



FY 2010
Budget
Request

CNMI Judicial Branch

Supreme Court
Superior Court
Judiciary Administrative Office
Law Revision Commission

April 2009



Supreme Court - THE JUDICIARY - COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Guma' Hustisia / Iimwal Aweewe / House of Justice • P.O. Box 502165 • Saipan, MP 96950

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Miguel S. Demapan
CHIEF JUSTICE

April 9, 2009

The Honorable Arnold I. Palacios
Speaker of the House
16th Commonwealth Legislature
Commonwealth of the Northern Mariana Islands
Saipan, MP 96950

The Honorable Pete P. Reyes
Senate President
16th Commonwealth Legislature
Commonwealth of the Northern Mariana Islands
Saipan, MP 96950

Subject: NMI Judiciary FY 2010 Budget Request

Dear Speaker Palacios and President Reyes:

Please find attached the NMI Judiciary's budget request for Fiscal Year 2010, submitted pursuant to Article IV, Section 9(b) of the NMI Constitution. The Judiciary requests \$5,103,238 to fund the Supreme Court, Superior Court, Judiciary Administrative Office, and Law Revision Commission for FY 2010.

While we realize the financial difficulties under which the Commonwealth is currently operating and recognize the need for all parts of government to reduce spending levels, we also feel the need to express to you the degree to which severe budget cuts over the last few years have crippled the Judiciary's operations. Since FY 2007, the Judiciary's budget has been cut by approximately 20%. The immediate consequence is justice delayed, with untold economic and non-economic costs to litigants and the Commonwealth as a whole.

Prior fiscal year appropriations have left personnel account deficits in each of the judicial branch's divisions. In response, the Judiciary has implemented cost saving remedies including gradually reducing the size of the workforce through attrition from 104 total FTEs in FY 2007 to 74 FTEs in FY 2009. However, this reduction in workforce of 29% continues to constrain all areas of judicial operations as indicated by reduced case disposition rates in both Supreme and Superior Courts.

In addition, each of the four judicial branch departments have implemented cost saving measures in their respective accounts for all other expenses, which include non-personnel, non-utilities costs, such as pro tem appointments, legal representation, communications, licensing, supplies, staff training, and other expenses. The Judiciary has imposed procurement restrictions and travel limitations. For example, beginning in FY 2006 and continuing to the present, the Judiciary has restricted judicial privileges, including the suspension of cell phones, vehicle assignments, and travel for training and conferences.

Supreme Court (1694)

The Supreme Court requests a total of \$1,033,918 for FY 2010. Of that amount we request \$892,879 for personnel costs. This personnel request includes the employer's contribution rate of 11% for the retirement fund's defined benefit program and 4% for the defined contribution plan. We have also included alternative calculations should the Legislature consider funding the NMI Retirement Fund's actuarially determined rate of 37.3909% for the defined benefit plan. In addition, this amount is requested to fund 11 existing FTEs and 1 new FTE for the position of Law Clerk. The Supreme Court has been operating on a skeleton staff, further to budget reductions in recent years that have greatly diminished our capacity to perform our Constitutional duties. The time required for cases to be decided has increased greatly, and our ability to oversee the bar, judges, and general judicial branch administration has been greatly strained. We request approval for an additional Law Clerk to assist in increasing case disposition rates and increasing operational efficiency.

In addition, the Supreme Court request \$141,039 for all other expenses to include professional services, communications, dues and subscriptions and other key expenses.

Superior Court (1690)

The Superior Court requests \$2,291,526 for FY 2010. The proposal lists \$2,090,061 for personnel costs. This amount includes the employer's contribution rate of 11% for the retirement program's defined benefit plan and 4% for the defined contribution plan. Should the Legislature consider funding the NMI Retirement Fund's actuarially determined rate of 37.3909% for the defined benefit plan, we have listed the calculations for the projection in the budget justification sheets attached. The proposal generally requests to fund 50 full-time employees, 5 of which are new positions, since P.L. 16-32 reduced the trial court's FTE allocation to 45. These five positions are:

- Secretary to the Presiding Judge
- Deputy Clerk I (two positions; for courtrooms of Associate Judges Govendo and Inos)
- Probation Officer I
- Assistant Probation Officer

As a court of general jurisdiction, Superior Court judges preside over various case types that require a wide range of support staff. The current level of 45 FTEs continues to hinder essential trial court services as the Superior Court's limited personnel are multi-tasking under already scarce resources. The court is greatly challenged to provide access, timely dispositions, reliable scheduling. Continued staffing shortages will jeopardize the overall dependability and integrity of the judicial process. Transcript designations, e-file and serve processing, courtroom coverage, docket processing, and enforcement of sentencing structures for those in probation are just some of the basic services that the filling of the above positions would greatly address and support.

The Superior Court additionally requests \$201,465 for operational costs. Of this amount \$22,915 will go towards the constitutionally mandated Public Auditor's fee and the remaining \$178,550 for actual Superior Court expenses. Of this amount we ask for \$100,000 to cover anticipated costs associated with the defense of indigents. The remaining \$78,550 will go towards other fixed and variable expenses enumerated in the various account codes.

Judiciary Administrative Office (1691)

The Judiciary Administrative Office account requests funding in the amount of \$1,492,992. Of this amount, we request \$502,463 for total personnel costs. This amount includes the employer's contribution rate of 11% for the retirement program's defined benefit plan and 4% for the defined contribution plan. Should the Legislature consider funding the NMI Retirement Fund's actuarially determined rate of 37.3909% for the defined benefit plan, we have listed the calculations for the projection in the budget justification sheets attached. The proposal generally requests to fund 18 full-time employees, 5 of which are new positions, since P.L. 16-32 reduced the JAO's FTE allocation to 13. These five positions are:

- Chief Marshal
- Deputy Marshal I (Rota)
- Deputy Marshal I (Tinian)
- Building and Grounds Maintenance Worker (Rota)
- Building and Grounds Maintenance Worker (Tinian)

The position of Marshal has been left unfilled since the previous incumbent left the position in 2007 due to continuing funding constraints facing the CNMI Judiciary. Moreover, the Tinian and Rota judicial centers have never had court security. The current state of security at the Guma Hustisia/Imwaal Aweewee/House of Justice is far below mainland standards. Many of our judges are already concerned for their safety and the safety of our patrons. In addition, neither court facilities on Rota or Tinian have had at any time maintenance personnel. The Judiciary respectfully requests funding for these

positions to ensure the safety of staff and patrons in and much needed facilities upkeep for the Rota and Tinian Judicial Centers.

The judicial branch also requests \$714,000 for its Utilities budget. This amount is based on the judiciary's actual utilities use for FY2008 in Saipan, Rota, and Tinian. P.L. 16-32 appropriated only \$309,701, less than half of the judiciary's total needs for utilities expenses. The judiciary has implemented energy saving measures, such as installing timers on the air conditioning systems and ensuring all lights are turned off after hours. However, the judiciary can do little more to save on utilities without a substantial investment in energy efficient equipment.

Additionally, the Judiciary Administration Office requests \$276,529 for all other expenses, which includes the judiciary's entire budget for facility maintenance purposes. P.L. 16-32 reduced the appropriation for this purpose from \$75,819 to \$26,275 or 65%. This dramatic reduction has left the Rota, Tinian, and Saipan courthouses extremely vulnerable to a number of maintenance deficiencies, which, if neglected for lack of funding, may cause individual systems or the entire structure to deteriorate long before its expected lifecycle. The Administration's current fixed expenses amount to \$15,735 annually. In FY08, the Judicial Administration spent over \$57,000 in variable maintenance costs alone. This figure represents only the costs associated with the Guma Hustisia, as previous appropriations have not provided sufficient funding for proper maintenance of the Rota and Tinian courthouses.


Law Revision Commission

The Commonwealth Law Revision Commission requests \$284,801 for the basic operations of the Commission office. The requested budget amount reflects the actual needs of the office necessary for the fulfillment of its statutory duties to codify and compile the laws of the CNMI, including the production of the statutory code, the NMI Reporter series, and the CNMI administrative code, as well as providing vital legal information for the community through the Commission's website (www.cnmilaw.org). The request anticipates the hiring of a second staff attorney to enable the Commission to complete the updates for all three publications. Without a second staff attorney, the Commission will fall behind on one publication, the administrative code. The Commission only recently fulfilled the statutory mandates of producing the three major legal publications for the CNMI, thirteen years after the Commission was established within the judiciary in 1993. The primary setbacks in the Commission's accomplishments were due to limited staffing and the budgetary impact of various governmental austerity measures. The preparation of the Commission's three publications requires three professionals (the executive director and two staff attorneys). Since 2006, the Commission has had only one staff attorney which has resulted in the long delay of at least one publication. The lack of this publication makes it difficult for lawyers, judges, legislators and interested community members to efficiently research CNMI case law. The Commission is a tiny part of the overall CNMI budget yet it produces vital publications needed by all government branches and agencies, lawyers, businesses, investors, and the entire community.

Conclusion

While the Judiciary acknowledges its obligation to be a good partner in government during this fiscal crisis, there must be no misunderstanding about the absolute necessity and importance of providing the court with adequate funding. Under our constitutional system, the Judiciary is responsible for upholding the rule of law upon which all our social and economic relationships are based. We respectfully request you to consider the Judiciary's budget request as the bare minimum necessary to carry out this function as a constitutionally established co-equal and independent branch of government. We welcome an opportunity to elaborate further on these issues in a legislative budget hearing. As always, feel free to contact my office directly at 236-9708 should you have any questions.

Si Yu'us Ma'ase,



Miguel S. Demapan
Chief Justice

**Cc: Hon. Ray N. Yumul, Chairman, House Committee on Ways and Means
and Honorable Members of the House of Representatives
Hon. Maria T. Pangelinan, Chairwoman, Senate Committee on Fiscal Affairs
and Honorable Members of the Senate
Hon. Robert C. Naraja, Presiding Judge, CNMI Superior Court**

OPERATING EXPENDITURE WORKSHEET

Dept.	JUDICIARY FY 2010					
Activity	Supreme Court/Superior Court/Commonwealth Judiciary Administrative Office/Law Revision Commission					
Bus.						
Units	1691/1690/1692/1694					
CLASS CODE	OBJECT CLASSIFICATION	SUPREME COURT	SUPERIOR COURT	ADMINISTRATIVE OFFICE	LAW REVISION COMMISSION	GRAND TOTAL
61090	Wages/Salaries - CSC	0	595,101	78,769	0	673,870
61100	Wages/Salaries - Ung	755,802	1,200,800	364,734	198,500	2,519,836
61180	Personnel Insurance (4%)	30,232	71,836	17,740	7,940	127,748
61190	Retirement Contribution (11%)	54,142	133,332	17,362	21,835	226,671
61195	401K D.C. Retirement Contribution (4%)	10,544	23,352	11,427	0	45,322
61200	Subsistence/Housing Allowance	31,200	39,600	6,000	6,000	82,800
61220	Medicare Contribution (1.45%)	10,959	26,041	6,431	2,878	46,309
	Total Personnel Costs	892,879	2,090,061	502,463	237,153	3,722,557
	Number of Positions:	12	50	18	5	85
62050	Official Representation	5,000	500	0		5,500
62060	Professional Services	40,000	5,000	20,000	5,500	70,500
620__	Indigent Fees & Costs		100,000			100,000
62070	Public Auditor's Fee	10,339	22,915	14,929	2,848	51,031
62080	Advertising	500	250	300	300	1,350
62090	Recruitment & Repatriation	6,000	7,000	2,500	7,000	22,500
62100	Boards & Other Comp.					0
	Total Professional Services	61,839	135,665	37,729	15,648	250,881
62250	Communications	10,000	14,500	15,000	11,000	50,500
62260	Dues & Subscriptions	25,000	2,000	1,000	200	28,200
62280	Insurance	1,000	0			1,000
62290	Licenses & Fees	1,000	0	25,000	300	26,300
62300	Printing & Photocopying	5,000	3,200	1,000		9,200
	Total Office Expenses	42,000	19,700	42,000	11,500	115,200
62500	Travel	20,000	10,000	5,000	0	35,000
62660	Repair & Maintenance (Saipan)	5,000	9,500	100,000	1,000	115,500
62660	Repair & Maintenance (Rota)			25,000		25,000
62660	Repair & Maintenance (Tinian)			10,000		10,000
62680	Freight & Handling		100		800	900
62690	Personnel Training Cost	1,000	0		500	1,500
62710	Utilities (Saipan)			623,000	0	623,000
62710	Utilities (Rota)			64,000		64,000
62710	Utilities (Tinian)			27,000		27,000
62750	Cleaning Services		2,500	28,800		31,300
	Total Others	6,000	12,100	877,800	2,300	898,200
63010	Books & Library Materials	3,000	4,500		500	8,000
63020	Food Items	200	2,500	500	200	3,400
63030	Fuel & Lubrication (POL)	3,100	3,500	3,500	500	10,600
63040	Supplies - Office	2,400	10,000	1,000	5,000	18,400
63050	Supplies - Operations	0	3,500	15,000		18,500
	Total Supplies	8,700	24,000	20,000	6,200	58,900
64510	Buildings					
64520	Improvements					0
64540	Machinery, Tools & Equipment			3,000	0	3,000
64550	Computer Systems & Equipment	2,500		5,000	12,000	19,500
64560	Office Equipment					0
64570	Office Furniture & Fixtures					0
64580	Vehicle-Public Service Admin					
	Total Capitalized Fixed Assets	2,500	0	8,000	12,000	22,500
	Total All Others	141,039	201,465	990,529	47,648	1,380,681
	Total Personnel and All Others	1,033,918	2,291,526	1,492,992	284,801	5,103,238

OPERATING EXPENDITURE WORKSHEET

Dept.	JUDICIARY
Activity	Supreme Court Fiscal Year 2010
Bus. Units	1691

CLASS CODE	Object Classification	FY 2008 Cont. Res.	FY 2009 Budget Request	FY2009 PL 16-32 Actual	FY 2010 Budget Request
61090	Wages/Salaries -CSC				
61100	Wages/Salaries - UNG		758,402		755,802
61180	Personnel Insurance (4%)		30,336		30,232
61190	Retirement Contribution (11%)		127,020		54,142
61195	401K DC Ret. Employer Contribution				10,544
61200	Subsistence Allowance		31,200		31,200
61220	Medicare Contribution (1.45%)		10,997		10,959
61230	Lump Sum Payment of A/L				0
61270	30% Retirement Bonus				0
Total Personnel Costs		670,309	957,955	703,033	892,879
	Number of Positions:	12	12	11	12
62050	Official Representation		5,000		5,000
62060	Professional Services		40,000		40,000
62070	Public Auditor's Fee 1%		11,023		10,339
62080	Advertising		500		500
62090	Recruitment & Repatriation		6,000		6,000
62100	Boards & Other Comp.				
Total Professional Services		0	62,523		61,839
62250	Communications		10,500		10,000
62260	Dues & Subscriptions		25,000		25,000
62280	Insurance		1,630		1,000
62290	Licenses & Fees		1,000		1,000
62300	Printing & Photocopying		5,000		5,000
Total Office Expenses		0	43,130		42,000
62500	Travel		20,000		20,000
62660	Repair & Maintenance		2,500		5,000
62680	Freight & Handling				
62690	Personnel Training Cost		3,000		1,000
62700	Storage & Handling				
62710	Utilities	0			
62750	Cleaning Services				
Total Others		0	5,500		6,000
63010	Books & Library Materials		5,000		3,000
63020	Food Items		200		200
63030	Fuel & Lubrication (POL)		3,100		3,100
63040	Supplies - Office		2,400		2,400
63050	Supplies - Operations				
Total Supplies		0	10,700		8,700
64510	Buildings				
64520	Improvements				
64540	Machinery, Tools & Equipment				
64550	Computer Systems & Equipment		2,500		2,500
64560	Office Equipment				
64570	Office Furniture & Fixtures				
Total Capitalized Fixed Assets		0	2,500		2,500
Total All Others		123,522	144,353	119,326	141,039
Total Personnel & All Others		793,831	1,102,308	822,359	1,033,198

**FISCAL YEAR 2010
SUPREME COURT
BUDGET JUSTIFICATION**

61100	WAGES/SALARIES UNGRADED	\$755,802
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This amount is requested to maintain the wages and salaries of Commonwealth Supreme Court current 11 personnel Full Time Employees (FTE).

The 11 FTEs consist of the Chief Justice and two Associate Justices, three law clerks, one secretary for each of the three Justices, Clerk of the Supreme Court, and one assistant to the Clerk of Court. Salaries of the Chief Justice at \$130,000 and two Associate Justices at \$126,000 each are constitutionally protected.

In addition, the Supreme Court requests funding for an additional law clerk to help address the Court's mounting backlog of criminal cases. The Supreme Court previously employed four law clerks, but one of those positions was eliminated in 2007 due to budgetary constraints. Predictably, since eliminating the fourth law clerk, the Supreme Court's disposal rate has declined. Unless the number of new cases also declines, an unlikely scenario given the economic downturn, the Supreme Court's backlog will grow and parties will be forced to wait longer for final resolution. In 2007, the Supreme Court decided eleven criminal appeals (including traffic cases carrying criminal penalties), the average time from filing to decision being approximately two years. By contrast, only seven criminal appeals were decided in 2008, and the average time from filing to decision was almost two and a half years. Many defendants had already served their entire sentence before their appeal was heard. And in one instance, a defendant had his conviction overturned after having already spent over three years in jail. Currently, the Supreme Court has 16 criminal cases pending before it. Eleven of these are over one year old, and eight are over two years old. The criminal docket comprises between twenty and twenty-five percent of the Supreme Court's caseload, so plenty of work exists for an additional law clerk focused solely on criminal matters. The Supreme Court predicts that most, if not all, of its criminal docket will be brought current within one year if a new law clerk is hired. Moreover, because the three current law clerks will not have to spend time on criminal matters, the disposition rate for civil cases will also be positively impacted.

Total No. of FTEs Requested	New	Current	Total
12	\$44,600	\$711,202	\$755,802

61180	PERSONNEL INSURANCE	\$30,232
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This amount is budgeted to cover the employer's mandatory contribution to personnel insurance (CNMI group life and health insurance premiums) currently based on 4% of the total base salaries of 12 court employees. This requirement is mandated by CNMI law.

No. of FTEs	Total Personnel	Percentage	Total
12	\$755,802	4%	\$30,232

61190	RETIREMENT CONTRIBUTIONS	\$54,142
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This amount is requested to cover the employer's mandatory contribution to the retirement program (Northern Mariana Islands Retirement Fund) currently based on 11% of the total base salaries of the 6 court employees who continue to participate in the defined benefit plan. This requirement is mandated by CNMI law.

No. of FTEs	Total Personnel	Percentage	Total
6	\$492,202	11%	\$54,142

However, the Northern Marianas Islands Fund (NMIRF) Board of Trustees has adopted an actuarially determined rate of 37.3909% as the necessary employer contribution to the DB plan. Should the Legislative Branch consider adjusting employer contributions in its Fiscal Year 2010 allocations to this rate as recommended by the NMIRF or should additional funding become available for appropriation, the Supreme Court requests that the amount of its employer contributions to the NMIRF be adjusted accordingly.

No. of FTEs	Total Personnel	Percentage	Total
6	\$492,202	37.3909%	\$184,039

61195	RETIREMENT CONTRIBUTIONS (401K DC PLAN)	\$10,544
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This amount is requested to cover the employer's mandatory contribution to the retirement program Defined Contribution (DC) Plan currently based on 4% of the total base salaries of the 6 court employees. This requirement is mandated by CNMI law.

No. of FTEs	Total Personnel	Percentage	Total
6	\$263,600	4%	\$10,544

61200	SUBSISTENCE/HOUSING ALLOWANCE	\$31,200
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The Supreme Court hires professional attorneys from off-island. This amount is budgeted to cover the housing allowances of professional and hard-to-fill positions of the courts and is part of the government's employment contract benefit for staff hired from outside of the Commonwealth of the Northern Mariana Islands. This amount is budgeted for each of the law clerks at the Supreme Court and the Clerk of the Supreme Court. As part of the employment benefits for off island hires, the Supreme Court requests \$31,200 for Housing Allowance.

PROJECTED HOUSING ALLOWANCE	Per Month	Per Year
Law Clerk to Chief Justice Demapan	500	6,000
Law Clerk to Chief Justice Demapan	500	6,000
Law Clerk to Associate Justice Castro	500	6,000
Law Clerk to Associate Justice Manglona	500	6,000
Supreme Court Clerk of Court	600	7,200
TOTAL	\$2,600	\$31,200

61220	MEDICARE CONTRIBUTION	\$10,959
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This amount is budgeted to cover the employer's mandatory contribution to the Medicare program currently based at 1.45% of total base salaries of \$755,802. This budget category is included by the court to ensure that sufficient funds are appropriated to cover Medicare costs for the 12 Supreme Court employees as required by law.

No. of FTEs	Total Personnel	Percentage	Total
12	\$755,802	1.45%	\$10,959

62050	OFFICIAL REPRESENTATION	\$5,000
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This budget category is requested to cover official representation costs to enable the Chief Justice and the Associate Justices of the Supreme Court to carry out their Constitutional duties and other related mandates and may include reasonable expenses for the entertainment of government officials, guests, and the promotion of goodwill and other public interests.

62060	PROFESSIONAL SERVICES	\$40,000
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This budget category is considered one of the most important budget line items for the Commonwealth Judiciary. It is used to cover charges required by law and/or for the efficient

administration of justice and includes payment for *Justice Pro Tem* fees, court appointed counsels, and other related fees.

62070	PUBLIC AUDITOR'S FEE	\$10,339
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This amount is requested to cover the required Public Auditor's Fee at 1%.

62080	ADVERTISING	\$500
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This budget category is requested to cover advertising costs necessary to comply with existing laws on mandatory public announcements for bids, requests for proposals, and judicial public notices. Also included are costs for advertisements in local newspapers for court public notices, and publication announcements.

62090	RECRUITMENT & REPATRIATION	\$6,000
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This amount is budgeted to cover the costs of recruitment and repatriation of Law Clerks assigned to the Supreme Court. This category is used for airfare, stipend, shipping of household items, and related expenses included in the employees employment contracts. The courts have law clerks on annual contracts which will require repatriation expenses upon completion of their employment contracts in FY2010 and recruitment of their replacements.

62250	COMMUNICATIONS	\$10,000
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This amount is requested to cover communications costs associated with the procurement of postage stamps and other mailing costs and for the payment of monthly telephone, facsimile, internet services for our e-filings and information management, and online research.

62260	DUES & SUBSCRIPTION	\$25,000
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This budget category is requested to cover annual membership dues to various court management and other judicial organizations and for annual subscriptions to professional journals, newsletters, and other legal publications. The Commonwealth Judiciary is a member of several organizations including the Pacific Judicial Council, Conference of Chief Justices, Conference of Court Administrators, American Bar Association, National Conference of Appellate Court Clerks, National Association of Court Management, National Conference of Bar Examiners, and other related professional organization. Membership to these organizations are extremely beneficial to the Commonwealth Judiciary as they provide the forum for exchange of vital information on judicial administration, court technology, alternative dispute resolution, domestic violence, drug and other specialized courts, and other related court management practices. As noted, this category also includes costs for annual subscriptions to legal publications necessary to keep judges, justices, law clerks, and other court personnel informed on current issues affecting the administration of the courts, the judicial decision-making processes, and other related matters.

62280	INSURANCE	\$1,000
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This amount is allocated to cover costs of procuring premises liability insurance for the Guma Hustisia/Imwal Aweewe.

62290	LICENSE & FEES	\$1,000
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This amount is budgeted for payment of the annual license fees of software and the registration of court vehicles and other matters that need special licenses and fees.

62300	PRINTING & PHOTOCOPYING	\$5,000
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This amount is budgeted to cover costs for printing of forms, letterhead, and envelopes for the Commonwealth Supreme Court. Further, funds are requested to pay for the printing of the items necessary for the efficient operation of the courts. A steady increase in the number of Bar members require additional reprints of Appellate Rules, bar examination materials, and related information.

62500	TRAVEL	\$20,000
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This amount will cover travel expenses for off-island *Justices Pro Tem*. Additionally, the justices are normally scheduled to attend annual training sessions at the National Judicial College in Reno, Nevada. The justices, judges, and court staff also attend national and regional training, seminars, and conferences sponsored by various professional associations throughout the year, including the National Center for State Courts, the Institute for Court Management, the National Conference of Bar Examiners, and the Conference of State Court Administrators. Importantly, the Chief Justice attends the annual meeting of the Conference of Chief Justices.

62660	REPAIR AND MAINTENANCE	\$5,000
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This budget category is requested to cover for repair and maintenance of copier machine, fax machine computers, printers, and other office equipment.

62690	PERSONNEL TRAINING COST	\$1,000
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This budget category is requested to cover tuition for judicial education for justices at the National Judicial College and the Institute of Court Management and tuition/conference fee for staff.

63010	BOOKS & LIBRARY MATERIALS	\$3,000
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This budget category is requested to pay for books, journals, periodicals, and other publications and instructional materials for staff development.

63020	FOOD ITEMS	\$200
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This budget category is for the purchase of drinkable water.

63030	FUEL & LUBRICATION	\$3,100
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This budget category is requested to cover fuel and lubrication costs for all vehicles used by the Commonwealth Supreme Court. The costs will include gasoline, oil, and other lubrications used by the court.

63040	SUPPLIES-OFFICE	\$2,400
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This budget category is requested to cover office supplies to enable the court to function effectively and efficiently and will include reasonable expenses for paper, folders, pencils, pens, typewriter ribbons, paper clips, fasteners, logbooks, re-writable CDs, printer ink, labels, stickers, binders, staplers, staples, storage boxes, markers, filing trays, toner, dry ink, recording tapes, and other expendable office supplies.

64550	COMPUTER SYSTEMS & EQUIPMENT	\$2,500
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The budget category is requested to upgrade the Supreme Court's computer infrastructure.

OPERATING EXPENDITURE WORKSHEET

Dept.	CNMI Judiciary
Activity	CNMI Superior Court
Bus. Unit	1690

Class Code	Object Classification	FY 2007	FY 2008	FY 2009	FY 2010
		Budget Level P.L. 15-28	Rev Cont Resol	PL 16-32 Actual	Budget Request
61090	Wages/Salaries - CSC				595,101
61100	Wages/Salaries - Ung				1,200,800
61180	Personnel Insurance				71,836
61190	Retirement Contribution (11%)				133,332
61195	401K D.C. Retirement Contribution (4%)				23,352
61200	Subsistence				39,600
61220	Medicare Contribution				26,041
	Total Personnel Costs	2,020,022	1,664,335	1,687,474	2,090,061
	Number of Positions	59	59	45	50
62050	Official Representation				500
62060	Professional Services				5,000
6____	Indigent Fees & Cost				100,000
62070	Public Auditor's Fee				22,915
62080	Advertising				250
62090	Recruitment/Repatriation				7,000
	Total Professional Services	0			135,665
62250	Communications				14,500
62260	Dues and Subscriptions				2,000
62280	Insurance				
62290	Licenses and Fees				0
62300	Printing and Photocopying				3,200
	Total Office Expenses	0			19,700
62500	Travel	0			10,000
62660	Repair & Maintenance				9,500
62680	Freight & Handling				100
62690	Personnel Training Cost				
62700	Storage and Handling				
62750	Cleaning Services				2,500
62770	Cash Award				
	Total Others	0			12,100
63010	Books and Library Materials				4,500
63020	Food Items				2,500
63030	Fuel and Lubricate				3,500
63040	Supplies Office				10,000
63050	Supplies Operations				3,500
	Total Supplies	0			24,000
64510	Buildings				0
64520	Improvements				0
64550	Computer Systems & Equip.				0
64560	Office Equipment				0
64570	Office Furniture & Fixtures				0
	Total Capitalized Fixed Asset	0			0
	Total All Others	322,485	265,702	162,983	201,465
	Total Personnel & All Others	2,342,507	1,930,037	1,850,457	2,291,526

**FISCAL YEAR 2010
CNMI SUPERIOR COURT
BUDGET JUSTIFICATION**

61090	WAGES/SALARIES - CIVIL SERVICE SYSTEM	\$595,101
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The Superior Court must maintain its current personnel/full-time employee level in order to meet its statutory duties and responsibilities. Funding for this category is requested to sustain the necessary personnel for all trial court services on Tinian, Saipan, and Rota, as the Court maintains offices and holds regular sessions on these islands.

The most recent budget law, Public Law 16-32, provided 26 full-time employee (FTE) positions for the trial court in this budget category, a reduction from 39 civil service FTEs allocated to the trial court in the previous enacted budget law. Over the subsequent budget years, allotment decreases diminished continuing resolution amounts which were revised due to declining revenues. This prevented several positions from being filled after incumbents left these positions due to resignations or completion of tenure. For Fiscal Year 2010, the Superior Court requests that the total FTE allocation in this category be increased from 26 to 30. The amount requested is to cover wages and salaries 26 existing and 4 new personnel classified under this budget category. It covers the employees' base pay, **without** projected increases.

The Superior Court would like to highlight that, in light of the Government's projected diminishing revenue; the total amount **does not** include within-grade increase adjustments from Calendar Year 2001 to the present. This type of increase, as well as others, remain unpaid and must be addressed as soon as funds are readily available to compensate qualifying employees. Other unpaid amounts for career-service employees include, but are not limited to, increases resulting from reclassifications, restructures, and promotions, as well as 5% lump sum payments for graded employees who have been frozen at step 12 within their class pay levels. Public Laws 10-76 and 11-59 qualify employees in frozen salary grades for lump sum payments pursuant to availability of funding. As funds become available, adjustments may be considered to compensate the personnel that have performed satisfactorily in their line of work and have been rated accordingly. Calculations and/or a listing of these adjustments may be made available upon request. For purposes of this budget proposal, the Superior Court takes consideration of the decreasing revenue projections and does not includes any increases in its personnel worksheet.

Total No. of Civil Service FTEs Requested	New	Current	Total
30	\$78,313	\$516,788	\$595,101

61100	WAGES/SALARIES - UNGRADED	\$1,200,800
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The Superior Court must maintain its current personnel/full-time employee level in order to meet its statutory duties and responsibilities. Funding for this category is requested to sustain the necessary personnel for all trial court services on Tinian, Saipan, and Rota, as the Court maintains offices and holds regular sessions on these islands. The amount is requested to budget for wages and salaries of 19 existing and 1 new ungraded positions. The trial court requests one new FTE allocation for the position of Secretary to the Presiding Judge; a position previously allocated to the trial court but left unfilled due to continuing budget constraints. This includes the salaries and wages of the Presiding Judge, four (4) Associate Judges, law clerks (research attorneys), legal secretaries, and others.

The ungraded positions in the budget categories are for those positions described as professional and administrative. The Court must maintain these positions in this fashion as it allows the Court flexibility in its hiring of these positions that are essential to addressing the caseload of Judges.

Total No. of Ungraded FTEs Requested	New	Current	Total
20	\$33,100	\$1,167,700	\$1,200,800

61180	PERSONNEL INSURANCE	\$71,836
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This amount is requested to cover the employer’s contribution to personnel insurance (CNMI group life and health insurance premiums) currently based at 4% of the total base salary.

61190	RETIREMENT CONTRIBUTIONS	\$133,332
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This amount is requested to cover the employer’s mandatory contribution to the selected retirement program. This requirement is mandated by CNMI law. The proposal projects a cost for 30 employees with the defined benefits (DB) plan at 11% of total base salary.

The Northern Mariana Islands Retirement Fund (NMIRF) Board of Trustees has adopted an actuarially determined rate of 37.3909% for the employer contribution to the DB plan. The Board posits that employers who do not contribute at this actuarially determined rate will show deficient employer’s contributions to their members’ benefits. The Superior Court submits its proposal listing the 18% rate for its DB plan employees as this is the rate currently assessed by the Executive Branch on payroll activities. As the Legislative Branch considers employer responsibilities in its Fiscal Year 2010 allocations, and in the event that funds availability commits the CNMI Government to the 37.3909% rate, the Superior Court requests that the amount in this category be re-calculated accordingly and provide for it in the Judiciary’s total budget allocation. Below is a summary of same:

I. Retirement Contribution Calculated at **Currently Used Rate:**

No. of FTEs	Total Personnel	Percentage	Total
29	\$1,212,111	11%	\$133,332

II. Retirement Contribution Calculated at **Actuarially Determined** Rate:

No. of FTEs	Total Personnel	Percentage	Total
29	\$1,212,111	37.3909%	\$453,219

61195	RETIREMENT CONTRIBUTIONS (401K DC PLAN)	\$23,352
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This amount is requested to cover the employer's mandatory contribution to the retirement program Defined Contribution (DC) Plan currently based on 4% of the total base salaries of the 21 court employees. This requirement is mandated by CNMI law.

No. of FTE	Total Personnel	Percentage	Total
21	\$583,790	4%	\$23,352

61200	HOUSING ALLOWANCE/SUBSISTENCE	\$39,600
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The Superior Court has five (5) law clerks, one assigned to each Judge. These law-degree positions are competitive. Most, if not all, will be off-island hires and require housing allowance. The amount requested in this budget is to cover housing allowances for the five (5) positions.

PROJECTED HOUSING ALLOWANCE	Per Month	Per Year
Law Clerk to Presiding Judge Naraja	600	7,200
Law Clerk to Associate Wiseman	600	7,200
Law Clerk to Associate Judge Manglona (with Dependents)	750	9,000
Law Clerk to Associate Judge Govendo (with Dependent)	750	9,000
Law Clerk to Associate Judge Inos	600	7,200
TOTAL	3,300	39,600

61220	MEDICARE CONTRIBUTION	\$26,041
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This amount is budgeted to cover the employer's contribution to the Medicare program currently based at 1.45% to total base salary. This requirement is mandated by CNMI law.

62050	OFFICIAL REPRESENTATION	\$500
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The Superior Court requests this budget to cover expenses associated with the constitutional and statutory duties of the Office of the Presiding Judge. The amount is to cover reasonable expenses to promote public interest and goodwill regarding topics central to the CNMI justice system. Goodwill events will include off-island visitors/guest programs, inter-island judicial exchanges, inter-agency functions, and other Judiciary-hosted projects.

62060	PROFESSIONAL SERVICES	\$5,000
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The amount requested in this category is cover the continuing cost of court-ordered services associated with trial court docket activities. It will cover payments for Pro Tem Judges (fees for Pro Tem Judges are paid at the rate of a sitting judge), special prosecutor(s) appointed to sit in judicial discipline cases, expenses incurred for paternity testing and other pre-trial proceedings costs in Family Court cases, and fees for the services of jury panels in cases disposed through trial by jury.

6_____	INDIGENT FEES & COSTS	\$100,000
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This category bears the biggest operational cost for the Court. The requested amount is to cover the continuing costs of court-ordered services associated with the legal defense of indigent clients. The following lists items paid for in prior fiscal years, and, will continue to be paid in Fiscal Year 2010: Court-appointed counsel, Court-appointed translators, Expert/Psychiatrist Fees, Investigative Fees, and Jury costs for court-appointed defense cases.

The requested amount covers attorney's fees for all indigent (criminal, traffic, juvenile, and paternity) defendants appearing before the trial court in all three islands. There are many instances where there are multiple defendants in a given case requiring the appointment of several attorneys. This budget will also include fees for listed experts and other expenses where justified by the indigent-defense parties. Due to the permanent demand for payment of these costs, the Superior Court has requested from the Secretary of Finance and/or Special Assistant of Management and Budget for consideration of a separate account to cover this particular category to differentiate it from the other professional services paid by the Court (as in the prior account code).

62070	PUBLIC AUDITOR'S FEE	\$22,915
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This amount covers the mandated 1% allocation from the total budget amount for the public auditor's fee. This requirement is mandated by CNMI law.

62080	ADVERTISING	\$250
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This budget category is requested to cover the advertising costs in relation to Court announcements to the public, bids, proposals, and CNMI-wide notices. The budget will cover costs for judicial notices required by rules, regulations, or statutes.

62090	RECRUITMENT & REPATRIATION	\$7,000
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The amount is requested to cover the costs of recruitment and repatriation of the trial court's law clerks. This will include airfare and related expenses for the law clerk and his/her dependent(s). A number of Superior Court law clerk contracts will expire during the fiscal year and will require the payment of these expenses. When contracts of current law clerks are not renewed, new recruitment must take place, and the requested amount is to cover this as well.

62250	COMMUNICATIONS	\$14,500
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This amount is requested to cover the cost of the following services for all three islands: monthly telephone, facsimile, cellular, internet, and e-mail. The funds will also cover other telecommunication charges like long distance calls and data service lines for the courthouses on each island. The Superior Court also has access to electronic research on LexisNexis. This is a legal resource that, included with other existing communication lines, must continue since it links the Superior Court to numerous legal publications that are required sources for issuance of court opinions. The mailing of child support, vendor payments, and court notices necessitates postage costs (*i.e.*, stamps) and this is included in this category.

62260	DUES AND SUBSCRIPTION	\$2,000
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This budget item is requested to cover membership dues in several Court, Probation, and Family Court organizations. The Superior Court is also a member of the Pacific Judicial Council in which membership dues are required. These organizations are important in order to keep the Court informed on issues confronting similar jurisdictions. Information and alternative funding concerning conferences, seminars, training, and legal innovations are promoted through these organizations and subscriptions.

62300	PRINTING AND PHOTOCOPYING	\$3,200
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This amount is budgeted to cover costs for printing and reproduction of forms, letterhead, business cards, and program brochures for docket procedures, reports and envelopes. The forms include administrative and legal documents used by the court staff, parties in litigation, and other

agencies. They include, but are not limited to, Judgment and Commitment Orders for Criminal and Traffic cases, forms for Pro Se litigants including Financial Affidavit, Divorce, Paternity, Probation Services, Civil Complaints, fiduciary receipts, etc.

62500	TRAVEL	\$10,000
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The amount is requested to cover travel expenses for judges, courtroom clerks, probation officers, and administrative staff, to Tinian and Rota to conduct the business of the Court in FY 2010. Civil, criminal, and family courts matter are scheduled on both islands twice monthly. In addition to the regularly set schedule, jury trials are calendared for both islands. The travel cost of judges and support staff attending all sessions will be charged to this category. Inter-island visits done by probation officers are to monitor and supervise defendants that are on probation and/or to do investigations to provide pre-sentence reports for Judges. On occasion, the recording and computer equipment on both islands require maintenance trips from the Court's computer specialists. National and regional travel is also funded from this category to meet continuing legal education enhancements for our general jurisdiction courts.

62660	REPAIR AND MAINTENANCE	\$9,500
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This amount is requested to cover repair and maintenance of copiers, computers, printers, courtroom recording equipment, and other office equipment for all three (3) islands. The Superior Court's operational dependency for these types of equipment is very high. For example, the Superior Court has six (6) general use copiers that are utilized daily to meet high volume reproduction and non-stop document handling. Optimal performance of this revenue-generating equipment requires periodic service and maintenance. The repairs and maintenance must therefore be done as quickly as possible and funds are requested for this purpose. Funds are also requested for repairs that will be necessary to the Court's vehicle fleet, courtroom air-conditioners, and other depreciating properties on all three islands.

62680	FREIGHT AND HANDLING	\$100
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This amount is allocated to cover freight, handling, and other shipping costs of court documents and/or items to Rota and Tinian and to off-island Pro Tem Judges assigned to cases in the Superior Court. Further, some machines and equipment (such as the Lanier and other recording equipment) must be sent off-island for repair as they are specialized equipment and no repairer or parts are available on-island.

62750	CLEANING SERVICES	\$2,500
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This amount is to cover the Superior Court's share in cleaning various offices and courtroom space, as necessary, on Rota, Saipan, and Tinian.

63010	BOOKS AND LIBRARY MATERIALS	\$4,500
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This budget is requested to pay for books, journals, periodicals, publications and instructional materials necessary for legal research and reference. A substantial amount is necessary to add and supplement volumes of legal texts to make the existing legal references functional and up-to-date. This amount covers the purchase of legal texts and reference materials that are strictly published for judges and are to be used in the Judges' chambers and administrative offices. Electronic research engines are also covered under this budget category.

63020	FOOD ITEMS	\$2,500
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This amount is requested to cover expenses for food items incurred during jury trials held on Rota, Saipan, and Tinian.

63030	FUEL AND LUBRICATION	\$3,500
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This amount is for purchase of fuel and vehicle maintenance of all Superior Court vehicles on Rota, Saipan, and Tinian. The fleet is used for probation investigation services, to transport jury pools and judges, to serve court documents, and to transport court staff while dispatching other court business.

63040	SUPPLIES - OFFICE	\$10,000
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This amount is requested to cover expenses related to purchases of office supplies for all Superior Court offices on the three islands: the offices of the Presiding Judge and Associate Judges, the Office of the Clerk of Court, the Office of Adult Probation, the Commonwealth Recorder's Office, and the Family Court Division. The supplies include: file folders, fasteners, number and month labels, cassette tapes (for recording sessions), pens, pencils, markers, highlighters, envelopes, writing tablets, staples, small office equipment (such as staplers, hole punchers, etc.), and copying paper.

63050	SUPPLIES - OPERATIONS	\$3,500
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This request is to cover expenses for anticipated equipment and/or industry-standard tools for use by the staff of the Office of Adult Probation, Clerk of Court, and the Commonwealth Recorder's Office. The probation officers must be properly equipped as they go out to enforce post-trial sentences imposed by the Court. Certain enforcement methods and precautions that need to take place require each officer to be equipped with proper tools. The Office of the Clerk of Court and the Commonwealth Recorder also require specialized supplies with its operational needs. Some of the requested funds will go towards the purchase of required items for recording and preserving documents and toners. Items included in this category are toners, inkjet cartridges, maintenance supplies, and restroom supplies.

OPERATING EXPENDITURE WORKSHEET

Dept.	JUDICIARY
Activity	Judiciary Administrative Office FY 2010
Bus. Unit	1694

CLASS CODE	Object Classification	FY 2008 Actual Cont. Res.	FY2009 Dept. Request	FY 2009 PL 16-32 Actual	FY 2010 Dept. Request
61090	Wages/Salaries -CSC		199,007		78,769
61100	Wages/Salaries - UNG		261,000		364,734
61180	Personnel Insurance (4%)		18,400		17,740
61190	Retirement Contribution (11%)		82,801		17,362
61195	401K DC Ret. Employer Contribution (4%)		0		11,427
61200	Subsistence Allowance		6,000		6,000
61220	Medicare Contribution (1.45%)		6,670		6,431
Total Personnel Costs		339,716	573,878	353,167	502,463
Number of Positions:				13	18
62050	Official Representation				0
62060	Professional Services		25,000		20,000
62070	Public Auditor 1%		14,005		14,929
62080	Advertising		300		300
62090	Recruitment & Repatriation		2,500		2,500
62100	Boards & Other Comp.				
Total Professional Services			41,805		37,729
62250	Communications		15,000		15,000
62260	Dues & Subscriptions		1,000		1,000
62280	Insurance				
62290	Licenses & Fees		25,000		25,000
62300	Printing & Photocopying		1,000		1,000
Total Office Expenses			42,000		42,000
62500	Travel		5,000		5,000
62660	Repair & Maintenance (Saipan)		150,000		100,000
62660	Repair & Maintenance (Rota)				25,000
62660	Repair & Maintenance (Tinian)				10,000
62710	Utilities (Saipan)	376,158	525,607	309,701	623,000
62710	Utilities (Rota)				64,000
62710	Utilities (Tinian)				27,000
62750	Cleaning Services (Saipan)		30,000		28,800
Total Others			705,607		877,800
63010	Books & Library Materials				
63020	Food Items		200		500
63030	Fuel & Lubrication (POL)		3,000		3,500
63040	Supplies - Office		1,000		1,000
63050	Supplies - Operations		20,000		15,000
Total Supplies			24,200		20,000
64510	Buildings				
64520	Improvements				
64540	Machinery, Tools & Equipment		3,000		3,000
64550	Computer Systems & Equipment		5,000		5,000
64560	Office Equipment				
64570	Office Furniture & Fixtures				
64580	Vehicles-Public Service Admin				
Total Capitalized Fixed Assets			8,000		8,000
Total All Others		75,819	826,612	26,275	276,529
Total Utilities and All Others		451,977		335,976	990,529
Total Personnel & All Others		791,693	1,400,490	689,143	1,492,992

**FISCAL YEAR 2010
JUDICIARY ADMINISTRATIVE OFFICE
BUDGET JUSTIFICATION**

The Commonwealth Judiciary Administrative Office oversees the operations and maintenance of the Guma Hustisia/Imwal Aweewe/House of Justice. Accordingly, this office must be staffed to assist the Chief Justice and the Presiding Judge in their administrative responsibilities. The budget includes the wages and salaries of the Director of Courts, Administrative Officer, Building Superintendent, Administrative Assistant, Building and Grounds Maintenance personnel, Marshals, Systems Administrator and Computer Specialists.

61090	WAGES/SALARIES – CIVIL SERVICE	\$78,769
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This amount is budgeted to cover the wages and salaries of 4 full-time civil service employee (FTEs) for the Judiciary Administrative Office.

POSITION OR TITLE CIVIL SERVICE	CURRENT FTE	TOTAL FTE
1. Administrative Assistant	1	1
2. Deputy Marshal III	1	1
3. Deputy Marshal II	1	1
4. Deputy Marshal Intern	1	1
Total Number of Personnel	4	4

61100	WAGES/SALARIES – UNGRADED	\$364,734
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This amount is budgeted to cover the wages of nine full-time ungraded employee slots (FTEs) for the Judiciary Administrative Office as shown in the following.

POSITION OR TITLE EXCEPTED SERVICE	CURRENT FTE
1. Director of Courts	1
2. Administrative Officer	1
3. Building Superintendent	1
4. Build & Grounds Maint. Wkr.	1
5. Systems Administrator	1
6. Computer Specialist I	1

7. Deputy Marshal I	1
8. Deputy Marshal Intern	2
Total Number of Personnel	9

In addition, the Judiciary Administrative Office requests for five (5) new FTE positions for the purpose of adding one chief Marshal in Saipan and one each Building and Grounds Maintenance Worker and one each Deputy Marshal I for Rota and Tinian Judicial Centers. The position of Marshal has been left unfilled since the previous incumbent left the position in 2007 due to continuing funding constraints facing the CNMI Judiciary. Moreover, the Tinian and Rota judicial centers have never had court security. The MSU has been challenged with severe human resource shortages. Neither court facilities on Rota or Tinian have had at any time maintenance personnel. The Judiciary respectfully requests funding for these positions to ensure the safety of staff and patrons in and much needed facilities upkeep for the Rota and Tinian Judicial Centers.

POSITION OR TITLE EXCEPTED SERVICE	NEW FTE
1. Marshal (Saipan)	1
2. Build & Grounds Maint. Wkr. (Rota)	1
3. Build & Grounds Maint. Wkr. (Tinian)	1
4. Deputy Marshal I (Rota)	1
5. Deputy Marshal I (Tinian)	1
Total Number NEW of FTEs	5

61180	PERSONNEL INSURANCE	\$17,740
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This amount is budgeted to cover the employer's mandatory contribution to personnel insurance (CNMI group life and health insurance premiums) currently based on 4% of the total base salaries of 18 employees. This requirement is mandated by CNMI law.

No. of FTE	Total Personnel	Percentage	Total
18	\$443,503	4%	\$17,740

61190	RETIREMENT CONTRIBUTION	\$17,362
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This amount is budgeted to cover the employer's mandatory contribution to the retirement program (Northern Mariana Islands Retirement Fund) currently based on 11% of the total base salaries of six employees. This requirement is mandated by CNMI law.

No. of FTE	Total Personnel	Percentage	Total
6	\$157,836	11%	\$17,362

However, the Northern Marianas Islands Fund (NMIRF) Board of Trustees has adopted an actuarially determined rate of 37.3909% as the necessary employer contribution to the DB plan. Should the Legislative Branch consider adjusting employer contributions in its Fiscal Year 2010 allocations to this rate as recommended by the NMIRF or should additional funding become available for appropriation, the Judicial Branch requests that the amount of its employer contributions to the NMIRF be adjusted accordingly.

No. of FTEs	Total Personnel	Percentage	Total
6	\$157,836	37.3909%	\$59,016

61195	RETIREMENT CONTRIBUTION (401K PLAN)	\$11,427
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This amount is budgeted to cover the employer’s mandatory contribution to the retirement program Defined Contribution (DC) Plan currently based on 4% of the total base salaries of 12 employees who have elected to participate in this plan. This requirement is mandated by CNMI law.

No. of FTE	Total Personnel	Percentage	Total
12	\$285,675	4%	\$11,427

61200	SUBSISTENCE/HOUSING ALLOWANCE	\$6,000
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This amount is requested to cover the housing allowance for hard-to-fill positions of the courts and is part of the government’s employment contract benefit for staff hired from outside the Commonwealth of the Northern Mariana Islands. Currently, the Judiciary Administration Office provides this benefit to one employee, the Systems Administrator, at a cost of \$500 per month, or \$6,000 per year.

61220	MEDICARE CONTRIBUTION	\$6,431
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This amount is budgeted to cover employer’s mandatory contribution to the Medicare program currently based on 1.45% of total base salaries. This budget category is included by the court to assure that sufficient funds are appropriated to cover Medicare costs for the 18 employees as required by law.

62060	PROFESSIONAL SERVICES	\$20,000
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This budget category is requested to cover the charges for professional services for support of the Judiciary's court case management system and online legal research contract.

62070	PUBLIC AUDITOR'S FEE	\$14,929
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This amount is requested to cover the Public Auditor's Fee at 1%.

62080	ADVERTISING	\$300
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This budget category is requested to cover advertising costs necessary to comply with existing laws on mandatory public announcements for bids, requests for proposals, and judicial public notices. Also, included will be costs for advertisements in local newspapers for court public notices, and publications announcements.

62090	RECRUITMENT & REPATRIATION	\$2,500
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This amount is budgeted to cover the costs of recruitment and repatriation of Systems Administrator. This category is typically used for airfare, and shipping of household items, and related expenses included in the employees' employment contracts/agreement.

62250	COMMUNICATIONS	\$15,000
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This budget category is requested to cover communications costs associated with the procurement of postage stamps and other mailing costs and for the payment of monthly telephone, and facsimile. It is anticipated that this category will increase due to greater communications needs of the Commonwealth Judiciary; as court technology advances, telecommunications play an ever-increasing role in the administration of justice in the Commonwealth.

62260	DUES & SUBSCRIPTIONS	\$1,000
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This budget category is requested to cover annual membership dues to various court management and other judicial legal publications. The Commonwealth Judiciary is a member of several organizations including the Conference of Court Administrators, American Bar Association, National Association for Court Management, National Conference of Bar Examiners, and other related professional organizations. Membership to these organizations are extremely beneficial to the Commonwealth Judiciary as they provide the forum for exchange of vital information on judicial administration, court technology, bar admission, and other related court management practices.

62290	LICENSES & FEES	\$25,000
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This amount is budgeted for payment of the annual license fees of software programs, court vehicles, and other matters that need special licenses and fees.

62300	PRINTING & PHOTOCOPYING	\$1,000
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This amount is budgeted to cover costs for printing of forms, letterheads, and envelopes for the Administrative Office.

62500	TRAVEL	\$5,000
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This amount is requested to pay for the cost of sending maintenance staff to the Tinian and Rota courthouses periodically for inspection, repairs, and maintenance. It also will be used to send court personnel to attend national and regional conferences and seminars conducted by the National Center for State Courts, the Institute for Court Management, the National Conference of Bar Examiners, and the National Association of Court Management.

62660	REPAIR & MAINTENANCE (SAIPAN, TINIAN AND ROTA)	\$135,000
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This amount is budgeted to cover repairs and maintenance of specialized equipment, machines, and air conditioning systems of the Saipan, Rota, and Tinian judicial centers. Equipment includes but is not limited to water pumps, fan motors, a reverse osmosis system and air conditioning systems. This amount also includes the cost of outsourcing maintenance to the six elevators located in the Guma Hustisia, required to maintain compliance with ADA requirements.

62710	UTILITIES (SAIPAN)	\$623,000
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This budget category is requested for utilities expenses incurred by the Judiciary's Saipan Facility, the Guma' Hustisia/Iimwaal Aweewee/House of Justice. This includes electrical, water, and sewer disposal fees assessed by the Commonwealth Utilities Corporation. Based on our current usage, the \$309,701 previously appropriated for all the Judiciary's utilities will fall far short of estimated FY 2010 expenses. In FY 2008, the Saipan judicial facility consumed an average of 135,500 kilowatt hours per month and a total of 1.6 megawatt hours for the fiscal year. As electric rates fluctuate, so will our actual expense. However, it is highly unlikely that electric rates will decline the proportion needed to prevent a deficit.

62710	UTILITIES (ROTA)	\$64,000
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In FY 2008, the Rota Judicial Center consumed an average of 13,200 kilowatt hours per month and a total of 158,560 kilowatt hours in the fiscal year. Based on this rate of usage, we anticipate a need for \$64,000 to pay for the cost of utilities to the Rota Judicial Center.

62710	UTILITIES (TINIAN)	\$27,000
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In FY 2008, the Tinian Judicial Center consumed an average of 5,500 kilowatt hours per month and a total of 65,325 kilowatt hours in the fiscal year. Based on this rate of usage, we anticipate a need for \$27,000 to pay for the cost of utilities to the Tinian Judicial Center.

62750	CLEANING SERVICES	\$28,800
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This budget category is requested for cleaning and other janitorial services for the Saipan Judicial Complex (Guma Hustisia/Imwal Aweewe/House of Justice).

63020	FOOD ITEMS	\$500
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This budget category is for the purchase of drinkable water.

63030	FUEL & LUBRICATION	\$3,500
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This budget category is requested to cover fuel and lubrication costs for all vehicles used. The costs will include gasoline, oil, and other lubrications used by the court. Additional funds for fuel and lubricants are budgeted for lawn mowers, bush cutters, and other related equipment used by the grounds maintenance staff. Additionally, portions of this budget will be used to pay for the fuel and oil expenses of the reserve fuel tank that has been installed to provide fuel for the emergency generator of the court.

63040	SUPPLIES – OFFICE	\$1,000
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This budget category is requested to cover office supplies to enable the courts to function effectively and efficiently and will include reasonable expenses for stationery supplies such as paper, folders, pencils, pens, paper clips, fasteners, erasers, logbooks, computer diskettes and discs, printer inks, labels, stickers, binders, folders, staplers, staples, toners, dry ink, and other expendable office supplies.

63050	SUPPLIES – OPERATIONS	\$15,000
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This budget category is requested to enable the courts to purchase parts for the Guma Hustisia's air conditioning systems, electrical, plumbing supplies, batteries, and ground maintenance supplies. This category will also purchase batons, marshal uniforms, and other related supplies for the operation of the Marshal Service Unit.

64540	MACHINERY, TOOLS & EQUIPMENT	\$3,000
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This budget category requested to cover machinery, tools, and equipment costs for the building operations and maintenance. Items anticipated to be procured will include small tools such as wrenches, pliers, screw drivers, gardening tools, and other related items. Additionally, this budget category will pay for elevator telephone equipment. The installation of the telephone equipment will bring the Judiciary into compliance with the Americans with Disabilities Act.

64550	COMPUTER SYSTEMS & EQUIPMENT	\$5,000
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This budget category is requested to upgrade the Judiciary's server infrastructure.

OPERATING EXPENDITURE WORKSHEET

Department	JUDICIARY
Activity	Law Revision Commission
Bus. Unit	1692

Class Code	Object Classification	FY 2009 PL 16-32 Actual	FY 2010 Department's Request
61090	Wages/Salaries - CSC		
61100	Wages/Salaries - Ung	184,091	198,500
61180	Personnel Insurance		7,940
61190	Retirement Contribution		21,835
61200	Subsistance		6,000
61220	Medicare Contribution		2,878
61240	Workmen's Compensation		
61270	30% Retirement Bonus		
	Total Personnel Costs	184,091	237,153
	Number of Positions	5	5
62070	<i>Public Auditor's 1% Fee</i>		2,848
62050	Official Representation		
62060	Professional Services		5,500
62080	Advertising		300
62090	Repatriation		7,000
62100	Boards and Other Comp.		
	Total Professional Services		15,648
62250	Communications		11,000
62260	Dues and Subscriptions		200
62280	Insurance		
62290	Licenses and Fees		300
62300	Printing and Photocopying		
	Total Office Expenses		11,500
62500	Travel		0
62660	Repair & Maintenance		1,000
62680	Freight & Handling		800
62690	Personnel Training Cost		500
62700	Storage and Handling		
62750	Cleaning Services		
	Total Others		2,300
63010	Books and Library Materials		500
63020	Food Items		200
63030	Fuel and Lubricate		500
63040	Supplies Office		5,000
63050	Supplies Operations		
	Total Supplies		6,200
64510	Buildings		
64520	Improvements		
64550	Computer Systems & Equip.		12,000
64560	Office Equipment		
64570	Office Furniture & Fixtures		
	Total Capitalized Fixed Asset		12,000
	Total All Others	24,300	47,648
	Total Personnel & All Others	208,391	284,801

**FISCAL YEAR 2010
LAW REVISION COMMISSION
BUDGET JUSTIFICATION**

61100	PERSONNEL SERVICES	\$198,500
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This amount is budgeted to cover the wages cost of 5 personnel (FTE). The 5 FTE's consist of the Executive Director (codifies the Commonwealth Code), two Staff Attorneys (1 codifies the Administrative Code and 1 compiles the Judicial Reporters), one Executive Assistant, and one Publications Clerk. The meticulous and technological aspects of the personnel positions demand competitive salaries which are critical for the Commission to attract and retain the necessary efficient and competent personnel.

61180	PERSONNEL INSURANCE	\$7,940
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This amount is budgeted to cover the employer's mandatory contribution to personnel insurance currently base at 4% of the total base salaries of 5 employees. This requirement is mandated by CNMI law.

61190	RETIREMENT CONTRIBUTIONS	\$21,835
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This amount is budgeted to cover the employer's mandatory contribution to the retirement program (Northern Mariana Islands Retirement Fund) currently based at approximately 11% of the total base salaries of 5 employees.

61200	SUBSISTENCE/HOUSING ALLOWANCE	\$6,000
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This amount is budgeted to cover the housing allowances of professional and hard-to-fill positions and is part of the government's employment contract benefit for staff hired outside of the Commonwealth of the Northern Mariana Islands. Subsistence allowances are a substantial recruiting tool as the NMI currently offers among the lowest salary of any of the state and territories. This amount is necessary to recruit staff attorneys. Without the ability to offer subsistence allowance, the judicial branch's diminishes its ability to attract and keep quality law clerks that are vital for efficient operation.

61220	MEDICARE CONTRIBUTION	\$2,878
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This amount is budgeted to cover the employer's mandatory contribution to the Medicare program currently based at 1.45%.

62070	PUBLIC AUDITOR'S FEE	\$2,848
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This amount is requested to cover the Public Auditor's Fee at 1%.

62060	PROFESSIONAL SERVICES	\$5,500
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For necessary professional services including proofreaders to proofread and cross-check draft publications of Commission publication projects.

62080	ADVERTISING	\$300
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For (1) meeting and publication announcements in local newspapers; and (2) advertising in national legal publications for personnel vacancies.

62090	RECRUITMENT & REPATRIATION	\$7,000
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For the Commission to recruit a staff attorney should it be unable to hire a qualified professional from the CNMI.

62250	COMMUNICATIONS	\$11,000
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For the following expenses: (1) local, long distance, and Fax telephone services; (2) Internet connections necessary for updating and upkeeping the Commission's Internet site, and for doing legal research; and (3) packaging and mailing of Commission publications. **This amount is necessary for the Commission to serve the public through its website and to make publications available.**

62260	DUES AND SUBSCRIPTION	\$200
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Funds requested are for the following expenses: (1) dues for membership in the Association of Reporters of Judicial Decisions; (2) dues for membership in the National Conference of State Legislatures; (3) annual federal library use fee; and (4) subscriptions to publications of related professional organizations.

62290	LICENSES & FEES	\$300
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For user licenses of various professional software applications needed to create and maintain publications, and for vehicle registration.

62660	REPAIR AND MAINTENANCE	\$1,000
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For repairing and servicing photocopier, computers, and other electronic office equipment. The maintenance and repair of LRC's photocopier/printer is critical to the production of statutory and administrative code updates (supplements).

62680	FREIGHT & HANDLING	\$800
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For delivery of publications from stateside publishers to the Commission.

62690	PERSONNEL TRAINING COST	\$500
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For conference, training, workshop fees needed to keep abreast on the latest technological aspects/advances to improve jurisprudential accessibility and efficiency and for attorneys to meet continuing legal education requirements.

63010	BOOKS & LIBRARY MATERIALS	\$500
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For update supplements and update reference volumes such as Sutherlands on Statutory Construction, legislative manuals, legal dictionaries, blue book, and other reference materials required by the Commission in carrying out its daily duties.

63020	FOOD ITEMS	\$200
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For daily drinking water and also for food related to the activities and operation of the commission such as light refreshments at Commission meetings.

63030	FUEL & LUBRICATION	\$500
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Requested to cover fuel costs of employees on official business using the Commission vehicle, and for routine lubrication of the Commission vehicle.

63040	SUPPLIES – OFFICE	\$5,000
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For consumption of paper, ink cartridges, and toner used in photocopying and printing Commission publications and drafts of publication prior to final publication, and for several other items commonly used in office work. **This amount is necessary for the Commission to codify and publish the Commonwealth and Administrative Code Supplements.**

64550	COMPUTER SYSTEMS & EQUIPMENT	\$12,000
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For routine and required upgrades of computer systems (example, necessary upgrade to Windows Vista) and components which are essential in creating and maintaining legal publications created by the Commission and for the continued productivity and efficiency of the Commission, especially considering the small number of staff. **This amount is necessary for the Commission to compile and publish the Commonwealth and Administrative Code Supplements and to prepare NMI Digest Volume 7.**