



STATE OF CONNECTICUT
JUDICIAL BRANCH

CHAMBERS OF
PATRICK L. CARROLL III
CHIEF COURT ADMINISTRATOR

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HARTFORD, CT 06106

**Testimony of the Honorable Patrick L. Carroll III
Appropriations Committee Public Hearing
March 27, 2015**

**H.B. No. 6826, An Act Revising the Requirements for the
Governor's Budget Recommendations**

Thank you for allowing me the opportunity to submit written testimony in opposition to subsection (g) (1) of section 2 of **House Bill No. 6826, *An Act Revising the Requirements for the Governor's Budget Recommendations***.

This section would permit the Office of Policy and Management to modify the Judicial Branch's budget request prior to its submission in the *Governor's Recommended Budget*. If adopted, it will undo an important legislative initiative adopted in 2010 that recognized the Judicial Branch as a co-equal branch of state government for budget purposes. Pursuant to that legislation, the *Governor's Recommended Budget* must reflect the Judicial Branch's budget request in its entirety, just as what has been required with respect to the Legislature's budget request for the past several decades. I note for you that subsection (f) of section 2 of House Bill No. 6826 would eliminate the same provision with respect to the budget request of the Legislature. The proposed statutory revision will treat both the Judicial and Legislative Branches in the same manner as agencies of the Executive Branch. It should be rejected.

The present statutory language in C.G.S. 4-73 ensures that the Legislature sees the Judicial Branch's budget request as it was crafted by the Judicial Branch. From our standpoint it means that we can best discuss our needs with you during the appropriations process. It certainly does not guarantee a budget outcome or compromise the ability of the Executive and Legislative Branches to recommend or ultimately alter, in often very

significant ways, the budget request we have made. That is abundantly apparent in the proposed budget for the FY16 and FY17 biennium.

By way of example, our current budget request is presented in full in the *Governor's Recommended Budget*, as is required under current statute. However, the document also proposes drastic reductions to the Judicial Branch in the form of a \$260 million transfer of the functions of the Court Support Services Division (CSSD) from the Judicial Branch to the Executive Branch, the elimination of approximately \$15 million in funding to the Probate Courts that passes through our budget, and \$21 million in other proposed reductions and lapses. As you know, we strongly oppose these reductions, and if not for our current budget submittal language, we believe it would be much more difficult for you to see and review the significant differences between our request and the proposed transfers and reductions.

The present budget submission language, in addition to not guaranteeing a final appropriation for the Judicial Branch, most certainly does not absolve us of fiscal accountability or participation in mid-year budget rescissions if deemed needed to keep the State budget in balance.

We always live within our means despite the difficulties reduced appropriations and mid-year reductions present in meeting our wide-ranging constitutional and statutory responsibilities. This year alone, we have been apportioned a total of \$12 million in budget rescissions. Of a total of slightly less than \$80 million in statewide rescissions, the Branch has absorbed fully 15% of that amount, despite representing barely 3% of the General Fund budget.

We appreciate the enormity of the daunting challenge you face. As Chief Court Administrator, I must nevertheless advocate for the Judicial Branch and bring to your attention areas of concern that negatively impact the Branch or undermine longstanding state policy. I have previously testified before you in opposition to the transfer of CSSD out of the Judicial Branch and on the effects of the other budget reductions in the proposed budget for the biennium. House Bill No. 6826 would undermine the status of the Judicial Branch as a co-equal branch of government and would serve no purpose other than to make it more difficult for you and the other members of the Legislature to determine an appropriate funding level for the Branch. I strongly ask that you reject this proposal.

Thank you for your consideration.