to use prior year deobligations to support new grants.

III. Summary of Program Changes

Grant Type	Description	Dollars	Page
Project Grants	The requested enhancement will enable SJI to support one to two additional projects in FY 2010.	\$100,000	8
Partner Grants	The requested increase will enable SJI to expand these grants to more organizations and projects.	\$200,000	10
Strategic Initiatives Grants	The Strategic Initiatives Grants (SIG) program began in FY 2008 with a focus on immigration issues in the state courts. The requested enhancement will increase the total availability to \$800,000 and enable SJI to address other critical issues.	\$300,000	12
Technical Assistance Grants	The requested enhancement will enable SJI to keep pace with the increasing number of TA Grant requests anticipated in FY 2010.	\$160,000	15
Curriculum Adaptation and Training Grants	The requested enhancement will enable SJI to meet additional CAT grant requests anticipated in FY 2010.	\$200,000	16
Total, Program Changes		\$960,000	

IV. SJI Grant Program

SJI's mission is to improve the quality of justice in state courts, facilitate better coordination between state and federal courts, and foster innovative, efficient solutions to common issues faced by all courts. To fulfill this mission, SJI awards grants that benefit the nation's judicial system and the public it serves.

SJI currently awards six types of grants, each of which is specifically targeted:

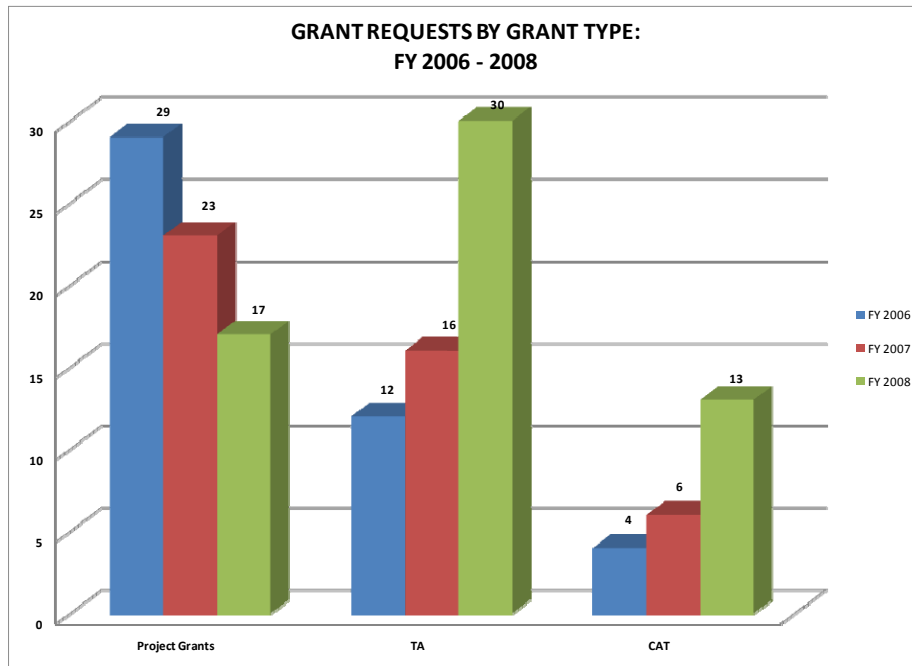
- Project Grants – are the centerpiece of the SJI's efforts to improve the administration of justice in state courts nationwide. Project Grants are intended to support innovative technical assistance, education and training, and demonstration projects that can improve the administration of justice in state courts.
- Partner Grants – allow SJI and federal, state, or local agencies or foundations, trusts, or other private entities to combine financial resources in pursuit of common interests.
- Strategic Initiatives Grants – SJI requested, and Congress approved, the Strategic Initiatives Grants (SIG) program in FY 2008. This funding provides SJI the flexibility to address national court issues as they occur, and develop solutions to those problems.
- Technical Assistance (TA) Grants – designed to provide state and local courts with funding to obtain expert assistance to diagnose a problem, develop a response to that problem, and initiate implementation of any needed changes.
- Curriculum Adaptation and Training (CAT) Grants – enable courts and regional or national court associations to modify and adapt model curricula or course modules to meet state or local jurisdiction educational needs; train instructors to present portions or all of the curricula; and pilot-test them to determine their appropriateness, quality, and effectiveness.
- Scholarships – enhance the skills, knowledge, and abilities of judges and court managers by supporting attendance at programs sponsored by national and state providers that they could not otherwise attend because of limited state, local, and personal budgets.

The total amount in requested grants² increased from \$3,141,218 in FY 2006, to \$4,439,428 in FY 2008 (41 percent). This was approximately the same amount of funding requested in FY 2007; however, the total number of grant requests increased 6 percent over FY 2007. For example, between FY 2006 and 2008, the total number of Project Grant requests decreased by 41 percent; whereas the total number of TA Grant requests increased by 150 percent and the number of CAT Grant requests increased by 225 percent.

² In FY 2006, three Continuation Grants were requested totaling \$920,587; of which SJI funded all three at a reduced funding level of \$242,900. Also, in FY 2006, one Supplement Grant was requested and awarded totaling \$69,651. In FY 2007, one Supplement Grant was requested and awarded totaling \$290,466. SJI does not include these grants when comparing figures across fiscal years because Continuation and Supplement Grants are no longer supported.

Furthermore, between FY 2007 and 2008, the total dollar amount requested for Project Grants decreased by 41 percent (from \$2,771,533 in FY 2007 to \$1,630,178 in FY 2008). However, the total dollar amount requested for TA and CAT requests increased by 106 percent (from \$496,760 in FY 2007 to \$1,024,108 in FY 2008). Therefore, the demand for smaller TA and CAT grants has increased; whereas the demand for the larger Project Grants has decreased.

Many state courts were experiencing (and are continuing to experience) significant budget issues in FY 2008. The reason for the drop in Project Grant requests is two-fold: 1) in this climate of severe budget restraints, state courts do not have the financial or manpower resources required to conduct large projects; and 2) the dollar-for-dollar cash match requirement for project grants is unattainable for many state courts, but there is state funding available to support TA and CAT grants because these grant programs only require a 50 percent match (as opposed to a dollar-for-dollar match for Project Grants), of which only 20 percent must be cash match.



State court budgets are unlikely to experience any budget relief in the near future. Therefore, SJI expects that the requests for TAs and CATs will continue to increase in FY 2009 and 2010. These smaller grants are critical to state and local courts, and this budget request will support these projects while continuing to use the other larger grant programs to address national court issues.

FY 2006

Grant Type	Requested			Awarded		
	Number	\$	Cash Match	Number	\$	Cash Match
Project	29	\$ 1,905,000	\$ 2,002,747	24	\$ 1,644,999	\$ 1,721,278
Partner	3	\$ 644,916	\$ 638,867	3	\$ 644,916	\$ 638,867
TA	12	\$ 307,927	\$ 217,354	8	\$ 179,533	\$ 68,627
CAT	4	\$ 67,153	\$ 25,753	1	\$ 19,003	\$ 1,903
Scholarships	165	\$ 216,222	\$ -	136	\$ 182,110	\$ -
GRAND TOTAL	213	\$ 3,141,218	\$ 2,884,721	172	\$ 2,670,561	\$ 2,430,675

FY 2007

Grant Type	Requested			Awarded		
	Number	\$	Cash Match	Number	\$	Cash Match
Project	23	\$ 2,771,533	\$ 3,376,901	14	\$ 1,028,810	\$ 1,565,979
Partner	3	\$ 896,379	\$ 928,363	3	\$ 896,379	\$ 928,363
TA	16	\$ 417,260	\$ 116,777	14	\$ 381,770	\$ 208,409
CAT	6	\$ 79,500	\$ 17,880	6	\$ 78,503	\$ 16,383
Scholarships	207	\$ 273,054	\$ -	165	\$ 220,914	\$ -
GRAND TOTAL	255	\$ 4,437,726	\$ 4,439,921	202	\$ 2,606,376	\$ 2,719,134

FY 2008

Grant Type	Requested			Awarded		
	Number	\$	Cash Match	Number	\$	Cash Match
Project	17	\$ 1,630,178	\$ 1,942,788	9	\$ 760,321	\$ 1,008,478
Partner	5	\$ 937,000	\$ 937,000	5	\$ 937,000	\$ 937,000
SIG	3	\$ 448,168	\$ -	3	\$ 448,168	\$ -
TA	30	\$ 806,656	\$ 365,459	22	\$ 608,184	\$ 278,931
CAT	13	\$ 217,452	\$ 61,982	8	\$ 117,452	\$ 27,982
Scholarships	202	\$ 399,974	\$ -	134	\$ 183,508	\$ -
GRAND TOTAL	270	\$ 4,439,428	\$ 3,307,229	181	\$ 3,054,633	\$ 2,252,391

Project Grants

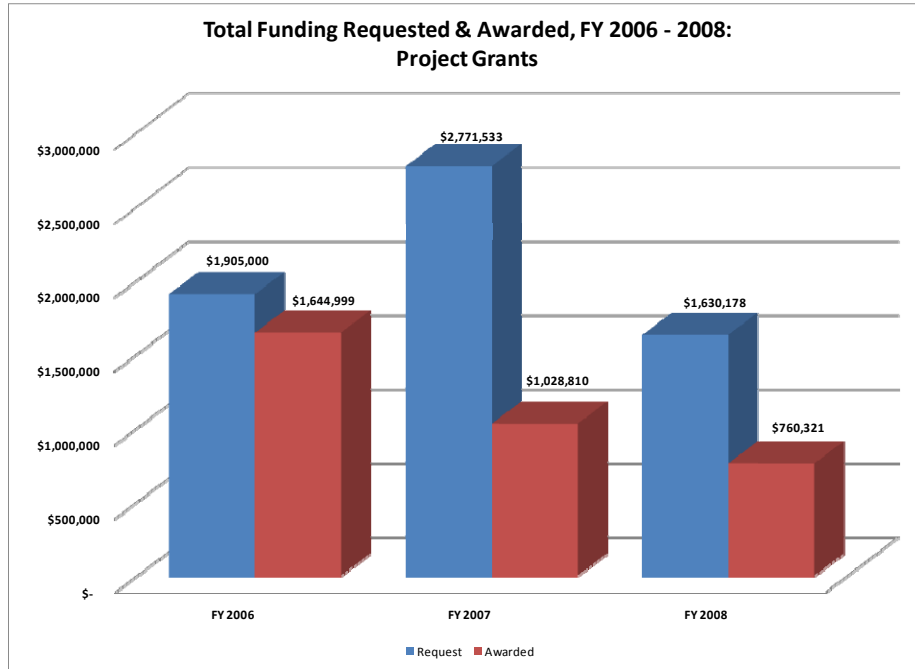
Project Grants are intended to: 1) formulate new court procedures and techniques, or creatively enhance existing procedures and techniques; 2) address aspects of state judicial systems that are in special need of attention; 3) develop products, services, and techniques of national significance that may be used in other states; and/or 4) create and disseminate products that transfer information and ideas developed for relevant audiences, or provide technical assistance to facilitate the adaptation of effective programs in other court jurisdictions. Each fiscal year, SJI identifies Special Interest Program Categories that have been designated by the Board of Directors as critical to the courts and are investment priorities. For FY 2009, the Special Interest Program Categories are (in no ranking order):

- a. Immigration Issues – Recent immigration growth is having an impact on state and local courts, including courts along the Southwest Border and other areas of the United States with large immigrant populations. These jurisdictions are dealing with issues such as how to provide culturally appropriate services; increases in gang-crime cases involving immigrants; and the impact of federal and state immigration policies on court operations. SJI is interested in projects that highlight the issues state and local courts face in addressing the demands of increased immigration, and potential solutions to those issues.
- b. Courts and the Media – Public attacks on the courts have gone largely unanswered because courts were unable to respond effectively. No one is better prepared than a judge to describe decision-making on the bench within the law and the Constitution. SJI is interested in projects that explore the role of judge as public commentator and promoting initiatives that improve relations and open dialogue between the judiciary and the media.
- c. Elder Issues – This category includes projects designed to improve management of guardianship, probate, fraud, Americans with Disability Act, and other types of elder-related cases.
- d. Performance Standards and Outcome Measures – This category includes projects that will develop and measure performance standards and outcomes for all aspects of court operations. SJI is particularly interested in projects that further professionalize court staff and operations, or objectively evaluate the costs and benefits of problem-solving courts.
- e. Relationship between State and Federal Courts – This category includes projects designed to facilitate appropriate and effective communication, cooperation, and coordination between state and federal courts. SJI is also interested in projects that improve relationships between the courts, the legislative and executive branches, and the public.

There have been many successful Project Grants funded by SJI. These include the *Assessment of the West Virginia Supreme Court Workload* (SJI-06-N-075). This Project Grant helped the Supreme Court conduct a workload assessment in response to the 2007 legislative session on the redistricting of the circuit and family courts. SJI supported the *Court-Based Alternative Dispute Resolution (ADR) Program* (SJI-08-N-073) for the Maryland Mediation and Conflict Resolution Office (MACRO). This Project Grant provided court ADR programs in Maryland with a web-based data collection and analysis system to improve services across the state. SJI also awarded a Project Grant (SJI-08-N-086) to the Maryland Judiciary to evaluate three truancy intervention programs in the First Judicial Circuit. Recently, SJI awarded Project Grants to the Texas Office of Court Administration to evaluate advocacy alternatives for the mentally ill (SJI-08-N-072); the New Mexico Administrative Office of the Courts to develop and sustain a justice system-wide interpreter resource partnership; and the Center for Court Innovation to provide court-based training on improving the identification of trafficking victims in New York City.

In FY 2007, total funding requested for Project Grants was \$2,771,533. In FY 2008, total funding requested decreased to \$1,630,178. This decrease is directly related to the severe budget cuts state courts are currently facing. SJI anticipates that Project Grant applications will continue

to remain at approximately FY 2008 levels for the next several fiscal years. Therefore, for FY 2010, SJI is only requesting a \$100,000 increase for Project Grants. This enhancement will also allow SJI the flexibility to support one to two additional Project Grants in FY 2010.



Partner Grants

Partner Grants allow SJI and federal, state, or local agencies or foundations, trusts, or other private organizations combine financial resources in pursuit of common interests. These grants enable SJI and its partner to fund projects that will have a national impact on the courts. They also increase coordination among SJI and other grant-making agencies such as the Department of Justice (DOJ), Legal Services Corporation (LSC), the Pew Charitable Trusts, and the Open Society Institute.

In FY 2008, The Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) and SJI entered into a Partner Grant to support the Drug Court Planning Initiative. This marked the first time that SJI had become involved in supporting drug courts since the program was first developed. The training initiative helped communities implement effective drug court programs by: 1) educating drug court teams on the basic concepts of drug courts; 2) providing the teams with the skills necessary to implement drug court case processing; and 3) encouraging cultural competency, while integrating court and drug treatment programs.

BJA and SJI also joined efforts in FY 2007 to support an Executive Session for State Court Leaders at Harvard University’s Kennedy School of Government (KSG). KSG, with the support of BJA, had conducted similar efforts for community policing, drugs and crime, state and local

prosecution, and public defense. The BJA/SJI Partner Grant is producing supporting documents to be used for a select group of state court leaders to develop practical approaches to improving the role of state judiciaries in government. Furthermore, it will focus on how state courts ensure adequate resources, improve accountability and efficiency, while at the same time become instruments of democratic governance in the 21st Century.

SJI entered into a Partner Grant with the U.S. Marshals Service (USMS) in FY 2008. This Partner Grant supported a component of the USMS Judicial Security Fellowship Program. This program provides an opportunity for state and local law enforcement officers charged with court security to train with the USMS, including training on high level executive protection and court security operations. During the program, the Judicial Security Fellow (JSF) is exposed to all aspects of USMS judicial and court security, and travels to sites of ongoing high-threat trials and protective details. JSFs are full-time sworn officers of a duly constituted law enforcement agency, and have at least five years court security experience.

The USMS/SJI Partner Grant directly supported a component of JSF program that included joint training with court administrators at the National Center for State Courts (NCSC). This training included coordination of public and media relations in high visibility trials, coordinated approaches to policy and procedures, and consolidated training for court staff in security awareness and response. Furthermore, the NCSC helped the JSF and his/her court counterpart develop close working relationships for analyzing security needs and formulating action plans to improve security in the state or location jurisdiction they represent. The JSFs also achieved an understanding of court security requirements from a court perspective.

LSC and SJI began working to tighten the bonds between courts and legal aid providers in FY 2006. SJI provides additional funding for LSC to make awards for projects that have a court component in their Technology Initiative Grants (TIG) program. LSC and SJI work together to determine appropriate projects for joint funding. In FY 2008, LSC and SJI continued these efforts by finalizing a Partner Grant totaling \$600,000. This third year Partner Grant funded a slate of innovative technology projects designed to promote full access to justice through the use of technology. The Partner Grant used LSC's existing TIG program to support these innovative projects. SJI's share, \$300,000, was fully matched by LSC, and provided additional resources to develop collaborative efforts between the courts and legal service programs in order to better serve self-represented and low-income litigants across the United States. Between FY 2006 and 2008, LSC/SJI Partner Grants have supported approximately \$1,900,000 in TIG projects.

In FY 2006, SJI and the Pew Charitable Trusts (Pew) began a Partner Grant to address Foster Care issues facing both the justice system and child welfare service providers. Other participating organizations included the National Conference of Juvenile and Family Court Judges (NCJFCJ) and the NCSC. This Partner Grant provided technical assistance to courts to improve the way foster care cases were administered by both the judicial system and child welfare agencies. Closer collaboration between the two was promoted and the reforms developed by the Pew Commission on Children and Foster Care were encouraged and supported. Another Partner Grant between SJI and Pew began in FY 2007 to address sentencing and sentencing alternatives in a collaborative approach between policy-makers, corrections personnel, and judges. This Partner Grant involves the Council of State Governments, Vera

Institute, Crime and Justice Institute, the National Judicial College, and NCSC. SJI's involvement in this project assured the inclusion of state court judges in the collaborative.

Also in FY 2008, SJI continued supporting a Partner Grant with the Open Society Institute for a project to examine racial and ethnic fairness in State courts. During the first phase of this project, NCSC gathered information from various states on their efforts to address fairness issues and identify best practices in this area. The information was collected and made available in an on-line database to help courts identify those practices that could be of use in their jurisdictions. The second phase focused on implicit bias – an issue that potentially affects decisions and activities related to fair and unbiased behaviors in the court house.

Partner Grants totaled \$644,916 in FY 2006, \$896,379 in FY 2007; and \$937,000 in FY 2008; therefore, the program is steadily growing as SJI continues to work with outside agencies. Partner Grants typically range from \$300,000 to \$500,000 per award. The requested increase of \$200,000 will enable SJI to expand these grants to more organizations and/or projects in FY 2010.

Strategic Initiatives Grants

SJI requested, and Congress approved, the Strategic Initiatives Grants (SIG) program in FY 2008. This funding provides SJI the flexibility to address national court issues as they occur, and develop solutions to those problems. This is an innovate approach to doing business where SJI is no longer simply making grants and waiting for a grant application to be submitted that covers a major issue facing the courts; rather, SJI is actively addressing those issues. In this way, SJI uses its expertise and the expertise and knowledge of its grantees to address key issues facing courts across the United States.

SJI began using the SIG program in FY 2008 to address immigration issues in the state courts at a national impact level. As part of this effort, SJI began a dialogue with the state courts to determine how immigration issues are impacting them. Two overarching themes came out of this dialogue: 1) State court capacity to provide effective service is challenged by the magnitude and intensity of current and anticipated immigration (equal access to justice); and 2) the intersection of federal immigration law and practice, and state law, can result in unintended consequences for litigants and state court systems (equal justice for all).

SJI identified four **Strategic Priorities** to guide a comprehensive strategy for the state courts to address the impact of immigration:

1. Increase understanding and awareness about the impacts of immigration in the state courts;
2. Develop and test state and local approaches for assessing and addressing the impact of immigration in the state courts;
3. Enhance state and local court capacity to improve court services affected by immigration; and
4. Build effective national, state, and local partnerships for addressing the impact of immigration in the state courts.

Through the SIG program, SJI is assisting the state courts in addressing the four Strategic Priorities by focusing on three **Program Areas**:

1. SJI will build national level partnerships for addressing the impact of immigration in the state courts by:

- identifying the key federal, state and local level public and private organizations who need to participate in examining and addressing the impacts of immigration on the state courts;
- facilitating problem-solving efforts using federal, state, and local partnerships; and
- coordinating all aspects of a national strategic initiative.

2. SJI will support and coordinate state and local efforts to understand and address the impact of immigration in the state courts by supporting:

- the development of assessment, planning, and improvement approaches that can be used to address the impacts of immigration in courts across the nation;
- pilot projects to test, implement, and refine improvement approaches; and
- technical assistance efforts targeting potentially unique state and local needs.

3. SJI will coordinate the development of the knowledge base, forums, and resources for understanding and addressing the impact of immigration on the state courts by supporting:

- preparation of materials documenting the scope and impacts of immigration in the state courts;
- development of bench books addressing the intersection of international, federal, and state law;
- judicial education programs addressing the intersection of international, federal, and state law;
- efforts to inventory best practices for addressing immigration issues in courts; and
- development of performance indicators that measure the impact of immigration in the state courts.

Two grants were awarded to support these three Program Areas; one to the Center for Public Policy Studies (CPPS); and another to support a collaborative effort between the National Center for State Courts (NCSC) and the National Judicial College (NJC).

CPPS is currently working in three pilot learning sites: the Maricopa County (Phoenix, Arizona) Superior Court; the 11th Judicial Circuit Courts in Florida (Miami-Dade); and the Courts of the 8th Judicial Circuit in rural, western Minnesota, to learn what challenges they face in meeting the needs of immigrant populations that use the courts; and how best to address those challenges. A guidebook will be developed for assessing the impacts of immigration in the state courts that can

be used in courts across the United States. The guidebook will build on the work of this project by incorporating the practical lessons learned from the three pilot sites, and provide useful information and tools for other courts to adapt to meet their own needs. CPPS will also prepare a bench book for assisting judges across the United States in addressing the practical implications of immigration in the state courts for a variety of topics including pretrial release decisions, eligibility for and conditions of probation, the effects of guilty pleas on immigration status, and the intersection of federal and state laws – to include the impact of foreign law/treaty agreements, and federal notifications.

The second SIG grant was awarded to NCSC and NJC to support and coordinate state and local efforts to address immigration issues. This project will gather current information from court leaders about the problems they are facing and solutions they have implemented to address this topic. Immediate, expert technical assistance will be provided to address critical trial court issues in dealing with both documented and undocumented immigrants. This technical assistance will use both proven case flow processes, in addition to developing new approaches to determining needs and providing solutions. In addition to the technical assistance, the project will develop an education curriculum, based on a needs assessment of trial judges and court staff confronting issues involving immigration.

Given the positive reception of these projects, and the overall high demand for assistance with immigration issues in the state courts, for FY 2009, SJI will continue to use the SIG program to focus on this important topic area.

In addition to struggling with immigration issues, the state courts are also facing severe budget reductions as a direct result of the current economic situation in the United States. In fact, at least 44 states are facing shortfalls in their FY 2009 and/or FY 2010 budgets; a trend that is likely to continue into the future.³ This has had a direct impact on state court budgets. For example, the state courts in New Hampshire halted all jury trials for a month because of the current budget crisis in that state. The Vermont judiciary has closed its district and family courts half day per week for the remainder of the fiscal year.⁴ In addition, NCSC reports that at least 20 state court systems are currently facing budget deficits. Given that 90 percent of state court budgets are personnel costs, it is not surprising that courts are reducing staff; as evidenced in Florida where the court system recently laid off 10 percent of its workforce.

The budget crisis in the state courts is an emerging and national issue that will be addressed by the SIG program. In fact, SJI is currently working to identify key stakeholders who have a direct interest in state court budgets. Furthermore, SJI will support direct technical assistance to state courts that need help determining how best to maintain access to justice while reducing costs. The strategies and approaches that are developed as a direct result of this SIG initiative will be shared with all courts; given that many more will be impacted by state budget reductions in the near future.

³ Center on Budget and Policy Priorities. 2008. *State Budget Troubles Worsen*.

⁴ Goodnough, Abby. 2008. *Jury Trials to be Halted in One State Feeling the Pinch*. The New York Times.

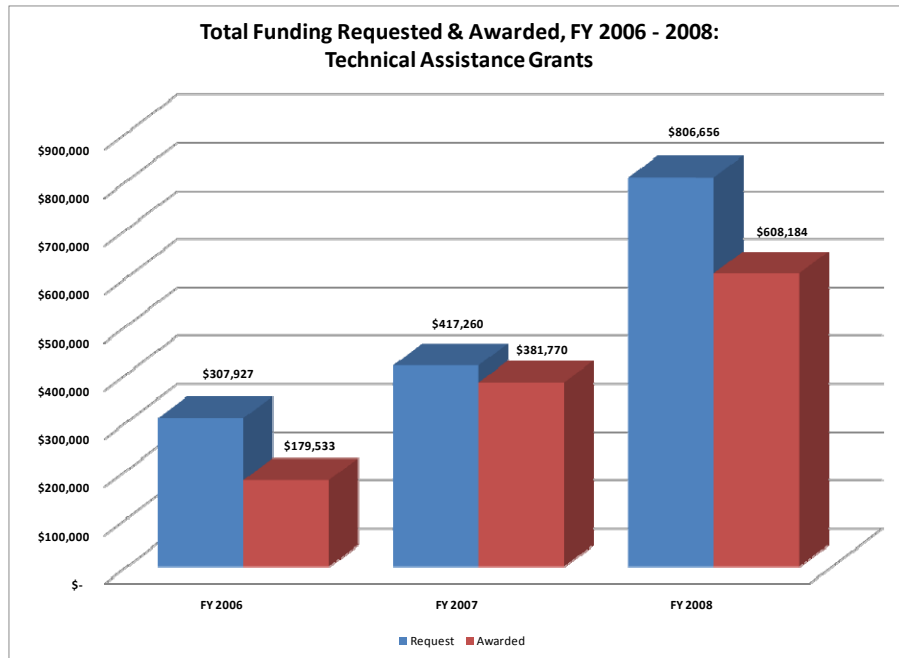
Of the amount appropriated for SJI in FY 2010, \$500,000 will support the SIG program. The requested enhancement of \$300,000 will bring the total funding available to \$800,000. The enhancement will allow SJI to expand the SIG program to other critical areas, including court budgeting issues. The funding will be used for grants or contractual services, and any remaining balance not used will become available for SJI's existing grant program. The grants are awarded at the discretion of the Board of Directors and SJI staff outside the normal application process (i.e. SJI initiates the project), and there is no cash match requirement.

Technical Assistance Grants

Technical Assistance (TA) Grants are designed to provide state and local courts with funding to obtain expert assistance to diagnose a problem, develop a response to that problem, and initiate implementation of any needed changes. Only state or local courts may apply for TA grants. While much smaller in size, scope, and cost than Project or Partner Grants, TA Grants are still valuable to state courts because they help them address significant issues such as caseload, strategic planning, and court procedures.

SJI awards numerous TA Grants each year that have a positive impact on the state courts. The SJI-funded *Action Plan for Strengthening the Court Interpreter Program* (SJI-08-T-077) helped the Vermont Supreme Court develop and manage court interpreters, and assist the state in improving access to justice for limited English proficient individuals. A similar TA Grant (SJI-08-T-001) was awarded to the Washington Administrative Office of the Courts to support an interpreter and language services initiative. SJI recently awarded TA Grants to the Georgia Administrative Office of the Courts for emergency management training (SJI-08-T-149), and the Minnesota Judicial Branch to implement and evaluate a family appeals mediation program. In addition to supporting TA grants in the 50 states and the District of Columbia, SJI has also supported the judiciaries in Puerto Rico, Guam, and the Commonwealth of the Northern Mariana Islands.

In FY 2007, total funding requested for TA Grants was \$417,260. In FY 2008, total funding requested was \$806,656; an increase in requests of \$389,396 (93 percent). Demand for TA Grants increased so dramatically in FY 2008 because of the severe budget constraints in the state courts. TA Grants are smaller in scope and dollars, therefore the state courts are able to put together the resources to meet SJI's cash match requirements; compared to the larger Project Grants. SJI anticipates that the demand for TA Grants will continue to increase in FY 2009 and 2010. Therefore, for FY 2010, SJI is requesting an enhancement of \$160,000 to keep pace with the increasing requests.

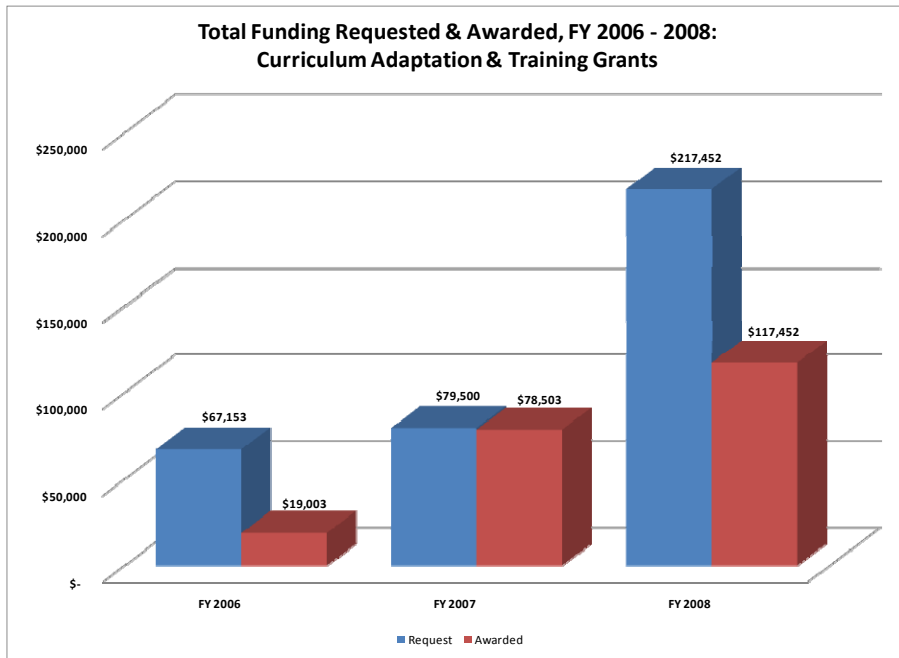


Curriculum Adaptation & Training Grants

Curriculum Adaptation & Training (CAT) Grants are intended to: 1) enable courts and regional or national court associations to modify and adapt model curricula or course modules to meet States' or local jurisdictions' educational needs; train instructors to present portions or all of the curricula; and pilot-test them to determine their appropriateness, quality, and effectiveness; or 2) conduct judicial branch education and training programs led by either expert or in-house personnel, designed to prepare judges and court personnel for innovations, reforms, and/or new technologies recently adopted by grantee courts.

Recent CAT Grants include support to the National Center for State Courts for jury trial management (SJI-08-E-081); the New York Unified Court System for a case management curriculum in family courts (SJI-08-E-080); judicial training for the Virginia Courts (SJI-08-E-150); and the National Judicial College to develop and present judicial training webcasts that focus on issues critical to trial judges.

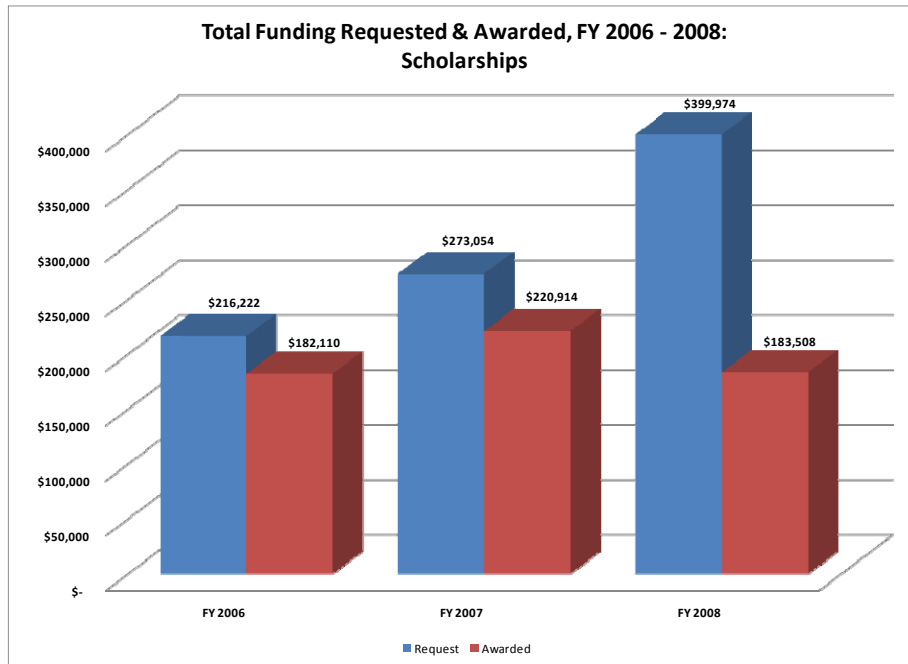
In FY 2007, total funding requested for CAT Grants was \$79,500. In FY 2008, total funding requested was \$217,452; an increase in requests of \$137,952 (174 percent). This increase in both the dollar amount and number of CAT Grant requests is due to the decreased budgets in the state courts. SJI anticipates that the demand for CAT Grants will continue to increase in FY 2009 and 2010. Therefore, for FY 2010, SJI is requesting an enhancement of \$200,000 to keep pace with the increasing requests.



Scholarships

SJI's Scholarship Program enhances the skills, knowledge, and abilities of judges and court managers by supporting attendance at programs sponsored by national and state providers that they could not otherwise attend because of limited state, local, and personal budgets; and provide states, judicial educators, and court staff with evaluative information on a range of judicial and court-related education programs.

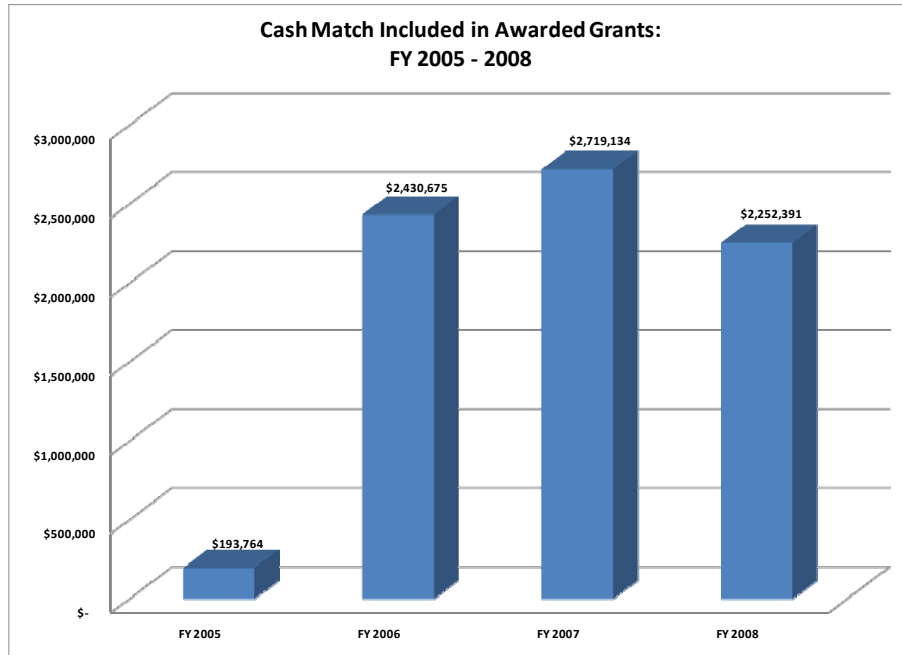
SJI scholarships are awarded to individuals to attend out-of-state, court-related educational programs within the United States or online court-related educational programs. Between FY 2006 and 2008, SJI awarded 435 scholarships totaling \$586,532. SJI anticipates that it will be able to support the scholarship awards made in FY 2010 with existing base funds.



Cash Match

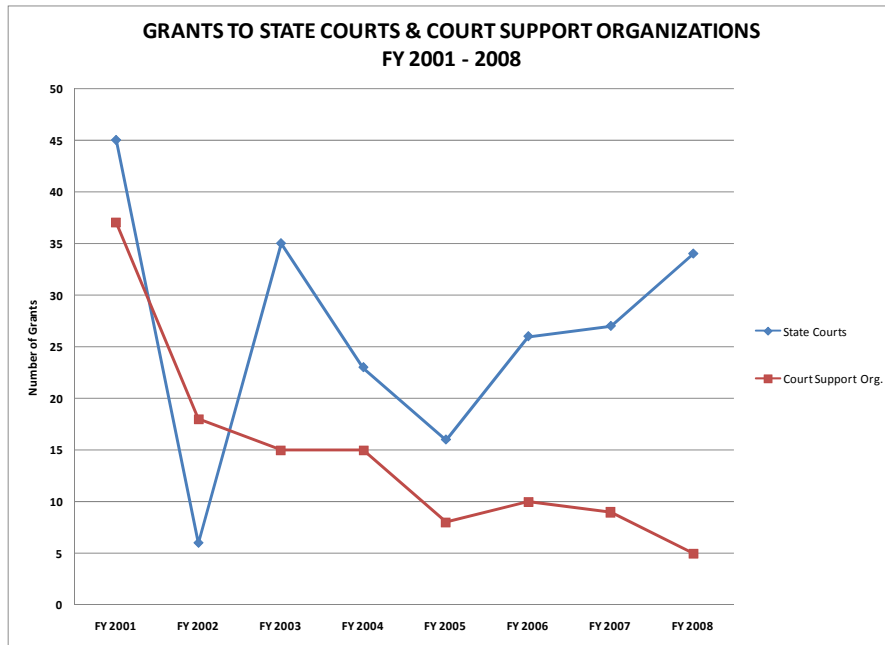
The Conference Report (H.R. 109-272) accompanying the FY 2006 Science, State, Justice, and Commerce, and Related Agencies Appropriations Act (P.L. 109-108) directed that successful applicants for new SJI grants provide a cash match. The impact of the dollar-for-dollar match has been profound; in FY 2006, cash match for awarded grants totaled \$2,430,675. In FY 2007, cash match included in awarded grants totaled \$2,719,134; a 12 percent increase.

In FY 2008, there was a small decrease in cash match because of a reduced level of Project Grant requests. The chart below illustrates the success of the cash match requirement.⁵

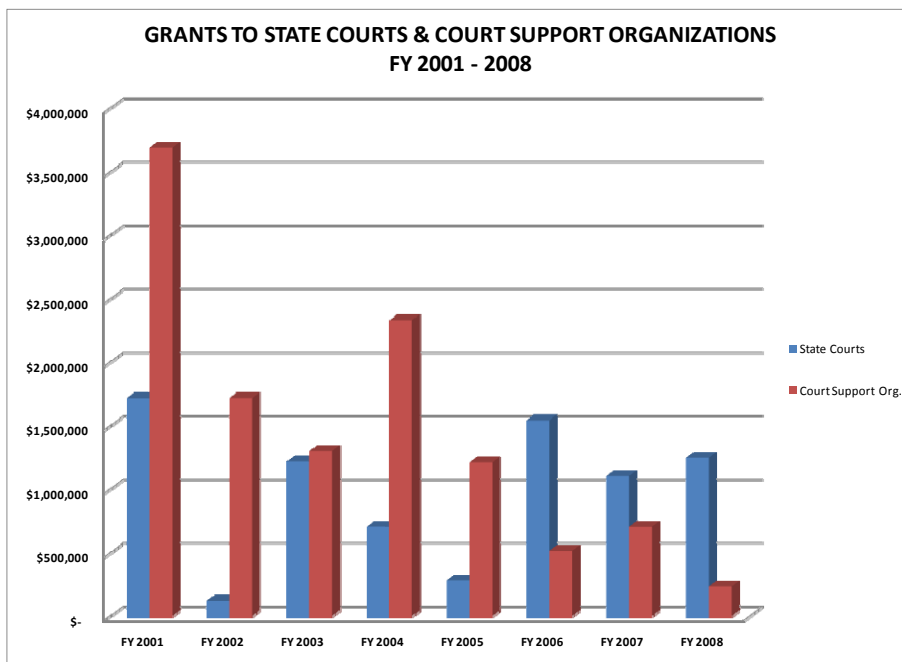


This has had a significant impact on the state courts and court support organizations. Since FY 2006, the state courts have received the majority of SJI grants and grant dollars, compared to previous years. Before the cash match requirement, court-support organizations and universities received a significant portion of SJI grants. The state courts were not able to compete for grants because they had neither the time nor the personnel available who could apply for and execute grant projects. After the cash match requirement was established a new dynamic emerged where the State courts and court support organizations combined their efforts to compete for SJI grants. The state courts had the money available for the cash match requirement, whereas the court organizations did not.

⁵ In response to anticipated Congressional action on a cash match requirement, SJI began requiring some levels of cash match for several new grants in FY 2005. The total amount of cash match included in new grant awards for FY 2005 was \$193,764. It should be noted that cash match contained in awarded Continuation and Supplemental grants were not included when comparing figures across fiscal years because SJI no longer supports those grants.



Conversely, the court-support organizations had the expertise to apply for and execute grant projects. SJI now receives numerous grant applications where a state court has identified a critical issue to be addressed and a court-support organization is providing the technical assistance for the project. The result of the cash match requirement has been a far greater convergence of court needs and court-support organization capabilities; both of which have benefited judicial systems across the United States.



V. Conclusion

SJI remains the only source of federal or private funding dedicated exclusively to improving the quality of justice in the state courts. There is a strong national interest in continuing to support the state courts, since they handle over 97 percent of all the cases in the United States. This includes over 99 percent of all criminal and over 98 percent of all civil cases.⁶ Furthermore, the incoming caseload into the state courts has increased 11 percent between 1994 and 2003, with incoming criminal cases increasing 15 percent, and the incoming civil cases increasing 18 percent.⁷

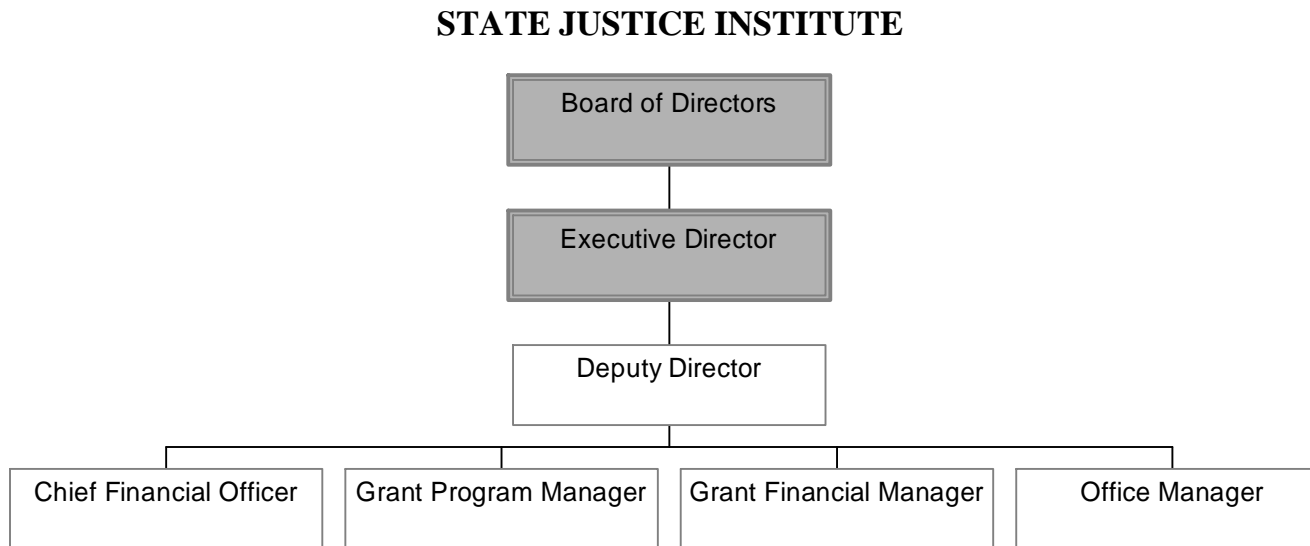
SJI experienced a decline in large grant requests from the state courts between FY 2007 and 2008; but a significant increase in small grant requests. It is likely that the state courts will continue to experience significant budget cuts. This necessitates a strong SJI grant program to address state court needs to better serve the public, and administer justice fairly and effectively. SJI will continue leveraging funding whenever possible to help the state courts address the most critical issues in FY 2010. The effectiveness of state courts is critical to ensuring that the public experiences the justice guaranteed by the Constitution. The funding requested for FY 2010 will enable SJI to continue indentifying issues that impact all courts, fostering innovative solutions, and sharing information on successful approaches nationwide.

⁶ National Center for State Courts. 2003. *Examining the Work of State Courts, 2002: A National Perspective from the Court Statistics Project.*

⁷ National Center for State Courts, 2005. *Examining the Work of State Courts, 2004: A National Perspective from the Court Statistics Project.*

VI. Exhibits

A: Organizational Chart



10/1/2008

B: Summary of Requirements

Summary of Requirements
 State Justice Institute
 Salaries and Expenses
 (Dollars in Thousands)

	FY 2010 Request		
	Perm. Pos.	FTE	Amount
FY 2008 Enacted	7	7	3,760
FY 2009 (Estimated)*	7	7	4,100
Adjustments to Base			
Personnel Compensation	(1)	(1)	54
Rent, Communications & Utilities			11
Other Services			5
Equipment			1
Total Adjustments to Base	(1)	(1)	71
FY 2010 Current Services	6	6	4,171
Program Changes			
Project Grants			100
Partner Grants			200
Strategic Initiatives Grants			300
Technical Assistance Grants			160
Curriculum Adaptation & Training Grants			200
Total, Program Changes	0	0	960
FY 2010 Total Request	6	6	\$5,131

Notes:

*As of January 2009, SJI was operating under a Continuing Resolution (P.L. 110-329) for FY 2009, and both the House and Senate Appropriations Committees had approved their versions of the FY 2009 Commerce, Justice, Science and Related Agencies (CJS) Bill. The House version of the CJS Bill provided \$4,100,000 to SJI as opposed to the Senate version, which provided \$5,000,000. For the purposes of this budget request, SJI used the lower of the two marks as the baseline estimate for FY 2009.

Summary of Requirements
State Justice Institute
Salaries and Expenses
(Dollars in Thousands)

Estimates by Budget Activity	FY 2008 Actual*			FY 2009 Appropriation (Estimated)**			FY 2010 Adjustments to Base			FY 2010 Current Services			FY 2010 Increases			FY 2010 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
General Administration	7	7	1,073	7	7	1,183	(1)	(1)	71	6	6	1,254	0	0	0	6	6	1,254
Grants																		
Project Grants			760			700						700			100			800
Partner Grants			937			700						700			200			900
Strategic Initiatives Grants			449			500						500			300			800
Technical Assistance Grants			608			640						640			160			800
Curriculum Adaptation & Training Grants			117			200						200			200			400
Scholarships			184			177						177			0			177
Subtotal, Grants			3,055			2,917			0			2,917			960			3,877
Grand Total	7	7	\$4,128	7	7	\$4,100	(1)	(1)	\$71	6	6	\$4,171	0	0	\$960	6	6	\$5,131

Notes:

*In FY 2008, grant awards were augmented by \$367,854 in no-year funding and FY 2008 unobligated G/A balances.

**As of January 2009, SJI was operating under a Continuing Resolution (P.L. 110-329) for FY 2009, and both the House and Senate Appropriations Committees had approved their versions of the FY 2009 Commerce, Justice, Science and Related Agencies (CJS) Bill. The House version of the CJS Bill provided \$4,100,000 to SJI as opposed to the Senate version, which provided \$5,000,000. For the purposes of this budget request, SJI used the lower of the two marks as the baseline estimate for FY 2009.

C. Justification for Base Adjustments

Justification for Base Adjustments State Justice Institute

Increases

Personnel Compensation: For FY 2010, this request includes \$53,850 for an anticipated 4.0 percent pay raise to be effective in January of 2010, and increased costs for employee benefits.

Rent, Communications, & Utilities: The requested increase of \$10,733 will cover inflationary costs for rent and related services, and postage increases projected for FY 2010.

Other Services: The requested increase of \$4,940 will enable SJI to engage part-time help, consultants, and legal counsel as required. The additional funding will also cover increased General Services Administration (GSA) charges for financial and payroll management.

Equipment: \$1,170 requested increase to support Information Technology equipment purchases and technical refresh, and other equipment purchases and repair as need to support administrative functions.

Decreases

Personnel Compensation: For FY 2010, this request includes a decrease of 1 position and 1 FTE. The funding for this vacant position was permanently realigned to support increased GSA financial and payroll management costs, and Information Technology support costs, in FY 2008 and FY 2009.

D: Summary of Requirements by Object Class

Summary of Requirements by Object Class

State Justice Institute
Salaries and Expenses
(Dollars in Thousands)

Object Classes	FY 2008 Actual*		FY 2009 (Estimated)**		FY 2010 Request		Increase/Decrease	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
11.1 Salaries	7	541	7	543	6	597	(1)	54
11.8 Overtime		0						0
Total	7	541	7	543	6	597	(1)	54
Other Object Classes:								
12.0 Personnel benefits		167		173		173		0
21.0 Travel and transportation of persons		40		46		46		0
23.1 Rent		191		196		206		10
(Multiple) Comm., util., & other misc. charges		16		23		24		1
24.0 Printing and reproduction		18		27		27		0
25.0 Other services		78		146		151		5
26.0 Staff Development, Supplies, & Materials		6		14		14		0
28.1 Taxes & Fees		3		3		3		0
31.0 Equipment		13		12		13		1
Subtotal, General Administration	7	1,073	7	1,183	6	1,254	(1)	71
Subtotal, Grant Funding		3,055		2,917		3,877		960
Total Obligations	7	\$4,128	7	\$4,100	6	\$5,131	(1)	\$1,031

Notes:

*In FY 2008, grant awards were augmented by \$367,854 in no-year funding and FY 2008 unobligated G/A balances.

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