



STATE OF CONNECTICUT
JUDICIAL BRANCH

CHAMBERS OF
PATRICK L. CARROLL III
CHIEF COURT ADMINISTRATOR

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HARTFORD, CT 06106

**Testimony of Judge Patrick L. Carroll III
Chief Court Administrator
Appropriations Committee Budget Presentation
February 19, 2016**

Good afternoon Senator Bye, Representative Walker and members of the Appropriations Committee. I am Judge Patrick L. Carroll III, and I am always most grateful for the opportunity to come before the Committee on behalf of Chief Justice Chase T. Rogers and the Judicial Branch. We are mindful of the staggering challenges you are facing and we want to be as helpful to you as we can.

I must, unfortunately, use this opportunity to outline the scope and impact of the devastating \$64m cut in funding to the Judicial Branch that is proposed in the Governor's Midterm Budget Adjustments for FY17.

Overview

We represent about 3% of the General Fund budget, yet the \$64m reduction to the Branch is fully 11.2% of all budget cuts that have been proposed. A reduction in Branch funding proportionate to our share of the budget would have totaled about \$17m - \$47m less than what has been proposed.

The fiscal problem we face is undeniable; as always, we in the Judicial Branch will act in partnership with our Executive and Legislative branch colleagues. We are prepared to shoulder our fair share of any solution. However, the funding reduction proposed for the Branch in this budget is widely disproportionate by any objective measure.

The \$569.5m in proposed statewide budget cuts is comprised of three items:

- a rollout of the December 2015 deficit mitigation plan,
- targeted budget reductions, and
- across the board budget cuts.

The Judicial Branch represents, respectively, 14.4%, 17% and 8.6% of these reductions. None of these are remotely proportionate.

If the \$64m funding cut to the Branch stands, it will mean an 11% cut from the FY17 budget that you adopted last year.

If a budget reduction of this magnitude goes into effect, the court system as we know it will not exist after July 1, 2016. Every one of the core services we provide, from operating a fair, efficient and transparent court system to sustaining a full range of alternatives to incarceration and evidence-based services for adult and juvenile populations will be dramatically and negatively impacted. (I have provided a full list of our core services with my submitted testimony).

I do not make this statement lightly. In the interest of time, and to ensure that you have ample opportunity to ask us questions, I will briefly summarize the array of actions that we must undertake to reach a \$64m reduction. Reductions to our budget that are less than the proposed \$64m, but beyond what would be our fair share, \$17m, will result in similar actions but on a smaller scale.

Layoffs

A devastating number of layoffs within the Judicial Branch will be unavoidable if we receive a \$64m reduction in funding. As an example, if 500 people were to be laid off in the Branch effective July 1, about one in seven of all employees, the savings would equal \$25m - that is not even half of the \$64m in proposed budget cuts. 1,000 layoffs in the Judicial Branch, an impossible number to achieve, would yield \$50m in budget savings, still falling far short of \$64m.

Layoffs will affect every element of our workforce, and based on union contracts, would decimate ranks in critical areas including, but certainly not limited to, courthouse security, probation and family relations.

Layoffs will severely undermine the gains we have made in minority hiring - fully 37.5% of all staff hired in the Branch over the past 5 years are minorities - and will undo much of the recent progress we have made in our family courts and in protecting crime victims.

Courthouses, 24-hour lockups and juvenile detention centers

The loss through layoffs of hundreds of staff across all job classifications throughout the Branch will make it impossible to continue to operate all the facilities we are presently responsible for. This will mean:

1) Closing multiple courthouses

The loss of staff through layoffs, as I noted earlier, will make it impossible to continue to operate all 43 of the courthouses throughout the state. We haven't specifically determined which courthouses will need to close, but the number could easily reach 6 or more.

2) Eliminating 24-hour lockups

There is already a serious shortage of Judicial Marshals throughout the State. We need 840 Marshals, but based on attrition and other issues that make staff unavailable (workers' compensation, FMLA, etc.), we typically have a daily roster of about 644. Layoffs will further deplete Judicial Marshal ranks and undermine safety in our buildings. Staffing the two 24-hour lock-ups in New Haven and Hartford is no longer viable, especially when the staff needed for evening, overnight and weekend duty are necessary to secure courthouses for the public, litigants, staff and judges during the day. We will stop staffing the 24-hour lockups on June 30 of this year.

3) Considering closing a juvenile detention center

Widespread layoffs throughout the Branch will certainly affect those who staff our two juvenile detention centers in Hartford and Bridgeport. Significant staff reductions will call into question our ability to continue to operate both centers without incurring massive overtime. If we have no choice but to close one of the centers, there will be an impact on detainees and their families and travel distances will significantly increase for many.

Alternative incarceration cuts

The Branch receives about \$105m in funding for adult and juvenile offender programs that save the State millions of dollars annually in institutional costs and are proven to reduce recidivism. Up to now, whenever rescissions have been necessary we have been able to avoid reductions to these evidence-based services by using surplus funding and attrition savings in contracted programs. If we sustain budget cuts of the magnitude proposed, in addition to layoffs, it will be necessary to make real and substantial cuts to services, cuts that could easily reach \$20m. This will mean the loss of hundreds of treatment beds and supervision slots and significant additional institutional costs to both DOC and DCF.

Pass-through funding

The Legislature has increasingly asked the Branch to provide earmarked funding to various communities and agencies for a wide array of programs. There is almost \$9.5m

in our FY17 budget for these entities. A \$64m funding cut and resulting reductions to our core functions and staff will not allow us to continue to fund these programs as of July 1.

Summary

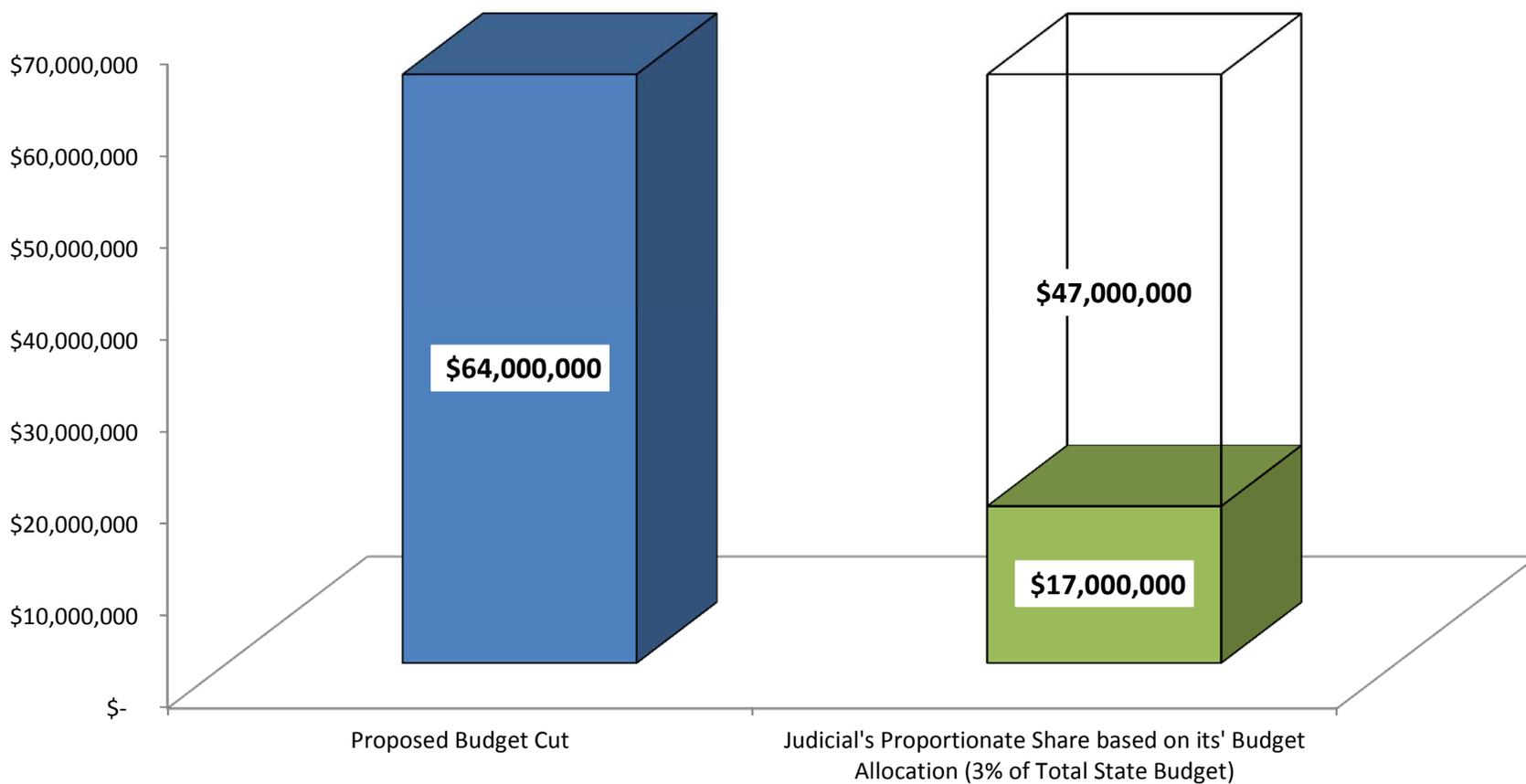
The actions I have just described paint a very dismal, but very real, picture of what will be required to meet the proposed budget cut of \$64m. They are inconsistent with the stated core functions of government, they compromise access to justice for our citizens, and they will result in hundreds of valued and dedicated employees losing their jobs. They also raise unavoidable questions about our ability to implement important new initiatives such as Second Chance and Raise the Age.

I assure you and our Executive Branch colleagues that we will, as always, work with you and do the best we can but I have an obligation to be honest and forthcoming in describing what we face if the proposed budget reduction of \$64 million is adopted.

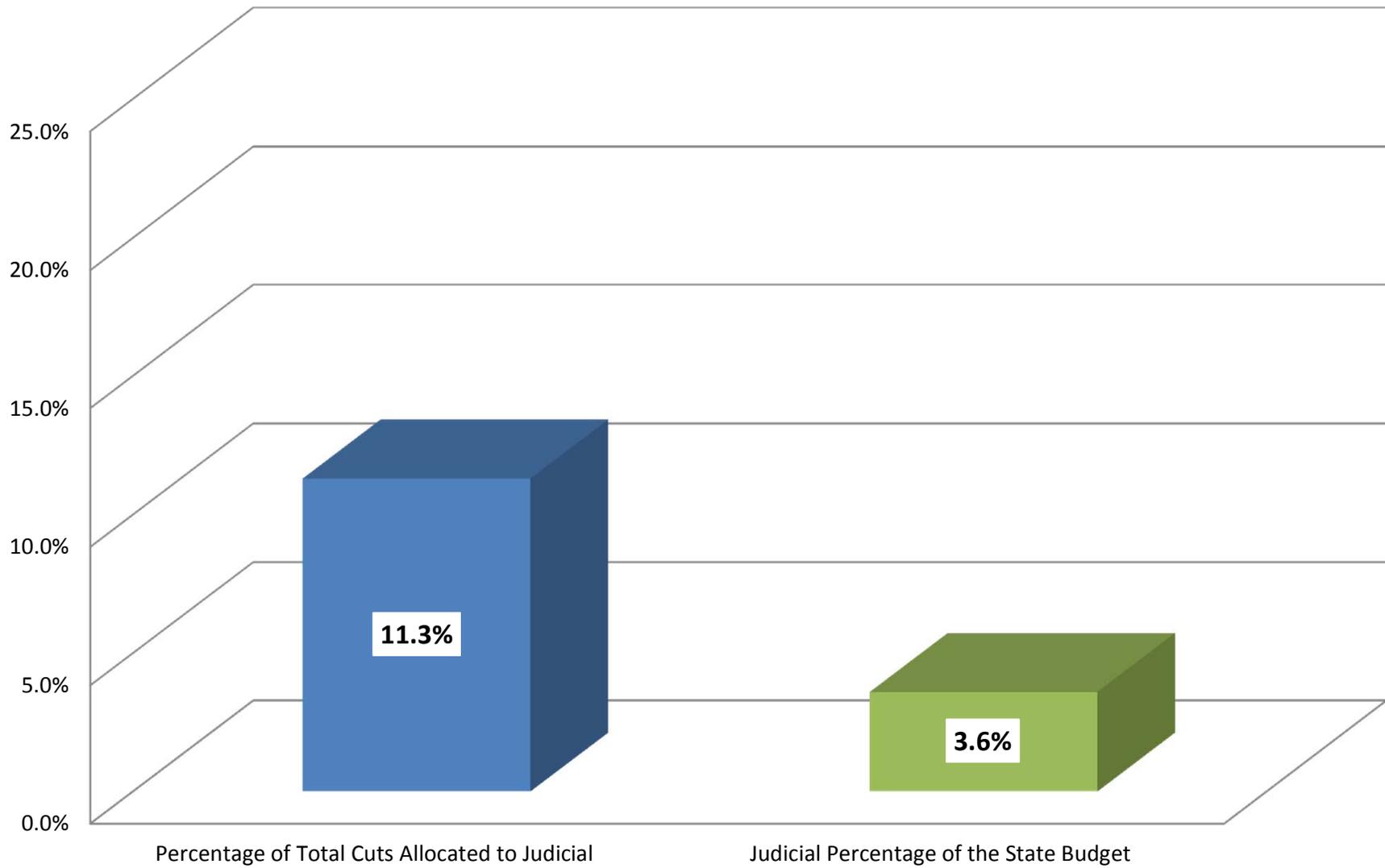
Thank you and I will do my best to answer any questions you may have.

Judicial Branch - Budget Cut

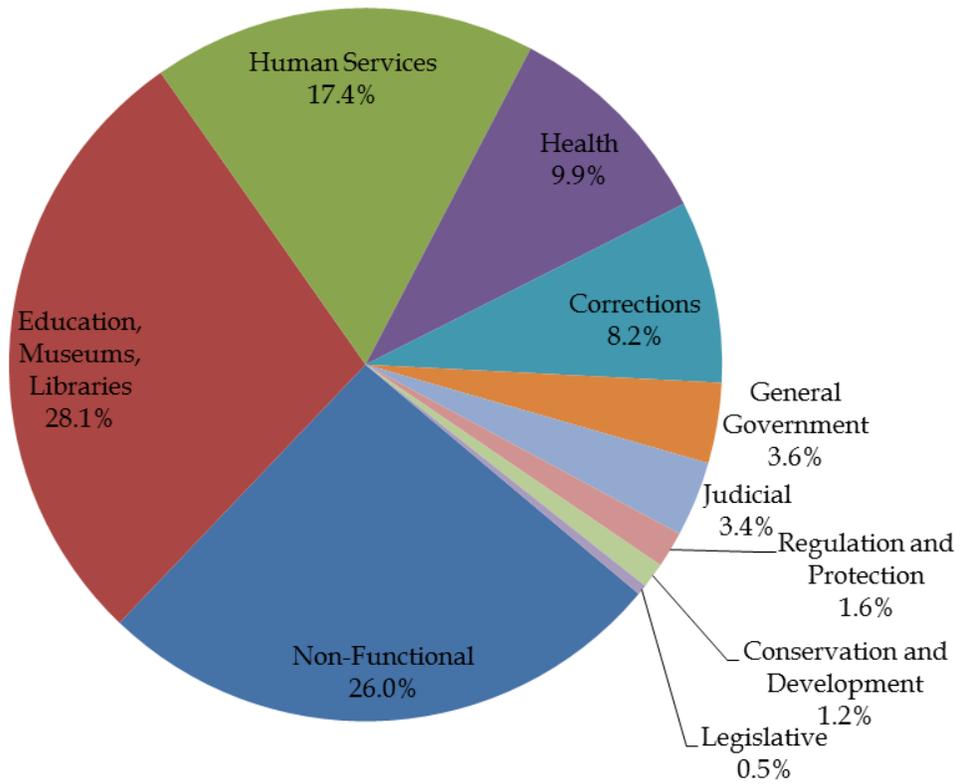
Proposed v. Judicial Branch Proportionate Share of FY17 Budget



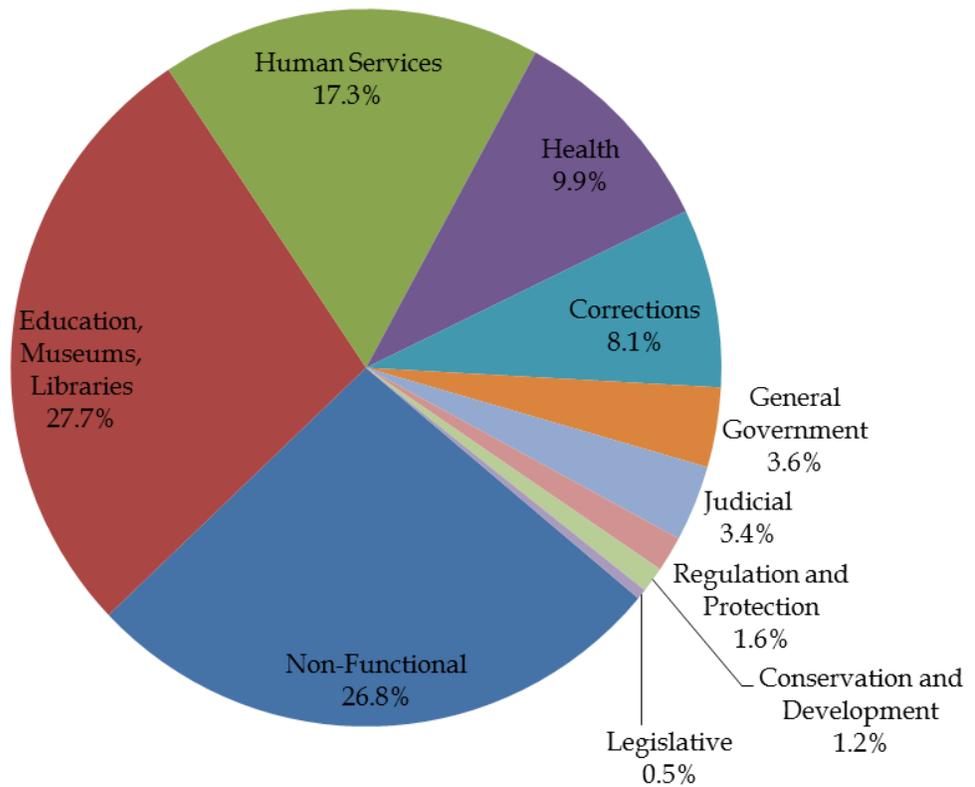
Disparity in Judicial's Proposed Budget Cut



**FY 16 General Fund Appropriations
(by function of government)**



**FY 17 General Fund Appropriations
(by function of government)**



Judicial Branch Core Services

- To operate a fair, efficient and transparent court system responsible for adjudicating all state criminal, civil, family and juvenile cases.
- To ensure that everyone who comes to court for redress has meaningful access to justice.
- To maintain secure and safe courthouses and other Judicial Branch facilities.
- To ensure that members of the public have the opportunity to participate in the judicial system as jurors.
- To create and sustain a full range of alternatives to incarceration and evidence-based services for adult and juvenile populations.
- To provide advocates for victims of violent crime and to ensure that the victims are provided with services and financial compensation.
- To effectively resolve family and interpersonal conflicts in cases before the court through a comprehensive program of negotiation, mediation, evaluation and education.
- To provide safe and secure custody, treatment and rehabilitative services for children and families through the juvenile justice system.
- To assist parents by enforcing, reviewing and adjusting child support orders.
- To reduce recidivism of persons placed on probation by utilizing effective supervision practices and intervention strategies that promote positive behavior change and restorative justice principles with persons placed on probation.

JUDICIAL BRANCH
PERMANENT FULL-TIME WORKFORCE - EEO COMPARATIVE DATA

DATE	TOTAL EMPLOYEES	MINORITY EMPLOYEES	WORKFORCE PERCENTAGES
10/01/83	1843	176	9.6%
10/01/84	1885	185	9.8%
10/01/85	2081	236	11.3%
10/01/86	2167	292	13.5%
10/01/87	2254	330	14.6%
10/01/88	2423	388	16.0%
10/01/89	2321	393	16.9%
10/01/90	2175	377	17.3%
10/01/91	2126	392	18.4%
10/01/92	2101	402	19.1%
10/01/93	2262	466	20.6%
10/01/94	2361	492	20.8%
10/01/95	2348	493	21.0%
10/01/96	2313	494	21.4%
10/01/97	2286	508	22.2%
10/01/98	2518	554	22.1%
10/01/99	2613	581	22.2%
10/01/00	2830	610	21.6%
10/01/01	2857	608	21.3%
12/31/02	3749	821	21.9%
12/31/03	3440	817	23.7%
12/31/04	3501	900	25.7%
12/31/05	3747	970	25.9%
12/31/06	3846	994	25.8%
12/31/07	3948	1068	27.1%
12/31/08	4193	1174	27.99%
12/31/09	4006	1149	28.8%
12/31/10	4091	1204	29.4%
12/31/11	3928	1174	29.9%
12/31/12	3985	1216	30.5%
12/31/13	3987	1235	31.0%
12/31/14	4042	1261	31.2%