



STATE OF CONNECTICUT
JUDICIAL BRANCH

CHAMBERS OF
BARBARA M. QUINN, JUDGE
CHIEF COURT ADMINISTRATOR

231 CAPITOL AVENUE
HARTFORD, CT 06106

**Remarks of Judge Barbara M. Quinn
Chief Court Administrator
Appropriations Committee Public Hearing
February 23, 2009**

Good morning Senator Harp, Representative Geragosian and members of the Appropriations Committee. My name is Barbara Quinn and I am the Chief Court Administrator. Thank you for giving me the opportunity to discuss the effects that the Governor's proposed budget would have on the Judicial Branch.

I found it very interesting to be asked this year, for the first time, to talk about a number of our programs in RBA (Results Based Accountability) terms. I can relate to your interest in taking a fresh look at the state budgeting process. The Judicial Branch has recently engaged in a similar exercise. When Chief Justice Rogers was first appointed almost two years ago, her first priority was to determine how well we were doing in meeting the needs of the citizens we serve and where improvements could and should be made.

This effort began in the fall of 2007, when the Chief Justice formed the Commission on Public Service and Trust. The Commission, which was made up of 42 representatives of the various groups who work in and use our courts, (attorneys engaged in a many areas of practice, judges, representatives of victim's groups, business groups and the NAACP, media representatives, the state's attorney and the public defender), designed and implemented a thorough review of all the Branch's operations. As part of this review:

- Over 90 focus groups were conducted throughout the state
- Public hearings were held in Hartford and Bridgeport
- A survey was administered to 500 individuals who had recently used the Connecticut Court system to determine their level of satisfaction with the courts, their awareness and expectations of the system, and what they saw as strengths and areas in need of improvement
- A questionnaire about the court system was posted on the Judicial Branch's website; approximately 1100 people responded.

So, as you can see, the review focused on how well the Judicial Branch is doing in achieving quality of life results for the citizens of Connecticut.

So what did we find out? We found out that we are doing a pretty good job, but that there are areas where we can do better. We have now moved into the implementation phase of the project and are using the information we collected in a very concrete way to make improvements to our system. Based on the information, we developed both a Strategic Plan, to map out where we should be going, and an Implementation Plan, to guide us in getting there. Numerous committees and workgroups, made up of members of the public, judges and Judicial Branch employees, are currently carrying out this work, while still fulfilling their everyday job duties. I am very proud of the way that the judges and Judicial Branch employees have enthusiastically embraced this effort to better serve the citizens of our state.

This self-examination and planning will help us to prioritize the services that the people who interact with the courts need. These include: the person who has been arrested and has a criminal case pending, the parties to a divorce case who are seeking resolution to their family conflicts, the tenant who is facing eviction, the person who has been injured and is seeking compensation and the victim of crime. These people would prefer that they did not have to be involved with the court system. This makes it even more important that we focus on ensuring that their experience in court is as positive as it can be and that their cases are resolved in a fair and timely manner. We will do this by continuing to implement the strategic plan which - for the most part - does not require the expenditure of funds.

Keeping this in mind, let me turn to the issues presented by the Governor's proposed budget.

As background, the budget crisis is already having a substantial impact on the Branch. We have endured almost \$14 million in holdbacks and budget rescissions during the present fiscal year. These funding cuts have brought all planned new initiatives requiring resources to a halt, and as a result of the hiring freeze we implemented in June 2008, attrition has been steadily eroding staffing in key areas of the Branch.

As a result of these cuts, today the Judicial Branch stands at the edge of a precipice. Any additional cuts to our budget during this fiscal year will require reductions in staff that we have thus far avoided. Moreover, as we look forward into the next biennium, there is only uncertainty.

One of the major reasons for this uncertainty is the fact that the Governor's Recommended Budget is dependent on a general savings target from state employees of \$275 million. The portion of this savings that will be attributed to the Judicial Branch is unknown at this time, and has not been reflected in the

Governor's recommended budget for the Judicial Branch. The proposed budget does not specify how the \$275 million savings target will be reached, but indicates that wage freezes, an early retirement incentive program, increased pension contributions and increased cost-sharing for medical benefits are all on the table. OPM has let us know that whatever portion of the \$275 million is not saved through these measures will be apportioned back to all agencies and the Judicial Branch in the form of additional cuts to funding for personal services.

I want to assure you that all of us at the Judicial Branch know that everyone must bear the burden of the current fiscal crisis, and we are prepared to do our part. But while I acknowledge the inevitable, I would ask you to - please -- provide the Branch with flexibility in meeting whatever budgetary savings targets are imposed. I assure you that flexibility is the best way to achieve savings while meeting the needs of Connecticut's citizens.

Flexibility in no way denotes a lack of accountability - we know that we must be accountable to the citizens of our state. Rather, it would allow the Judicial Branch to avoid disruptions to our key operations, while at the same time recognizing that we need to be a part of the solution to the current budget crisis.

At this point, I would like to turn to a few of the specific provisions contained in the Governor's budget. (By way of background, I want to let you know that the Judicial Branch did not have input into the development of the Governor's proposed budget.)

Budget Rescissions

The Governor's recommended budget annualizes for the next two years all of the budget rescissions that were imposed this year. As a result, more than \$12 million has been removed from the Branch's budget base, including more than \$5 million in Personal Services funding. This means that, regardless of other reductions that may be necessitated by the financial crisis, the present Judicial Branch hiring freeze will need to continue for 2 more years. That means that, because of attrition, staffing levels in critical areas such as court security and clerks' offices will continue to erode, thereby undermining safety and service for those who come to court each day.

"Raise the Age"

We have worked diligently over the past two years with our Legislative and Executive partners to craft the comprehensive legislative changes, programs and services that are needed to successfully transfer 16 and 17 year olds to the juvenile court. The financial and programmatic implications to the Branch and others of the "Raise the Age" initiative are significant, and we have consistently

and forcefully indicated that implementing the age change without the necessary funding would be a hollow victory.

Thus far, only a small portion of the necessary funding and programs have been implemented. Due to budget rescissions, several funded elements, including the appointment of 5 new judges and the hiring of 50 new probation officers, have already been postponed indefinitely. The Governor's budget postpones implementing "Raise the Age" for two years, until January 1, 2012, and does not provide any of the funding that was originally planned for the next two years. In fact, in the area of community based contracted services, it rolls back funding to FY 08 levels.

The Judicial Branch has continued to analyze the funding that is needed and, based on the fact that court intake and detention numbers have been going down as well as other factors, in early January 2009 we presented a reduced budget request to the Juvenile Planning and Operation Oversight Counsel. The funding needs have not been reduced to zero, however, and I would be remiss if I did not once again stress, as the Branch has repeatedly stressed, that adequate funding must be in place when the legislation goes into effect, or real harm will be caused to our state's juvenile justice system. I do not believe that anyone could have foreseen, when the law was passed almost two years ago, the economic crisis that the state (and country) finds itself in today. We will continue to work with the Legislature to ensure that impetus to better serve this population is not lost, even if the planned implementation runs into difficulty.

Courthouse Closings

The Governor has recommended closing the Bristol G.A. courthouse and Meriden GA/JD courthouses effective July 1st. The plan, as described, anticipates sending Bristol business to New Britain and Meriden business to Waterbury, Middletown, and New Haven. Twenty-nine positions associated with these 2 locations are eliminated. We are continuing to analyze the specific impact of these proposed closings, but two things are certain - the people who presently use these courts will be significantly inconvenienced, and the courts that absorb the business will feel the impact. Meriden in particular is a very busy venue that handles a complicated array of criminal, civil and family matters.

In addition, the proposal to close the two court locations is silent as to the status of the buildings themselves. In the case of the Bristol courthouse, which is leased from the City, there is a 360 day termination requirement and in Meriden, the Branch will take ownership of the courthouse from the city this Fall, in accordance with a twenty-year lease purchase agreement under which the courthouse was constructed. Even if the building were to close, we would have significant responsibilities for its ongoing maintenance.

Eliminating Vacant Positions

The proposed budget eliminates 241 Judicial Branch vacancies. Approximately 100 of these are newly authorized positions in the current fiscal year, such as probation officers associated with "Raise the Age" and the two anticrime bills, that will not be filled due to budget rescissions. However, 146 of the vacancies are not new, but rather are primarily vacancies in core areas such as court security (Judicial Marshals) and courtroom staff that have become vacant because of our present hiring freeze.

While we have no intention of filling these vacancies in the foreseeable future, eliminating them will make it extremely difficult to recover from critical staff shortages in the future and meet the public's expectation for a sage and efficient court experience. As a co-equal branch and as a partner in delivering essential services to the public, we must have a degree of flexibility in meeting our core constitutional and statutory responsibilities. There are no budgetary savings associated with the Governor's proposal and I respectfully ask you to not eliminate these 146 vacancies.

Crime Bills

The Judicial Branch was given a significant role and related funding in both of the anticrime bills that were passed last session, including new sex offender probation officers, additional probation officers for warrant services, new residential beds for sex offenders on probation, funding for new diversionary beds for probationers, a victim notification program, and additional court staff to help enter and disseminate court data in a timely manner. Only a portion of the 2 bills have been implemented to date, including the hiring of only 15 of 80 associated staff, the roll out of 75 of 135 diversionary beds. In addition, the implementation of both the Juvenile Justice Urban Cities Project and the Truancy Prevention Program have been deferred indefinitely. Many of the initiatives were scheduled to begin later this fiscal year. However, based on rescissions to the Branch's budget, all crime bill initiatives not yet underway, with the exception of new sex offender beds, have been cancelled for this fiscal year. In addition, the Governor's budget eliminates funding during the next biennium for any crime bill related activities that have not yet been implemented.

Treatment Programs

The Governor's Proposed Budget reduces the funding to purchase treatment services for juveniles and adults under our supervision by \$9,300,000.

Approximately half of this reduction or \$4,800,000 was directed to new programs established in the two major crime bills passed last year and the "Raise the Age" legislation. These initiatives were expected to begin this fiscal year. New programs, which were not yet started in FY09 due to earlier rescissions, have all been canceled for the current fiscal year. In addition, the programs are either canceled or significantly reduced for the next fiscal year.

The balance of the \$9.3 million reduction (approximately \$4,500,000) involves cutbacks in programs currently in operation. These reductions/eliminations will be effective on July 1, 2009.

The list of reductions in the current fiscal year and next include, but are not limited to:

- 12 Sex Offender Treatment Beds (reduced to 6 beds)
- 60 Drug and Mental Health Treatment Beds (eliminated)
- 31 existing beds (eliminated)
- Juvenile Justice Urban Cities Pilot targeting Hartford, New Haven and Bridgeport (eliminated)
- Truancy Prevention Project targeting large city school systems (eliminated)
- Reduction in IICAPS and JRRC slots (33% IICAPS reduction; 3% JRRC reduction)
- Alternative to Detention Program in Bridgeport (eliminated)
- New FWSN Center in New Haven area and a new Boys Alternative to Detention Program (delayed)
- Mentoring Services and Flex-funds (reduced)
- Juvenile court assessments, "Emily J" medical and mental health services and recreation services for children in detention (reduced)

Conclusion

In conclusion, the Judicial Branch, along with the entire state, is facing a time of great uncertainty. What we do know is that the Governor's recommended budget puts the Branch in a very precarious position. Under the best of circumstances, we will continue to lose staff in critical areas and will struggle to meet the needs of the people we serve. If staff reductions are forced by additional budget cuts, then far more radical measures will become necessary.

In the face of this very difficult situation, we pledge to work cooperatively with you to identify ways to achieve savings that will have the least impact on the people we serve.

Thank you for your time. I would be pleased to answer and questions that you may have.