

# JUDICIAL COUNCIL

	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
<b>Operating Expenditures:</b>					
State General Fund	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Other Funds	585,106	613,633	619,433	622,101	622,101
<i>Subtotal</i>	<i>\$ 585,106</i>	<i>\$ 613,633</i>	<i>\$ 619,433</i>	<i>\$ 622,101</i>	<i>\$ 622,101</i>
<b>Capital Improvements:</b>					
State General Fund	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0	0	0
<i>Subtotal</i>	<i>\$ 0</i>	<i>\$ 0</i>	<i>\$ 0</i>	<i>\$ 0</i>	<i>\$ 0</i>
<b>TOTAL</b>	<b>\$ 585,106</b>	<b>\$ 613,633</b>	<b>\$ 619,433</b>	<b>\$ 622,101</b>	<b>\$ 622,101</b>
<b>Percentage Change:</b>					
Operating Expenditures					
State General Fund	-- %	-- %	-- %	-- %	-- %
All Funds	3.2	4.9	5.9	1.4	0.4
FTE Positions	5.0	5.0	5.0	5.0	5.0

For purposes of this analysis, full-time equivalent (FTE) positions include non-FTE permanent unclassified positions but continue to exclude temporary employees. FTE positions reflect permanent state positions equating to a 40-hour work week.

## AGENCY OVERVIEW

The Judicial Council was created by the 1927 Legislature to survey and study the Judicial Branch of the state government and to recommend improvements in the administration of justice for consideration by the Legislature and the Kansas Supreme Court. The ten-member Council is composed of one justice of the Kansas Supreme Court, one judge of the Court of Appeals, two district court judges, two legislators, and four attorneys. The Judicial Council has 13 advisory committees made up of legislators, judges, attorneys, and persons from various backgrounds who bring their expertise to the committees:

- The **Administrative Procedure Advisory Committee** monitors the Kansas Administrative Procedure Act and the Kansas Judicial Review Act;
- The **Adoption Law Advisory Committee** made recommendations regarding amendments to the Kansas Adoption and Relinquishment Act, KSA 59-2111 *et seq.*, which were passed by the Legislature in 2018 SB 284. The Committee will be drafting a set of forms for use in stepparent adoptions;

- The **Appellate Practice Advisory Committee** monitors the area of appellate procedure and practice and recommends needed changes in the Kansas Supreme Court rules relating to appellate practice;
- The **Civil Code Advisory Committee** will continue to monitor the civil code and related areas, and will be available for additional assignments in the area;
- The **Criminal Law Advisory Committee** studies 2017 HB 2070, upon request by the Legislature, which has resulted in recommendations that were passed by the Legislature in 2018 SB 180. The Committee will be working on another study requested by the Legislature relating to KSA 45-254 and access to audio or video recordings made and received by law enforcement using a body or vehicle camera. The Committee will continue to monitor the Kansas Criminal Code and the Kansas Code of Criminal Procedure;
- The **Family Law Advisory Committee** will conduct a study requested by the Legislature regarding 2018 HB 2529, which creates a presumption for equal parenting time. The Committee will also continue its work on a study dealing with parental rights of rapists. The Committee will continue to monitor the area of family law and will be available for additional assignments in the area;
- The **Guardianship and Conservatorship Advisory Committee** will continue to monitor the Guardianship and Conservatorship Act and related areas and will prepare and update forms used under the Act. The Committee will also continue to monitor the Care and Treatment Act for Mentally Ill Persons and the Care and Treatment Act for Persons with an Alcohol or Substance Abuse Problem and will prepare and update forms used under both civil commitment codes;
- The **Juvenile Offender/Child in Need of Care Advisory Committee** will conduct a study requested by the Legislature relating to 2018 HB 2751, which establishes the Office of the Child Advocate for Children’s Protection and Services. The Committee will continue to monitor the Revised Kansas Code for Care of Children, the Revised Kansas Juvenile Offender Code, and the forms it prepared, copyrighted, and published for use under the codes;
- The **Municipal Court Manual Advisory Committee** will prepare the annual supplement to the Kansas Municipal Court Manual and propose to the Judicial Council any suggested improvements in related areas of the law that come to its attention while preparing the supplement;
- The **Pattern Instructions for Kansas–Civil (PIK–Civil) Advisory Committee** prepares biennial supplements to the 4th edition of PIK–Civil and reports to the Judicial Council any suggested improvements in the area of civil law that come to its attention while preparing the supplements;
- The **Pattern Instructions for Kansas–Criminal (PIK–Criminal) Advisory Committee** will prepare the annual supplement to PIK–Criminal 4th edition and will report to the Judicial Council any suggested improvements in the area of criminal law that come to its attention while preparing the supplement;

- The **Probate Law Advisory Committee** is studying whether Kansas should adopt the Uniform Power of Attorney Act. The Committee will also conduct a study requested by the Legislature relating to 2017 HB 2350, which deals with the method of calculating the spousal elective share. The Committee also prepares periodical supplements to Kansas Judicial Council Probate Forms 3d. The Committee will continue to study the probate code and related areas; and
- The **Tribal-State Judicial Forum** was created to encourage greater understanding and exchange of information between the tribal and state judicial systems in Kansas. The Forum will continue to identify and discuss issues regarding court practices, procedures, and administration that are of common concern to members of tribal and state judicial systems.

The Judicial Council also receives and considers suggestions related to the administration of justice in Kansas from the Legislature, the Kansas Supreme Court, other courts, the Kansas Bar Association, and the public. The Council identifies areas of needed improvement, assigns projects to advisory committees, receives and reviews the work product of the advisory committees, and takes appropriate action. As part of this strategy, the Judicial Council has established the following *ad hoc* advisory committees:

- The **Advisory Committee on Commitment of Incompetent Defendants** was formed pursuant to KSA 22-3303 and in response to a request from a member of the Kansas Bar Association to review statutes that allow developmentally disabled defendants who have been declared incompetent and unlikely to become competent to be involuntarily committed as "mentally ill";
- The **Advisory Committee on HB 2600—Contracts for Deed** was formed in response to a legislative request to study 2020 HB 2600 and the topic of registering contracts for deed;
- The **Advisory Committee on Sex Offenses and Registration** was formed in 2018 in response to a legislative request to study and consider amendments to Kansas' sex offense statutes and related registration requirements for both adults and juveniles;
- The **Civil Asset Forfeiture Advisory Committee** was formed in 2017 in response to a legislative request to study and make recommendations regarding the Kansas Standard Asset Seizure and Forfeiture Act, KSA 60-4101 *et seq.* The Committee's recommendations were introduced in 2018 and passed by the Legislature in HB 2459. Unlike other *ad hoc* committees that are dissolved when the study is complete, this Committee remains intact to reassess asset forfeiture after the new legislation has been in place for a few years;
- The **Committee on Disability Access** was formed in 2019 in response to a legislative request to study 2019 HB 2152 and the Kansas "White Cane Law" as reflected in KSA 39-1101 *et seq.*; and
- The **Driving Under the Influence (DUI) Advisory Committee** was formed in 2018 in response to a legislative request to study DUI-related bills, such as 2017 SB 123 and 2018 SB 374, and to provide in-depth consideration of the issues raised by such legislation. The Committee recommended initial statutory amendments in the 2018 Legislative Session, which were passed in 2018 HB 2104.

The Judicial Council also authors and distributes five publications, covering a variety of judicial topics. These publications are available in both physical and digital form. The Judicial Council's suite of publications currently includes the following:

- The **Pattern Instructions for Kansas (PIK)–Criminal 4th** contains pattern criminal jury instructions for Kansas felonies, instructions for selected misdemeanors, and comments on use. PIK–Criminal 4th serves as an introductory resource for research in criminal law, and use of the instructions has been strongly recommended by the Kansas Supreme Court;
- The **PIK–Civil 4th** contains pattern civil jury instructions, comments, and notes on use. PIK–Civil 4th serves as an introductory resource for research in civil law, and use of the instructions has been strongly recommended by the Kansas Supreme Court;
- The **Kansas Judicial Council Probate Forms 3d** contains forms relating to both judicial and nonjudicial procedures in decedents' estates, care and treatment forms, and guardianship and conservatorship forms;
- The **Kansas Municipal Court Manual** addresses the municipal court and its operation and explains the various procedures followed by municipal judges in performance of their judicial functions; and
- The **Kansas Appellate Practice Handbook 6th Edition** contains information, guidance, and practice notes on every aspect of appellate practice in Kansas. Also included is a comprehensive set of forms for appellate court pleadings.

## MAJOR ISSUES FROM PRIOR YEARS

The **2011 Legislature** transferred \$778,518 from the Judicial Performance Fund to the Judicial Branch Surcharge Fund, effectively suspending the Judicial Performance Evaluation program for fiscal year (FY) 2012. A bill formally dissolving the program was not adopted. The Legislature also deleted 3.0 FTE positions associated with performance reviews.

The **2012 Legislature** formally dissolved the Performance Evaluation program, which was established by the 2006 Legislature. The Legislature approved an additional \$84,777 in expenditures and 1.0 FTE position to hire a staff attorney to assist with work previously completed by judicial performance staff. The funds also provide for additional Judicial Council meetings to complete increasing workload.

The **2013 Legislature** redirected docket fees into the Judicial Branch with the exception of the Judicial Council for FY 2014 and FY 2015. The Judicial Council is the sole remaining agency that receives a percentage of fees received from the filing of cases.

The **2014 Legislature** reduced the operational expenditures of the agency by \$15,000 and directed the agency to reduce the number of Council meetings. The Legislature also converted the Judicial Council Fund from no limit to limit pending the total revenue received in docket fees subsequent to the 2014 legislative adjustments.

## BUDGET SUMMARY AND KEY POINTS

**FY 2021 – Current Year.** The **agency** requests a revised estimate of \$613,633, all from special revenue funds, in FY 2021. This is a decrease of \$16,746, or 2.7 percent, below the amount approved by the 2020 Legislature. The decrease is primarily due to fewer travel reimbursements paid out to advisory committee members traveling to physical meeting locations (\$10,286); lower expenditures for unclassified temporary pay (\$8,000); and adjustments for employer contributions to the public employees retirement system (\$3,200). The decrease is partially offset by higher expenditures for unclassified regular pay (\$2,462) and software to facilitate remote work during the COVID-19 pandemic (\$2,000). The revised estimate also includes 5.0 FTE positions, which is the same as the FY 2020 approved number.

The **Governor** concurs with the agency's request in FY 2021. The Governor is statutorily required to include the Judicial Council's budget in *The Governor's Budget Report* as submitted by the agency, pursuant to KSA 75-3721f, because the agency is part of the Judicial Branch. The Governor's Recommendation includes adjustments to reflect additional funding distributed to the agency through the federal Coronavirus Relief Fund after agency budget submissions (\$5,800). These funds were used for the purchase of laptops and other computer-related equipment.

**FY 2022 – Budget Year.** The **agency** requests \$622,101, all from special revenue funds, for FY 2022. This is an all funds increase of \$8,468, or 1.4 percent, above the FY 2021 revised estimate. The increase is primarily due to higher expenditures for unclassified temporary pay (\$10,000) and employer contributions to the public employees retirement system (\$3,173). The agency request includes \$519,685 in salary and wage expenditures for the agency's five employees, including an Executive Director, two Staff Attorneys, one Fiscal Officer, and one Administrative Assistant. Salaries and wages expenditures also include per diem and subsistence to committee members who elect to receive payments pursuant to KSA 20-2206. The agency plans to hold 60 meetings during FY 2022, which is an increase of 7 meetings above the number planned in FY 2021. The increase is offset by lower expenditures to print and bind publications (\$11,493). The agency staggers its publications such that certain publications are produced every other year. For FY 2022, the agency will print and distribute the Kansas Municipal Court Manual 2021 Supplement and the PIK–Criminal 4th 2021 Supplement. The agency request includes 5.0 FTE positions, which is the same as the FY 2021 revised estimate.

The **Governor** concurs with the agency's request for FY 2022. The Governor is statutorily required to include the Judicial Council's budget in *The Governor's Budget Report* as submitted by the agency, pursuant to KSA 75-3721f, because the agency is part of the Judicial Branch.

# PERFORMANCE MEASURES

The 2016 Legislature passed HB 2739, which outlined a three-year process for state agencies to develop and implement a system of performance budgeting using outcome measures to evaluate program effectiveness. Measures to evaluate agency-wide performance are presented below. Additional measures to evaluate specific programs appear in the relevant program sections.

PERFORMANCE MEASURES						
Measure	Actual FY 2018	Actual FY 2019	Gov. Rec. FY 2020	Actual FY 2020	Gov. Rec. FY 2021	Gov. Rec. FY 2022
<b>Improve Judicial Branch Operations</b>						
Number of Requests from Legislature	5	8	4	4	2	4
Number of Requests from Judiciary	0	1	0	0	1	1
Number of Requests from the Kansas Bar Association	3	5	1	1	2	1
Number of Requests from the Public	0	0	0	5	5	6
Number of Requests Assigned to Committee and Granted	7	12	4	4	5	6
Number of Meetings Held and Anticipated*	53	54	60	64	53	60
<b>Distribute Legal Publications</b>						
Number of Publications Sold	1,019	2,413	1,331	938	2,202	1,090
<b>Provide and Promulgate Legal Forms</b>						
Average Website Visits Per Month*	17,040	21,882	24,070	22,276	23,390	24,560
Average Page Views Per Month*	101,632	144,488	158,936	139,798	146,788	154,127
Total Unique Website Visitors Per Year*	110,636	147,804	162,584	152,995	160,645	168,677
<b>Agency Expenditures</b>						
All Funds (Dollars in Thousands)	\$ 539.7	\$ 567.1	\$ 628.1	\$ 585.1	\$ 619.4	\$ 622.1
FTE Positions	5.0	5.0	5.0	5.0	5.0	5.0
* The Governor's Office does not utilize this measure for evaluation purposes.						

The Judicial Council exists to improve the administration of justice in Kansas by continuously studying the judicial system and related areas of law, by recommending changes when they are deemed appropriate, and by preparing publications that improve upon the administration of justice. The Judicial Council works toward these goals by maintaining a number of standing advisory committees, as well as by authoring and publishing five legal publications. Its mission is supported by three primary objectives, as follows:

- Study and Improve Judicial Branch Operations.** The Judicial Council works to study the Judicial Branch, examine the substantive and procedural codes that are used by or before the Judicial Branch, identify problem areas or areas of potential improvement, and take appropriate action when necessary. In doing so, the Judicial Council fields requests for studies on various judicial topics, which it then distributes to a number of standing advisory committees. The Judicial Council anticipates 53 meetings in FY 2021 and 60 meetings for FY 2022, as follows:

**JUDICIAL COUNCIL NUMBER OF MEETINGS HELD AND ANTICIPATED**

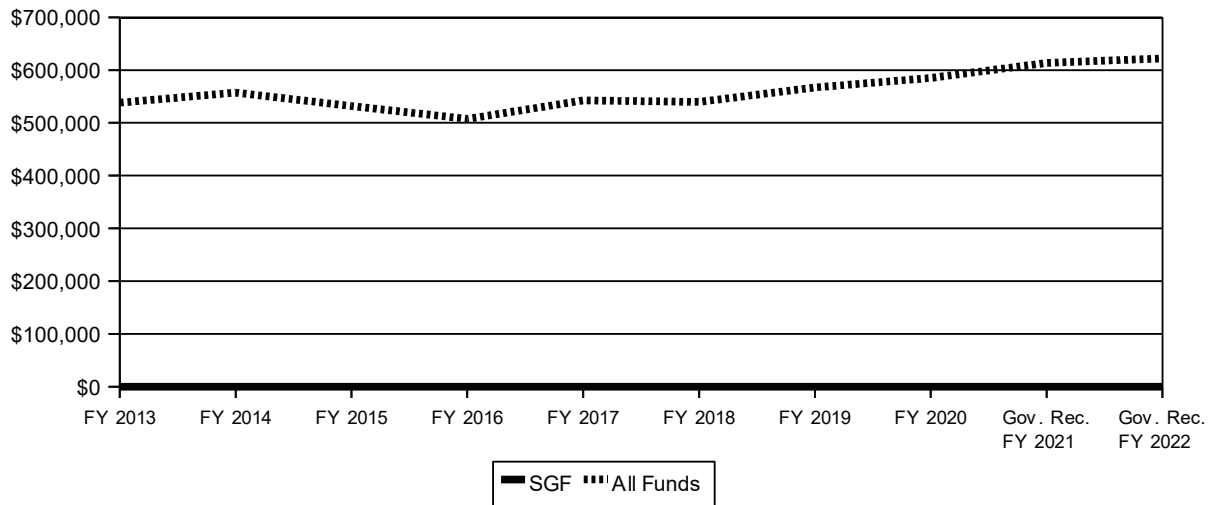
Committee	FY 2020	FY 2021	FY 2022
Administrative Procedure	0	0	0
Adoption Law	0	0	0
Appellate Practice	0	0	1
Chapter 61 Forms	2	2	2
Civil Asset Forfeiture	0	0	3
Civil Code	0	4	4
Criminal Law	3	1	4
Disability Access	7	0	0
DUI	9	5	0
Family Law	7	4	6
Guardianship and Conservatorship	0	6	10
HB 2600–Contracts for Deed	0	5	0
Incompetent Defendants	5	0	0
Judicial Council	4	3	3
Juvenile Offense/Child in Need of Care	5	0	7
Municipal Court Manual	1	1	1
Pattern Instructions for Kansas - Civil	2	0	5
Pattern Instructions for Kansas - Criminal	4	5	5
Probate Law	4	5	7
Sex Offenses and Registration	11	10	0
Tribal-State Judicial Forum	0	2	2
<b>TOTAL</b>	<b>64</b>	<b>53</b>	<b>60</b>

- Distribute Legal Publications.** The Judicial Council produces several publications to further the administration of justice and the practice of law in the State of Kansas. The agency currently authors and distributes five publications: the Pattern Instructions for Kansas (PIK)–Criminal, PIK–Civil, Kansas Judicial Council Probate Forms, Kansas Municipal Court Manual, and the Kansas Appellate Practice Handbook. In FY 2021, the agency will print and distribute the Kansas Municipal Court Manual 2020 Supplement, the PIK–Civil 4th 2020 Supplement, and the PIK–Criminal 4th 2020 Supplement. For FY 2022, the agency will print and distribute the Kansas Municipal Court Manual 2021 Supplement and the PIK–Criminal 4th 2021 Supplement; and
- Provide and Promulgate Legal Forms.** The Judicial Council provides more than 500 legal forms to the public, attorneys, and courts on its website. These include forms that the agency is required, by statute or under Kansas Supreme Court rules, and forms the agency has developed in the process of fulfilling its mission to improve the administration of justice.



# BUDGET TRENDS

## OPERATING EXPENDITURES FY 2013 – FY 2022



## OPERATING EXPENDITURES FY 2013 – FY 2022

Fiscal Year	SGF	% Change	All Funds	% Change	FTE
2013	\$ 0	-- %	\$ 538,276	2.7 %	4.0
2014	0	--	557,387	3.6	5.0
2015	0	--	531,799	(4.6)	5.0
2016	0	--	507,539	(4.6)	5.0
2017	0	--	542,590	6.9	5.0
2018	0	--	539,735	(0.5)	5.0
2019	0	--	567,052	5.1	5.0
2020	0	--	585,106	3.2	5.0
2021 Gov. Rec.	0	--	619,433	5.9	5.0
2022 Gov. Rec.	0	--	622,101	0.4	5.0
Ten-Year Change					
Dollars/Percent	\$ 0	-- %	\$ 83,825	15.6 %	1.0



Summary of Operating Budget FY 2020 - FY 2022

	Actual FY 2020	Agency Estimate				Governor's Recommendation			
		Estimate FY 2021	Request FY 2022	Dollar Change from FY 21	Percent Change from FY 21	Rec. FY 2021	Rec. FY 2022	Dollar Change from FY 21	Percent Change from FY 21
<b>By Program:</b>									
Administration	\$ 585,106	\$ 613,633	\$ 622,101	\$ 8,468	1.4 %	\$ 619,433	\$ 622,101	\$ 2,668	0.4 %
<b>By Major Object of Expenditure:</b>									
Salaries and Wages	\$ 491,939	\$ 504,360	\$ 519,685	\$ 15,325	3.0 %	\$ 504,360	\$ 519,685	\$ 15,325	3.0 %
Contractual Services	88,237	103,856	96,941	(6,915)	(6.7)	103,856	96,941	(6,915)	(6.7)
Commodities	4,270	3,417	3,475	58	1.7	3,417	3,475	58	1.7
Capital Outlay	660	2,000	2,000	0	0.0	7,800	2,000	(5,800)	(74.4)
Debt Service	0	0	0	0	--	0	0	0	--
<i>Subtotal - Operations</i>	\$ 585,106	\$ 613,633	\$ 622,101	\$ 8,468	1.4 %	\$ 619,433	\$ 622,101	\$ 2,668	0.4 %
Aid to Local Units	0	0	0	0	--	0	0	0	--
Other Assistance	0	0	0	0	--	0	0	0	--
<b>TOTAL</b>	<b>\$ 585,106</b>	<b>\$ 613,633</b>	<b>\$ 622,101</b>	<b>\$ 8,468</b>	<b>1.4 %</b>	<b>\$ 619,433</b>	<b>\$ 622,101</b>	<b>\$ 2,668</b>	<b>0.4 %</b>
<b>Financing:</b>									
State General Fund	\$ 0	\$ 0	\$ 0	\$ 0	-- %	\$ 0	\$ 0	\$ 0	-- %
Judicial Council Fund	224,554	196,134	204,399	8,265	4.2	196,134	204,399	8,265	4.2
Publications Fee Fund	360,552	417,499	417,702	203	0.0	417,499	417,702	203	0.0
Coronavirus Relief Fund	0	0	0	0	--	5,800	0	(5,800)	(100.0)
<b>TOTAL</b>	<b>\$ 585,106</b>	<b>\$ 613,633</b>	<b>\$ 622,101</b>	<b>\$ 8,468</b>	<b>1.4 %</b>	<b>\$ 619,433</b>	<b>\$ 622,101</b>	<b>\$ 2,668</b>	<b>0.4 %</b>

# BUDGET OVERVIEW

## A. FY 2021 – Current Year

### Adjustments to Approved State General Fund Budget

The agency’s revised estimate does not include any State General Fund (SGF) expenditures.

CHANGE FROM APPROVED BUDGET					
	Legislative Approved FY 2021	Agency Estimate FY 2021	Agency Change from Approved	Governor Rec. FY 2021	Governor Change from Approved
State General Fund	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
All Other Funds	630,379	613,633	(16,746)	619,433	(10,946)
<b>TOTAL</b>	<b>\$ 630,379</b>	<b>\$ 613,633</b>	<b>\$ (16,746)</b>	<b>\$ 619,433</b>	<b>\$ (10,946)</b>
FTE Positions	5.0	5.0	0.0	5.0	0.0

The **agency** requests a revised estimate of \$613,633, all from special revenue funds, in FY 2021. This is a decrease of \$16,746, or 2.7 percent, below the amount approved by the 2020 Legislature. The decrease is primarily due to fewer travel reimbursements paid out to advisory committee members traveling to physical locations, due to a transition to remote meetings (\$10,286). The decrease is also attributable to lower expenditures for unclassified temporary pay (\$8,000) and adjustments for employer contributions to the public employees retirement system (\$3,200). The decrease is partially offset by higher expenditures for unclassified regular pay (\$2,462) and software to facilitate remote work during the COVID-19 pandemic (\$2,000). The revised estimate also includes 5.0 FTE positions, which is the same as the FY 2020 approved number.

The **Governor** concurs with the agency’s revised estimate in FY 2021. The Governor is statutorily required to include the Judicial Council’s budget in *The Governor’s Budget Report* as submitted by the agency, pursuant to KSA 75-3721f, because the agency is part of the Judicial Branch. The Governor’s Recommendation includes adjustments to reflect additional funding distributed to the agency through the federal Coronavirus Relief Fund after agency budget submissions (\$5,800). These funds were used for the purchase of laptops and other computer-related equipment.

## B. FY 2022 – Budget Year

<b>FY 2022 OPERATING BUDGET SUMMARY</b>				
	Agency Request	Governor's Recommendation	Difference	
<b>Total Request/Recommendation</b>	\$ 622,101	\$ 622,101	\$	0
<b>FTE Positions</b>	5.0	5.0		0.0
<b>Change from FY 2021:</b>				
<i>Dollar Change:</i>				
State General Fund	\$ 0	\$ 0		
All Other Funds	8,468	2,668		
<b>TOTAL</b>	<b>\$ 8,468</b>	<b>\$ 2,668</b>		
<i>Percent Change:</i>				
State General Fund	-- %	-- %		
All Other Funds	1.4	0.4		
<b>TOTAL</b>	<b>1.4 %</b>	<b>0.4 %</b>		
Change in FTE Positions	0.0	0.0		

The **agency** requests \$622,101, all from special revenue funds, for FY 2022. This is an all funds increase of \$8,468, or 1.4 percent, above the FY 2021 revised estimate. The increase is primarily due to higher expenditures for unclassified temporary pay (\$10,000) and employer contributions to the public employees retirement system (\$3,173). The agency request includes \$519,685 in salary and wage expenditures for the agency's five employees, including an Executive Director, two Staff Attorneys, one Fiscal Officer, and one Administrative Assistant. Salaries and wages expenditures also include per diem and subsistence to committee members who elect to receive payments pursuant to KSA 20-2206. The agency plans to hold 60 meetings during FY 2022, which is an increase of 7 meetings above the number planned in FY 2021. The increase is partially offset by lower expenditures to print and bind publications (\$11,493). The agency staggers its publications such that certain publications are produced every other year. For FY 2022, the agency will print and distribute the Kansas Municipal Court Manual 2021 Supplement and the PIK–Criminal 4th 2021 Supplement. The agency request includes 5.0 FTE positions, which is the same as the FY 2021 revised estimate.

The **Governor** concurs with the agency's request for FY 2022. The Governor is statutorily required to include the Judicial Council's budget in *The Governor's Budget Report* as submitted by the agency, pursuant to KSA 75-3721f, because the agency is part of the Judicial Branch.

## Governor's Recommended Salary and Wage Adjustments

**For FY 2022**, the Governor recommends adding \$31.5 million, including \$11.3 million SGF, for a 2.5 percent state employee base pay adjustment. The plan would increase salaries for classified and unclassified employees in the Executive Branch, Legislative Branch, and Judicial Branch. Legislative and elected officials would be excluded from this salary adjustment. The funds would be appropriated to and certified for distribution by the State Finance Council if approved. Employees of state universities are also not included in the proposed pay plan; however, the Governor recommends adding \$10.4 million, all SGF, to the university operating grants. This amount is equivalent to what the pay plan would have provided for university employees, but the funds are included in the Kansas Board of Regents budget for use at their discretion.

**Longevity Bonus Payments.** In FY 2021 and for FY 2022, the Governor recommends funding longevity bonus payments for eligible state employees at the statutory rate of \$40 per year of service, with a 10-year minimum (\$400) and a 25-year maximum (\$1,000). Classified employees hired after June 15, 2008, are not eligible for longevity bonus payments. The estimated cost for the recommended FY 2021 payment is \$3.0 million, including \$1.1 million SGF. For FY 2022, the estimated cost is \$3.1 million, including \$1.1 million SGF. **For this agency, FY 2021 longevity payments total \$2,720 and FY 2022 longevity payments total \$2,760, all from special revenue funds.**

**Kansas Public Employees Retirement System (KPERs).** The employer retirement contribution rate, including Death and Disability contributions, for the KPERs State and School Group is scheduled to be 14.23 percent in FY 2021 and 15.09 percent for FY 2022. The FY 2021 rate excludes the 1.0 percent KPERs Death and Disability contribution that is currently subject to a moratorium described below.

The Governor recommends the KPERs State and School Group be reamortized. The current amortization period was set by the Legislature in 1993 for 40 years. The Governor proposes the new amortization be set for 25 years beginning in FY 2022, an extension of 10 years to the current plan. Reamortization would reduce employer contributions for the KPERs State and School Group in the short term. It is estimated that resetting the amortization period to 25 years could produce budget savings of \$177.3 million, including \$158.7 million SGF, for FY 2022. The Governor's recommendation would also incorporate \$25.8 million in KPERs layering payments into the amortization schedules. **No savings from this policy are currently included in this agency's budget.**

**KPERs Death and Disability Group Insurance Fund.** During FY 2021, a moratorium on employer contributions to the KPERs Death and Disability Group Insurance Fund was in effect. The fund had a sufficient balance to suspend payments on a temporary basis without affecting employee benefits. The moratorium was implemented *via* the Governor's allotment authority; therefore, the Legislative and Judicial branches are currently excluded from the moratorium. The total savings for the moratorium are estimated at \$46.7 million in contributions from the SGF. Included in this amount were savings of approximately \$40.3 million from KPERs School Group contributions in the Kansas State Department of Education budget. No similar moratorium is proposed for FY 2022, requiring the addition of \$46.7 million to annualize the payments for the full fiscal year.

## Funding Sources

Funding Source	Agency Req. Percent of Total FY 2022	Gov. Rec. Percent of Total FY 2022
State General Funds	0.0 %	0.0 %
Judicial Council Fund	32.9	32.9
Publications Fee Fund	67.1	67.1
Coronavirus Relief Fund	0.0	0.0
<b>TOTAL</b>	<b>100.0 %</b>	<b>100.0 %</b>

(Note: Totals may not add due to rounding.)

## Judicial Council Fund Analysis

The Judicial Council Fund was created in 2003 (L. 2003, Ch. 160, Sec. 74) to support agency operations. Since FY 2013, pursuant to KSA 20-362(e), the Fund has received 0.99 percent of docket fees.

Resource Estimate	Actual FY 2020	Agency Estimate FY 2021	Gov. Rec. FY 2021	Agency Request FY 2022	Gov. Rec. FY 2022
Beginning Balance	\$ 97,311	\$ 55,950	\$ 55,950	\$ 32,516	\$ 32,516
Revenue	183,193	172,700	172,700	206,102	206,102
Transfers in	0	0	0	0	0
<i>Funds Available</i>	\$ 280,504	\$ 228,650	\$ 228,650	\$ 238,618	\$ 238,618
Less:					
Expenditures	\$ 224,554	\$ 196,134	\$ 196,134	\$ 204,399	\$ 204,399
Transfers Out	0	0	0	0	0
Off-Budget Expenditures	0	0	0	0	0
<b>Ending Balance</b>	<b>\$ 55,950</b>	<b>\$ 32,516</b>	<b>\$ 32,516</b>	<b>\$ 34,219</b>	<b>\$ 34,219</b>
Ending Balance as Percent of Expenditures	24.9%	16.6%	16.6%	16.7%	16.7%
Month Highest Ending Balance	August \$ 95,881	August \$ 55,128	August \$ 55,128	August \$ 32,038	August \$ 32,038
Month Lowest Ending Balance	March \$ 38,486	March \$ 22,128	March \$ 22,128	March \$ 12,860	March \$ 12,860

## Publications Fee Fund Analysis

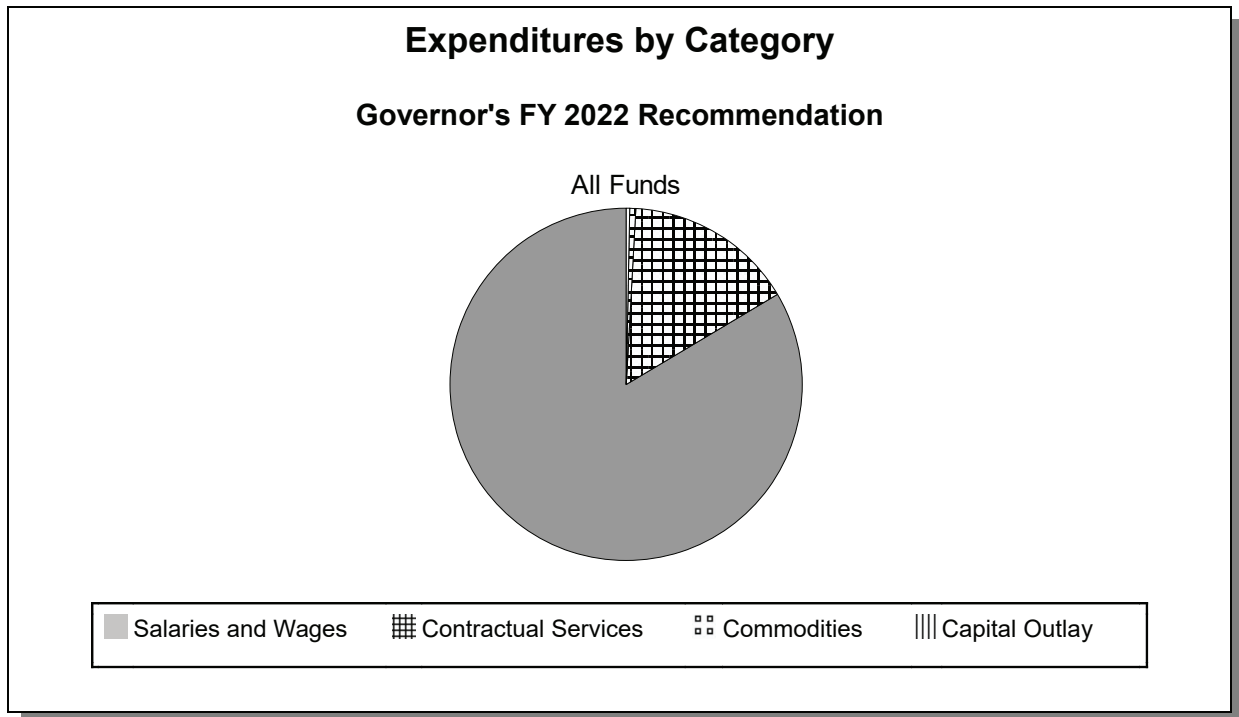
The Publications Fee Fund was created in 1992 and generates revenue from the sale of five legal publications: the Kansas Appellate Practice Handbook, Kansas Judicial Council Probate Forms, Kansas Municipal Court Manual, Pattern Instructions for Kansas–Civil, and Pattern Instructions for Kansas–Criminal. The actual publishing cycle is dependent upon the number and extent of changes through the year and the level of revenues available to finance publications. The agency indicates that revenue may, at times, have an inverse relationship to printing costs because the agency prints its literature as soon after the end of the Legislative Session as possible, while revenue from the sale of those materials may not be received until the following fiscal year. Additionally, the agency also indicates that not all printing costs can be tied directly to a published product, particularly with capital outlay expenditures for computer equipment, which are included as expenditures from the fund.

Resource Estimate	Actual FY 2020	Agency Estimate FY 2021	Gov. Rec. FY 2021	Agency Request FY 2022	Gov. Rec. FY 2022
Beginning Balance	\$ 150,238	\$ 86,722	\$ 86,722	\$ 123,709	\$ 123,709
Revenue	297,683	457,430	457,430	354,030	354,030
Transfers in	0	0	0	0	0
<i>Funds Available</i>	<u>\$ 447,921</u>	<u>\$ 544,152</u>	<u>\$ 544,152</u>	<u>\$ 477,739</u>	<u>\$ 477,739</u>
Less:					
Expenditures	\$ 360,552	\$ 417,499	\$ 417,499	\$ 417,702	\$ 417,702
Transfers Out	0	0	0	0	0
Off-Budget Expenditures	647	2,944	2,944	1,468	1,468
<b>Ending Balance</b>	<b><u>\$ 86,722</u></b>	<b><u>\$ 123,709</u></b>	<b><u>\$ 123,709</u></b>	<b><u>\$ 58,569</u></b>	<b><u>\$ 58,569</u></b>
Ending Balance as Percent of Expenditures	24.1%	29.6%	29.6%	14.0%	14.0%
Month Highest Ending Balance	January <u>\$ 180,315</u>	January <u>\$ 104,083</u>	January <u>\$ 104,083</u>	January <u>\$ 148,475</u>	January <u>\$ 148,475</u>
Month Lowest Ending Balance	December \$ 8,392	December \$ 4,844	December \$ 4,844	December \$ 6,910	December \$ 6,910

**PROJECTED REVENUE FROM THE SALE OF PUBLICATIONS (FY 2020 - FY 2022)**

	FY 2020 Actual	FY 2021 Estimate	FY 2022 Estimate
KS Appellate Practice Manual	\$ 850	\$ 125	\$ 125
KS Municipal Court Manual	5,820	5,775	5,775
PIK–Civil 4th	2,765	64,050	1,700
PIK–Criminal 4th	73,625	125,800	89,750
KS Probate Forms 3d	790	470	470
Royalties	19,000	15,000	10,000
Online Subscriptions	193,738	246,210	246,210
Sales Tax (Non-expense item)	647	2,944	1,468
<b>TOTAL</b>	<b>\$ 297,235</b>	<b>\$ 460,374</b>	<b>\$ 355,498</b>

# PROGRAM DETAIL



Category	Gov. Rec. All Funds FY 2022	Percent of Total	Gov. Rec. SGF FY 2022	Percent of Total
Salaries and Wages	\$ 519,685	83.5 %	\$ 0	-- %
Contractual Services	96,941	15.6	0	--
Commodities	3,475	0.6	0	--
Capital Outlay	2,000	0.3	0	--
<b>TOTAL</b>	<b>\$ 622,101</b>	<b>100.0 %</b>	<b>\$ 0</b>	<b>-- %</b>

**FTE POSITIONS BY PROGRAM FY 2020 – FY 2022**

Program	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
Administration	5.0	5.0	5.0	5.0	5.0

*(Note: For purposes of this analysis, full-time equivalent (FTE) positions include non-FTE permanent unclassified positions but continue to exclude temporary employees. FTE positions reflect permanent state positions equating to a 40-hour work week.)*