

E-SJI News

January 2009



Vol. 19, No. 4

SJI SUBMITS FY 2010 BUDGET REQUEST TO CONGRESS



This month, SJI submitted its FY 2010 Budget request to the House and Senate Commerce, Justice, Science and Related Agencies (CJS) Appropriations Subcommittees. For FY 2010, SJI is requesting \$5,131,000 to enhance its efforts to improve the quality of justice in the state courts. The request is \$1,031,000 above the level provided in the FY 2009 House CJS Bill (H.R. 7322), and \$131,000 above the level provided in the Senate CJS Bill (S 3182). As of January 2009, both the House and Senate Appropriations Committees had approved their versions of the FY 2009 CJS Bill.

While the total amount of grant funding requested was approximately the same in FY 2007 and 2008, the total number of grant requests increased 6 percent from FY 2007 to 2008. The demand for smaller Technical Assistance (TA) and Curriculum Adaptation & Training (CAT) Grants has increased in recent years. 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. Many state courts are experiencing significant budget issues, and do not have the financial or manpower resources for larger Project Grants, or the ability to meet the cash match requirements. However, 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. (continued on page 2)

Inside

SJI Submits FY 2010 Budget
Request to Congress **1, 2**

New Report on Immigration
Issues in the State Courts **2**

State Court Budget
Shortfalls **3**

New Process Includes Faster
Payments for Grants **3**

State court budgets are unlikely to experience any budget relief in the near future. Therefore, SJI's FY 2010 Budget request includes additional resources to meet the increased demand for TA and CAT Grants. The request also includes additional resources for the Strategic Initiatives Grants (SIG) program, so that SJI can continue to focus on national court issues.

SJI remains the only source of federal funding dedicated exclusively to improving the quality of justice in state courts. There is a strong interest in continuing to support the state courts, since they handle over 97 percent of all the cases in the United States. The funding requested for FY 2010 will enable SJI to continue identifying issues that impact all courts, fostering innovative solutions, and sharing information on successful approaches nationwide.

The FY 2010 Budget Request is available on the SJI website:

http://www.sji.gov/PDF/FY2010_Budget_Request.pdf

NEW REPORT ON IMMIGRATION ISSUES IN THE STATE COURTS

The Center for Public Policy Studies (CPPS) has recently released a report entitled, *Addressing Immigration in the State Courts*. The report is now available on the SJI website:

http://www.sji.gov/PDF/Addressing_Immigration_in_the_State_Courts.pdf

The report is also being published in the Spring 2009 issue of *Court Manager* (Volume 24, No. 1), and is a product of SJI's Strategic Initiatives Grants (SIG) program that is focusing on immigration issues in the state courts.

The report presents the initial findings of CPPS's efforts in three pilot sites: Maricopa County Superior Court (Phoenix, Arizona), the 8th Judicial District in western Minnesota, and the 11th Judicial Circuit Court (Miami-Dade County, Florida). The report begins by describing the size and diversity of the current legal permanent resident and undocumented immigrant populations in the United States, and how they compare to immigrant populations of the past and those projected for the future. Next, it explores the complexity of the challenges posed by immigration in the state courts by highlighting the numerous points of intersection between federal, state, and local law, policy and practice. The discussion continues on how the challenges posed by immigration in the state courts test fundamental notions of justice, such as equal access, equal and consistent justice, and judicial independence. Finally, the report provides an approach for addressing immigration in the state courts, and highlights some of the key actions the state courts in general, and the pilot sites specifically, are taking to effectively respond.

The early experiences of the CPPS team working in the three pilot sites have revealed significant findings. SJI will continue to provide updates on these efforts as the project moves forward.

STATE COURT BUDGET SHORTFALLS

According to the Center on Budget and Policy Priorities, 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. In addition, the U.S. Government Accountability Office (GAO) recently reported to the Senate Finance Committee that, “the long-term fiscal challenges faced by state and local governments are exacerbated by the current recession. The magnitude of these challenges affects all levels of government.” The GAO goes on to conclude that its estimate of the budget shortfalls is consistent with those provided by the National Conference of State Legislatures, the National Governors Association, and the Urban Institute.

The state courts are facing severe budget reductions as a direct result of the current economic situation in the United States. For example, a recent New York Times article described how the New Hampshire courts halted all jury trials for a month because of the current budget crisis in that state. The Vermont judiciary closed its district and family courts a half day per week for the remainder of the fiscal year. In addition, The National Center for State Courts 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 SJI’s Strategic Initiatives Grants (SIG) program. In fact, SJI is currently working to identify key stakeholders who have a direct interest in state court budgets. The GAO report points out that the recession is contributing to declining state and local revenues, while the demand for state and local services is increasing; many of which are provided to disadvantaged populations. Acknowledging this fact, SJI plans to assist state courts that need help determining how best to maintain access to justice while reducing costs.

The following are website links to the reports cited in this article:

<http://www.cbpp.org/9-8-08sfp.htm>

http://www.nytimes.com/2008/12/09/us/09court.html?_r=1&scp=1&sq=jury%20trials&st=cse

<http://www.gao.gov/new.items/d09320r.pdf>

NEW PROCESS INCLUDES FASTER PAYMENTS FOR GRANTS

Beginning in FY 2009, SJI contracted a significant portion of its financial processes to the General Services Administration (GSA). This includes payments for awarded grants and scholarships. SJI will no longer issue checks directly; rather, electronic fund transfers (EFTs) or hard checks will be issued directly from the U.S. Treasury. Current and future grantees and scholarship recipients are strongly encouraged to receive payments via EFT. This is a faster method of receiving payment from SJI. To participate in EFT, a completed **SF 3881-Automated Clearing House (ACH)/Miscellaneous Payment Enrollment Form** must be submitted to SJI. The form is available on the SJI website: http://www.sji.gov/PDF/Forms/ACH-Form_SF-3881.pdf.

Board of Directors

Chairman

Robert A. Miller
Chief Justice (Ret.)
Supreme Court of South Dakota
Pierre, SD

Vice Chairman

Joseph F. Baca
Chief Justice (Ret.)
New Mexico Supreme Court
Santa Fe, NM

Secretary

Sandra A. O'Connor
*States Attorney of Baltimore
County (Ret.)*
Towson, MD

Executive Committee Member

Keith McNamara, Esq.
McNamara & McNamara
Columbus, OH

Terrence B. Adamson, Esq.
Executive Vice-President
The National Geographic Society

Robert N. Baldwin
*Executive Vice President and
General Counsel*
National Center for State Courts

Carlos R. Garza, Esq.
Administrative Judge (Ret.)
Round Rock, TX

Sophia H. Hall
Administrative Presiding Judge
Circuit Court of Cook County
Chicago, IL

Tommy Jewell
*Presiding Children's Court Judge
(Ret.)*
Second Judicial District Court
Albuquerque, NM

Arthur A. McGiverin
Chief Justice (Ret.)
Supreme Court of Iowa
Des Moines, IA

Janice Munsterman
Executive Director

Jonathan Mattiello
Deputy Director

The State Justice Institute is a private, non-profit corporation established by Federal law in 1984 to improve the quality of justice in state courts, and foster innovative, efficient solutions to common issues faced by all courts. SJI is governed by a Board of Directors appointed by the President and confirmed by the Senate.

SPECIAL ANNOUNCEMENTS

- Next grant and scholarship application deadline: May 1, 2009 (3rd Quarter, FY 2009).
- The FY 2009 SJI [Grant Guideline](#) is available on the SJI website.
- All SJI forms are available on the website under the following tab: <http://www.sji.gov/forms.php>.

