



FY 2011
Budget
Request

CNMI Judicial Branch

Supreme Court
Superior Court
Judiciary Administrative Office
Law Revision Commission

March 2010



March 15, 2010

The Honorable Froilan C. Tenorio
Speaker of the House
17th Commonwealth Legislature
Commonwealth Northern Mariana Islands
Saipan, MP 96950

The Honorable Paul A. Manglona
President of the Senate
17th Commonwealth Legislature
Commonwealth of the Northern Mariana Islands
Saipan, MP 96950

Subject: NMI Judiciary FY 2011 Budget Request

Dear Speaker Tenorio and President Manglona:

Please find attached the NMI Judiciary's consolidated budget request for Fiscal Year 2011, submitted pursuant to Article IV, Section 9(b) of the NMI Constitution. The Judiciary requests \$5,562,398 to fund the Supreme Court (1691), Superior Court (1690), Commonwealth Judiciary Administrative Office (1694), and the Commonwealth Law Revision Commission (1692) for FY 2011.

NMI Judiciary Administrative Unification Efforts

The CNMI Judiciary has accelerated efforts to strengthen its role as an independent third branch. While engaged in comprehensive strategic planning and reviewing performance standards to measure levels of achievement, it defined and implemented several goals to ensure a forward-moving internal reform process. The reforms involve both the trial and appellate courts, cover personnel from all divisions within the Judiciary, and affect courthouse functions on the islands of Rota, Saipan, and Tinian.

An integral phase of the strategic planning started in Calendar Year 2007 and continued through Calendar Year 2009. Two consultative reports, made possible through grants from the State Justice Institute, were issued through the combined efforts of all CNMI sitting jurists, senior court managers, and the National Center for State Court's experts on court administration and jurisprudence. The reports enumerated prescriptive steps for the CNMI Judiciary to unify its Supreme and Superior Courts' administrative functions without graying or crossing the clear line between the judicial functions of the trial and appellate courts. This NCSC-assisted phase brought the CNMI Judiciary to look at itself from within, to review and redefine any outdated

structures and processes, and to ascertain methods of maximizing performance and resource outputs. It has been a work in and towards progress for a more accessible and efficient Judiciary.

A realization of one of the Judiciary's implementation goals was achieved on December 1, 2009. On this day, after a 60-day period with the 16th CNMI Legislature and pursuant to Article 4, § 9 of the N.M.I. Constitution, Rule 52 of the NMI Supreme Court Rules took effect. This rule formally established a Judicial Council to be the authoritative body to oversee and set policy for court administration matters. Comprised of senior level jurists and court managers, along with the President of the NMI Bar Association, the Judicial Council started meeting immediately in January of 2010.

The Judicial Council has since moved to improve the courts' administrative structure and implemented court unification benchmarks. It formally recognized the already established Commonwealth Judiciary Administrative Office, headed by the Director of Courts. Shared areas of concern in human resource management, asset and fiscal management, court security, facility management, information technology, public information programs, and other administrative functions would be pooled from both courts to fall under the umbrella of this office.

Admittedly, this process requires the sharing of skilled personnel and funding for various activities. The staffing implications pose greater challenges given existing personnel shortages in all divisions of the courts. This is further compounded by budgetary constraints that impose on the Judiciary to continue to function with a multi-tasking skeleton crew to respond to competing demands for services. Notwithstanding these challenges, the Judiciary is committed to doing its part in observing austere measures and has mapped a preliminary transfer of staff and funds from various sections of the trial court to the CJAO. The transfer would centralize personnel and resources to address the administrative needs, services, and programs of both courts.

Notable Changes in FY 2011 Budget Request

- **Transfer of FTEs from Supreme (1691) and Superior (1690) Courts to the Commonwealth Judiciary Administrative Office (1694)**

In line with the Judiciary's administrative unification efforts, the Judicial Council approved the transfer of a total of 16 full time employees whose job duties are administrative in nature from the Supreme and Superior Courts respectively into the CJAO. Included in this lateral transfer are staffs of the Commonwealth Recorder's Office, Superior Court Administrative Services Unit, and chamber staff of both the Supreme and Superior Courts. The total amount in salary and wages and benefits requested to be transferred into the CJAO is \$564,676.

- **Transfer of Operating Expenses from Supreme (1691) and Superior (1690) Courts to the Commonwealth Judiciary Office (1694)**

Also in line with the Judiciary's administrative unification efforts, the Judicial Council moved to transfer select operating expenses into the CJAO to achieve greater administrative efficiencies. These accounts include all non-personnel expenses, with the

exception of recruitment and repatriation expenses associated with hiring qualified law clerks and the mandatory Public Auditor's Fee for each account respectively. The total amount for these accounts, to benefit the entire Judiciary, is \$619,043.

- **Change in Calculation of Life and Health Insurance Benefit Employer Contributions**

Life Insurance. Effective January 1, 2010 (Fiscal Year 2010), Individual Assurance Company (IAC) was selected by the NMI Retirement Fund as the insurance carrier for CNMI Government employees. The terms of the group life program mandates 50% payment by the Government of the premium cost. The total rate is \$.60 per \$1,000 bi-weekly or \$.65 per \$1,000 semi-monthly. With its bi-weekly payroll terms, the Judiciary calculates its cost at \$.30 per \$1,000 of actual bi-weekly wages and salary for enrolled staff. The Judiciary's total employer's share of life insurance is \$36,558.

Health Insurance. Effective November 8, 2009 (in FY 2010), the NMI Retirement Fund mandated 50/50 employer and employee contributions on the premiums paid to the insurance carrier (Aetna). With its bi-weekly payroll terms, the Judiciary calculates its cost on actual enrollment (for single, couple or family) by staff. The Judiciary's total employer's share of health insurance is \$130,831.

- **Change in Calculation of Defined Benefit Retirement Employer Contributions**

The Judiciary's FY 2011 budget request assumes an employer's mandatory contribution cost of 37.3909% of total base salaries for those employees who continue to be enrolled in the NMI Retirement Fund's Defined Benefit (DB) plan. The Northern Mariana Islands Retirement Fund (NMIRF) Board of Trustees had 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. A Court order in *Northern Mariana Islands Retirement Fund v. Commonwealth of the Northern Mariana Islands*, et al., CNMI Superior Court Civil Action No. 06-0367 gives judicial notice related to payments on this issue.

As the Legislative Branch considers employer responsibilities in its Fiscal Year 2011 allocations, and in the event it continues its position that projected revenues commit the CNMI Government to a lower rate, the NMI Judiciary 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:

- 46 FTEs with DB Plan at 37.3909%
Actuarially Determined Rate: \$718,490

- **Discontinuation of Subsistence/Housing Benefits for Select Employees**

The Judicial Council moved to discontinue the provision of subsistence/housing allowance for law clerks and other hard to fill positions and transferred the correlating amounts directly into wages and salary for these positions.

- **Request for Additional FTEs**

The NMI Judiciary also requests funding for seven additional FTE positions, as follows:

NEW FTEs REQUESTED		
	POSITION OR TITLE	Base Salary
1	Secretary to Presiding Judge	\$33,100
2	Grants Coordinator	\$35,000
3	Staff Attorney	\$55,000
4	Mechanic/Maintenance Engineer	\$20,000
5	Deputy Clerk I (AJDAW)	\$20,485
6	Deputy Clerk I (AJKLG)	\$20,485
7	Deputy Clerk I (AJPBI)	\$20,485
	Total	\$143,100

The Judiciary maintains that these positions are essential to the efficient operation of court services and is in accordance with the recent administrative unification efforts. While the positions of Secretary to the Presiding Judge and Deputy Clerks have been previously afforded to the Superior Court, the positions had remained unfilled in prior fiscal years due to continuing budgetary constraints. The positions of Grants Coordinator, Staff Attorney, and Mechanic/Maintenance Engineer are new positions altogether and are requested to support the Judiciary's administrative unification efforts.

Law Revision Commission (1692)

The Commonwealth Law Revision Commission requests \$301,107 for the basic operation of the Commission office. The requested budget amount reflects the actual needs of the Commission on order to fulfill 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 updating its publications. 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 NMI Reporter with digest. The lack of this publication makes it difficult for lawyers, judges, legislators and interested community members to efficiently research CNMI case law. The Commission's inability to update all three publications on a regular basis is due to limited staffing and the budgetary impact of various governmental austerity measures.

The Commission recognizes that the CNMI has declining revenues due to a suffering economy and tough choices need to be made by the Legislature while it prepares a final budget bill.

The Commission is merely a tiny part of the overall CNMI budget; yet it produces vital products needed by all government branches and agencies, lawyers, businesses, investors, and the entire community. If it is to continue produce necessary legal publications and provide the community with access to CNMI law, the Commission simply cannot withstand any more budget cuts.

Conclusion

The NMI Judiciary continues to meet its obligation to be a good partner in government during the ongoing fiscal crisis afflicting the CNMI Government. We have consistently stood ready to partner with other government agencies, particularly in the criminal justice network, to assist in many ways. We have also taken numerous actions to reduce our personnel and operating expenses, such reducing staff size through attrition and cancelling maintenance and janitorial contracts. However, there must be a clear understanding about the absolute necessity and importance of providing the court with adequate funding and the flexibility to determine how best to reduce operating expenses without jeopardizing our constitutionally mandated duties. Under our constitutional system, the Judiciary is responsible for upholding the rule of law upon which all our society's 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 or other similar mechanism. As always, please feel free to contact us directly at your convenience.

Si Yu'us Ma'ase,

Miguel S. Demapan
Chief Justice

David A. Wiseman
Acting Presiding Judge

Cc: Hon. Ramon S. Basa, Chairman, House Committee on Ways and Means and Honorable Members of the House of Representatives
Hon. Jovita M. Taimano, Chairwoman, Senate Committee on Fiscal Affairs and Honorable Members of the Senate

OPERATING EXPENDITURE WORKSHEET

Dept.	JUDICIARY FY 2011
Activity	Supreme Court/Superior Court/Commonwealth Judiciary Administrative Office/Law Revision Commission
Bus.	
Units	1691/1690/1694/1692

CLASS CODE	OBJECT CLASSIFICATION	SUPREME COURT	SUPERIOR COURT	ADMINISTRATIVE OFFICE	LAW REVISION COMMISSION	GRAND TOTAL
61090	Wages/Salaries - CSC	0	436,074	219,329	0	655,403
61100	Wages/Salaries - Ung	689,000	1,051,000	684,932	201,000	2,625,932
61180	Personnel Insurance	4,571	15,257	13,595	3,136	36,558
61190	Retirement Contribution (37.3909%)	154,051	353,276	177,512	33,652	718,490
61195	401K D.C. Retirement Contribution (4%)	11,080	21,690	17,181	4,440	54,391
61200	Subsistence/Housing Allowance	0	1,510	0	0	1,510
61210	Health Insurance Premium	26,587	47,453	40,637	16,154	130,831
61220	Medicare Contribution (1.45%)	9,991	21,563	13,112	2,915	47,579
Total Personnel Costs		895,278	1,947,821	1,166,298	261,296	4,270,694
	Number of Positions:	9	35	33	5	82
62050	Official Representation	0	0	5,500	0	5,500
62060	Professional Services	0	0	85,000	7,000	92,000
620__	Indigent Fees & Costs	0	0	100,000	0	100,000
62070	Public Auditor's Fee	9,104	19,746	23,763	3,011	55,624
62080	Advertising	0	0	1,080	300	1,380
62090	Recruitment & Repatriation	6,000	7,000	0	0	13,000
62100	Boards & Other Comp.					0
Total Professional Services		15,104	26,746	215,343	10,311	267,504
62250	Communications	0	0	39,500	10,000	49,500
62260	Dues & Subscriptions	0	0	28,000	200	28,200
62280	Insurance	0	0	1,000	0	1,000
62290	Licenses & Fees	0	0	26,000	300	26,300
62300	Printing & Photocopying	0	0	9,200	0	9,200
Total Office Expenses		0	0	103,700	10,500	114,200
62500	Travel	0	0	35,000	0	35,000
62660	Repair & Maintenance (Saipan)	0	0	114,500	1,000	115,500
62660	Repair & Maintenance (Rota)			25,000		25,000
62660	Repair & Maintenance (Tinian)			10,000		10,000
62680	Freight & Handling	0	0	300	800	1,100
62690	Personnel Training Cost	0	0	2,000	3,000	5,000
62710	Utilities (Rota, Saipan, Tinian)			591,000	0	591,000
62750	Cleaning Services (Rota, Saipan, Tinian)		0	50,000		50,000
Total Others		0	0	792,800	4,800	797,600
63010	Books & Library Materials	0	0	7,500	500	8,000
63020	Food Items	0	0	3,200	200	3,400
63030	Fuel & Lubrication (POL)	0	0	10,100	500	10,600
63040	Supplies - Office	0	0	13,400	5,000	18,400
63050	Supplies - Operations	0	0	18,500		18,500
Total Supplies		0	0	52,700	6,200	58,900
64510	Buildings					0
64520	Improvements					0
64540	Machinery, Tools & Equipment			3,000	0	3,000
64550	Computer Systems & Equipment	0		7,500	8,000	15,500
64560	Office Equipment					0
64570	Office Furniture & Fixtures					0
Total Capitalized Fixed Assets		0	0	10,500	8,000	18,500
Total All Others		15,104	26,746	1,210,043	39,811	1,291,704
Total Personnel and All Others		910,382	1,974,567	2,376,341	301,107	5,562,398

OPERATING EXPENDITURE WORKSHEET

Dept.	JUDICIARY
Activity	Supreme Court Fiscal Year 2011
Bus. Units	1691

CLASS CODE	Object Classification	FY2009 PL 16-32 Actual	FY 2010 Continuing Resolution	FY 2011 Budget Request
61090	Wages/Salaries - CSC			
61100	Wages/Salaries - UNG			689,000
61180	Personnel Insurance			4,571
61190	Retirement Contribution (37.3909%)			154,051
61195	401K DC Ret. Employer Contribution			11,080
61200	Subsistence Allowance			0
61210	Health Insurance Premium			26,587
61220	Medicare Contribution (1.45%)			9,991
61230	Lump Sum Payment of A/L			0
61270	30% Retirement Bonus			0
Total Personnel Costs		703,033	703,033	895,278
	Number of Positions:	11	11	9
62050	Official Representation			0
62060	Professional Services			0
62070	Public Auditor's Fee 1%			9,104
62080	Advertising			0
62090	Recruitment & Repatriation			6,000
62100	Boards & Other Comp.			
Total Professional Services				15,104
62250	Communications			0
62260	Dues & Subscriptions			0
62280	Insurance			0
62290	Licenses & Fees			0
62300	Printing & Photocopying			0
Total Office Expenses				0
62420	Rental - Vehicles			
62430	Rental - Housing			
62440	Rental - Offices			
62460	Rental - Office Equipment			
Total Rentals				0
62500 Travel				0
62660	Repair & Maintenance			0
62680	Freight & Handling			
62690	Personnel Training Cost			0
62700	Storage & Handling			
62710	Utilities			
62750	Cleaning Services			
Total Others				0
63010	Books & Library Materials			0
63020	Food Items			0
63030	Fuel & Lubrication (POL)			0
63040	Supplies - Office			0
63050	Supplies - Operations			
Total Supplies				0
64510	Buildings			

64520	Improvements			
64540	Machinery, Tools & Equipment			
64550	Computer Systems & Equipment			0
64560	Office Equipment			
64570	Office Furniture & Fixtures			
Total Capitalized Fixed Assets				0
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Total All Others		119,326	119,326	15,104
Total Personnel & All Others		822,359	822,359	910,382

PERSONNEL SERVICE WORKSHEET

Dept.	JUDICIAL BRANCH
Activity	SUPREME COURT FY 2011
Bus. Unit	1691

Job Code	Position Title	Incumbent	* FY'10 PAY LEVEL*				* FY'11 Request*			
			Emp. Stat.	Grade Step	Base Salary	Allow.	Emp. Stat.	Grade Step	Base Salary	Allow.
1	9028	CHIEF JUSTICE	APT	UNG	130,000	DB	APT	UNG	130,000	DB
2	9014	ASSOCIATE JUSTICE	APT	UNG	126,000	DB	APT	UNG	126,000	DB
3	9014	ASSOCIATE JUSTICE	APT	UNG	126,000	DB	APT	UNG	126,000	DB
4	1873	LAW CLERK (C.J.)	ESC	UNG	44,600	DC	ESC	UNG	53,000	DC
5	1873	LAW CLERK (C.J.)	ESC	UNG	0		ESC	UNG	53,000	DC
6	1873	LAW CLERK (A.J.)	ESC	UNG	44,600	DC	ESC	UNG	53,000	DC
7	1873	LAW CLERK (A.J.)	ESC	UNG	42,000	DC	ESC	UNG	53,000	DC
8	1940	CLERK OF COURT	ESC	UNG	67,800	DC	ESC	UNG	65,000	DC
9	1940	ASST CLERK OF COURT	ESC	UNG	20,000	DC	ESC	UNG	30,000	DB
10	940	SECRETARY (C.J.)	ESC	UNG	40,000	DB	TRANSFERRED TO JUDICIARY ADMINISTRATIVE OFFICE (ACCT 1692)			
11	940	SECRETARY (A.J.)	ESC	UNG	38,202	DB				
12	940	SECRETARY (A.J.)	ESC	UNG	32,000	DB				

WAGES AND OTHERS:			
Civil Service	0	0	0
Limited Term Appointment	0	0	0
Appointed and/or Elected	3	382,000	3 382,000
Excepted Service Contracts	9	219,000	6 307,000
Total Wages & Others	12	601,000	9 689,000
BENEFITS:			
Health Insurance	12	24,040	9 26,587
Life Insurance			4,571
Retirement DB (37.3909%)	6	88,596	4 154,051
Retirement DC (4%)	6	8,760	5 11,080
Medicare (1.45%)	12	8,715	9 9,991
Housing Allowance	5	31,200	0 0
Total Personnel Benefits		161,311	206,278
TOTAL FTEs, PERSONNEL COMPENSATION & BENEFITS	12	762,311	9 895,278

**FISCAL YEAR 2011
SUPREME COURT
BUDGET JUSTIFICATION**

61100	WAGES/SALARIES UNGRADED	\$689,000
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This amount is requested to maintain the wages and salaries of Commonwealth Supreme Court current eight personnel and one additional Full Time Employees (FTEs).

The eight current FTEs consist of the Chief Justice and two Associate Justices, three law clerks, 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. Previous Supreme Court budgets also included FTEs for one secretary for each of the three Justices. However, beginning in FY 2011, the Supreme Court requests that these three FTE positions be transferred to the Commonwealth Judiciary Administrative Account (CJAO) in line with the Judiciary's efforts for administrative unification.

I. FTEs FOR TRANSFER FROM SUPREME COURT (1691) TO CJAO (1694)					
	Position Title	Incumbent	Grade/Step	Base Salary	Option
1	SECRETARY (C.J.)		ESC	40,000	DB
2	SECRETARY (A.J.)		ESC	38,202	DB
3	SECRETARY (A.J.)		ESC	32,000	DB
	TOTAL			\$110,202	

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. In multiple cases, the defendants had already served their entire sentence before their appeal was heard. Even more troubling, in one instance a defendant had his conviction overturned after having already spent over three years in jail. Currently, the Supreme Court has twelve criminal cases pending before it. Eight of these are over one year old, and five 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
9	\$53,000	\$636,000	\$689,000

61180	PERSONNEL INSURANCE		\$4,571
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This amount is requested to cover the employer’s mandatory contribution to the select life insurance carrier for the group plan administered by the NMI Retirement Fund. Effective January 1, 2010 (FY 2010), Individual Assurance Company (IAC) was selected by the NMI Retirement Fund as the insurance carrier for CNMI Government employees. The terms of the group life program mandates 50% payment by the Government of the premium cost for those employees who have elected to enroll in this program. The total rate as calculated is \$0.60 per \$1,000 bi-weekly or \$0.65 per \$1,000 semi-monthly. With its bi-weekly payroll terms, the Supreme Court calculates its cost at \$0.30 per \$1,000 bi-weekly for enrolled staff.

61190	RETIREMENT CONTRIBUTIONS		\$154,051
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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 37.3909% of the total base salaries of the four Supreme 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
4	\$412,000	37.3909%	\$154,051

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 2011 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.

61195	RETIREMENT CONTRIBUTIONS (401K DC PLAN)		\$11,080
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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 five court employees. This requirement is mandated by CNMI law.

No. of FTEs	Total Personnel	Percentage	Total
5	\$277,000	4%	\$11,080

61200	SUBSISTENCE/HOUSING ALLOWANCE	\$0
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The Supreme Court hires professional attorneys from off-island. This amount has historically been 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. However, beginning in FY 2011, in lieu of subsistence allowance, the Supreme Court requests that a corresponding amount be given to each law clerk in wages and salary.

61210	HEALTH INSURANCE PREMIUM	\$26,587
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This amount is requested to cover the employer's mandatory contribution to the selected health insurance company with the group plan administered by the NMI Retirement Fund. Effective November 8, 2009 (in FY 2010), the NMI Retirement Fund mandated 50/50 employer and employee contributions on the premiums paid to the insurance carrier (Aetna). There are three categories available to Supreme Court employees:

Type	Code	Employer's Bi-Weekly Contribution
Single	1	\$64.72
Couple	2	\$132.68
Family	3	\$207.10

The Supreme Court requests \$26,587 for the health insurance premium based on the employees' actual enrollment.

61220	MEDICARE CONTRIBUTION	\$9,991
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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 \$677,000. This budget category is included by the court to ensure that sufficient funds are appropriated to cover Medicare costs for the nine Supreme Court employees as required by law.

No. of FTEs	Total Personnel	Percentage	Total
9	\$689,000	1.45%	\$9,991

62050	OFFICIAL REPRESENTATION	\$0
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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. Again, in line with the Judiciary's efforts to unify court administrative functions, the Supreme Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

62060	PROFESSIONAL SERVICES	\$0
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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. Again, in line with the Judiciary's efforts to unify court administrative functions, the Supreme Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

62070	PUBLIC AUDITOR'S FEE	\$9,104
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This amount is requested to cover the required Public Auditor's Fee at 1%.

62080	ADVERTISING	\$0
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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. Again, in line with the Judiciary's efforts to unify court administrative functions, the Supreme Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

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 FY2011 and recruitment of their replacements.

62250	COMMUNICATIONS	\$0
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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. Again, in line

with the Judiciary's efforts to unify court administrative functions, the Supreme Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

62260	DUES & SUBSCRIPTION	\$0
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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. Again, in line with the Judiciary's efforts to unify court administrative functions, the Supreme Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

62280	INSURANCE	\$0
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This amount is allocated to cover costs of procuring premises liability insurance for the Guma Hustisia/Imwal Aweewe. Again, in line with the Judiciary's efforts to unify court administrative functions, the Supreme Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

62290	LICENSE & FEES	\$0
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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. Again, in line with the Judiciary's efforts to unify court administrative functions, the Supreme Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

62300	PRINTING & PHOTOCOPYING	\$0
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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. Again, in line with the Judiciary's efforts to unify court administrative functions, the Supreme Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

62500	TRAVEL	\$0
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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. Again, in line with the Judiciary's efforts to unify court administrative functions, the Supreme Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

62660	REPAIR AND MAINTENANCE	\$0
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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. Again, in line with the Judiciary's efforts to unify court administrative functions, the Supreme Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

62690	PERSONNEL TRAINING COST	\$0
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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	\$0
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This budget category is requested to pay for books, journals, periodicals, and other publications and instructional materials for staff development. Again, in line with the Judiciary's efforts to unify court administrative functions, the Supreme Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

63020	FOOD ITEMS	\$0
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This budget category is for the purchase of drinkable water. Again, in line with the Judiciary's efforts to unify court administrative functions, the Supreme Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

63030	FUEL & LUBRICATION	\$0
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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	\$0
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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. Again, in line with the Judiciary's efforts to unify court administrative functions, the Supreme Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

64550	COMPUTER SYSTEMS & EQUIPMENT	\$0
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The budget category is requested to upgrade the Supreme Court's computer infrastructure. Again, in line with the Judiciary's efforts to unify court administrative functions, the Supreme Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

OPERATING EXPENDITURE WORKSHEET

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

Class Code	Object Classification	FY 2009 PL 16-32 Actual	FY 2010 Continuing Resolution	FY 2011 Budget Request
61090	Wages/Salaries - CSC			436,074
61100	Wages/Salaries - Ung			1,051,000
61180	Personnel Insurance			15,257
61190	Retirement Contribution (37.3909%)			353,276
61195	401K D.C. Retirement Contribution (4%)			21,690
61200	Subsistence			1,510
61210	Health Insurance Premium			47,453
61220	Medicare Contribution			21,563
	Total Personnel Costs	1,687,474	1,687,474	1,947,821
	Number of Positions	45	45	35
62050	Official Representation			0
62060	Professional Services			0
6____	Indigent Fees & Cost			0
62070	Public Auditor's Fee			19,746
62080	Advertising			0
62090	Recruitment/Repatriation			7,000
	Total Professional Services			26,746
62250	Communications			0
62260	Dues and Subscriptions			0
62280	Insurance			0
62290	Licenses and Fees			0
62300	Printing and Photocopying			0
	Total Office Expenses			0
62420	Rental Vehicles			0
62430	Rental Housing			0
62440	Rental Offices			0
62460	Rental Office Equipment			0
	Total Rentals			0
62500	Travel			0
62600	Other			0
62660	Repair & Maintenance			0
62680	Freight & Handling			0
62690	Personnel Training Cost			0
62700	Storage and Handling			0
62750	Cleaning Services			0
62770	Cash Award			0
	Total Others			0
63010	Books and Library Materials			0

63020	Food Items			0
63030	Fuel and Lubrication			0
63040	Supplies Office			0
63050	Supplies Operations			0
Total Supplies				0
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
Total All Others		162,983	162,983	26,746
Total Personnel & All Others		1,850,457	1,850,457	1,974,567

*Note: Transferred all housing benefits to salary except for this existing personnel contract that runs through the beginning of FY2011

PERSONNEL SERVICE WORKSHEET

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

Job Code	Position Title	Incumbent	* FY '10 PAY LEVEL *				* FY '11 REQUEST *				
			Emp. Stat.	Grade Step	Base Salary	Allow.	Emp. Stat.	Grade Step	Base Salary	Allow.	
OFFICE OF THE PRESIDING JUDGE											
1	9097	Presiding Judge	ELEC	UNG	123,000	DB	ELEC	UNG	123,000	DB	
2	9013	Associate Judge	ELEC	UNG	120,000	DB	ELEC	UNG	120,000	DB	
3	9013	Associate Judge	ELEC	UNG	120,000	DB	ELEC	UNG	120,000	DB	
4	9013	Associate Judge	ELEC	UNG	120,000	DB	ELEC	UNG	120,000	DB	
5	9013	Associate Judge	APPT	UNG	120,000	DC	APPT	UNG	120,000	DC	
6	9141	Sp. Asst. to the Presiding Judge	ESC	UNG	50,000	DB	FY2011 TRANSFER TO CJAO				
7	1873	Law Clerk	ESC	UNG	44,100	DC	ESC	UNG	53,000	DC	
8	1873	Law Clerk	ESC	UNG	44,100	DC	ESC	UNG	53,000	DC	
9	1873	Law Clerk	Vacant (Vice:)	ESC	UNG	44,100	DB	ESC	UNG	53,000	DC
10	1873	Law Clerk	ESC	UNG	44,100	DC	ESC	UNG	53,000	DC	
11	1873	Law Clerk	ESC	UNG	44,100	DC	ESC	UNG	53,000	DC	
12	0940	Secretary to Associate Judge	ESC	UNG	33,100	DC	FY2011 TRANSFER TO CJAO				
13	0940	Secretary to Associate Judge	ESC	UNG	33,100	DB	FY2011 TRANSFER TO CJAO				
14	0940	Secretary to Associate Judge	ESC	UNG	20,000	DC	FY2011 TRANSFER TO CJAO				
15	0940	Secretary to Associate Judge	ESC	UNG	25,000	DB	FY2011 TRANSFER TO CJAO				
16	1002	Accountant II	CS	27/12	33,345	DB	FY2011 TRANSFER TO CJAO				
17	0012	Accounting Technician I	CS	18/01	13,053	DC	FY2011 TRANSFER TO CJAO				
18	0002	Account Clerk II	CS	16/02	12,432	DC	FY2011 TRANSFER TO CJAO				
19	0350	Records Assistant	CS	13/01	10,233	DC	FY2011 TRANSFER TO CJAO				
OFFICE OF THE CLERK OF COURT											
20	1938	Clerk of Court	ESC	UNG	50,000	DB	ESC	UNG	50,000	DB	
21	6035	Deputy Clerk III	CS	31/07	31,758	DB	CS	31/07	31,758	DB	
22	6035	Deputy Clerk III	CS	31/02	24,890	DB	CS	31/02	24,890	DB	
23	6034	Deputy Clerk II	CS	30/01	22,577	DC	CS	30/01	22,577	DC	
24	6033	Deputy Clerk I - Rota	CS	28/10	31,758	DB	CS	28/10	31,758	DB	
25	6033	Deputy Clerk I - Tinian	CS	28/01	20,485	DB	CS	28/01	20,485	DB	
26	6033	Deputy Clerk I	CS	28/03	22,577	DB	CS	28/03	22,577	DB	
27	6033	Deputy Clerk I	CS	28/01	20,485	DB	CS	28/01	20,485	DB	
28	6033	Deputy Clerk I	CS	28/01	20,485	DB	CS	28/01	20,485	DB	
29	0351	Records Technician	CS	17/01	12,432	DB	CS	17/01	12,432	DB	
30	0350	Records Assistant	Vacant (Vice:)	CS	13/01	10,233	DC	CS	13/01	10,233	DC
31	0350	Records Assistant	CS	13/01	10,233	DB	CS	13/01	10,233	DB	
32	0067	Computer Operator I	Vacant (Vice:)	CS	14/01	10,743	DC	CS	14/01	10,743	DC
33	0067	Computer Operator I	Vacant (Vice:)	CS	14/02	11,279	DC	CS	14/02	11,279	DC
34	6033	Deputy Clerk I	NEW - FY2011	CS	28/01	20,485	DC	CS	28/01	20,485	DC
35	6033	Deputy Clerk I	NEW - FY2011	CS	28/01	20,485	DC	CS	28/01	20,485	DC
36	6033	Deputy Clerk I	NEW - FY2011	CS	28/01	20,485	DC	CS	28/01	20,485	DC

FAMILY COURT DIVISION										
37	1974	Family Court Manager	ESC	UNG	45,000	DB	ESC	UNG	45,000	DB

38	1973	Family Court Coordinator		ESC	UNG	38,000	DB	ESC	UNG	38,000	DB
COMMONWEALTH RECORDER'S OFFICE											
39	1145	Commonwealth Recorder		CS	33/05	31,758	DB	FY2011	TRANSFER TO CJAO		
40	1021	Administrative Specialist - Rota		CS	22/05	19,273	DB	FY2011	TRANSFER TO CJAO		
41	0350	Records Assistant - Tinian	Vacant (Vice:)	CS	13/04	11,842	DC	FY2011	TRANSFER TO CJAO		
42	0350	Records Assistant		CS	13/01	10,233	DB	FY2011	TRANSFER TO CJAO		
OFFICE OF ADULT PROBATION											
43	6162	Chief Probation Officer		ESC	UNG	50,000	DB	ESC	UNG	50,000	DB
44	6161	Probation Officer III		CS	34/06	35,013	DB	CS	34/06	35,013	DB
45	6160	Probation Officer II		CS	32/03	27,438	DB	CS	32/03	27,438	DB
46	6160	Probation Officer II		CS	32/01	24,890	DB	CS	32/01	24,890	DB
47	6159	Probation Officer I		CS	28/01	20,485	DC	CS	28/01	20,485	DC
48	1022	Administrative Specialist II		CS	24/01	16,858	DB	CS	24/01	16,858	DB

PERSONNEL SERVICE WORKSHEET

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

Position Title	* FY '10 PAY LEVEL *			Allow.	* FY '10 REQUEST *			Allow.
	Emp. Stat.	Grade Step	Base Salary		Emp. Stat.	Grade Step	Base Salary	
WAGES & OTHERS:								
Civil Service		26	504,436		21	436,074		
Elected		4	483,000		4	483,000		
Appointed		1	120,000		1	120,000		
Excepted Service Contracts		14	564,700		9	448,000		
Total Wages & Others		45	1,672,136		35	1,487,074		
BENEFITS:								
Health Insurance			66,885			47,453		
Life Insurance						15,257		
Retirement DB (37.3909%)			218,180	29		353,276		21
Retirement DC (4%)			18,895	21		21,690		14
Medicare (1.45%)			24,246			21,563		
Subsistence			39,600			1,510		
Total Personnel Benefits			367,806			460,747		
TOTAL FTEs, PERSONNEL COMPENSATION, & BENEFITS		45	2,039,942		35	1,947,821		

**FISCAL YEAR 2011
CNMI SUPERIOR COURT
BUDGET JUSTIFICATION**

The Superior Court’s proposed Fiscal Year 2011 budget takes into consideration changes to the NMI Judiciary’s organization structure and lists its needs to function as a trial court. Additionally, in line with the Judiciary’s unification efforts, the transfer of Superior Court (Account No. 1690) resources to the CJA0 (Account No. 1694), personnel or otherwise, are detailed in applicable budget categories as follows:

61090	WAGES/SALARIES - CIVIL SERVICE SYSTEM	\$436,074
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The Superior Court requests for funding in this category of personnel/full-time employee level in order to meet its statutory duties and responsibilities. Funds requested will help retain 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.

Public Law 16-32 provided twenty six (26) full-time employee (FTE) positions for the trial court in this budget category. For Fiscal Year 2010, the Superior Court maintained the 26 FTEs in this category. In line with the unification efforts, the Superior Court requests that eight (8) classified positions be maintained **and** transferred from the Superior Court account (1690) to the CJA0 account (1694). Additionally, three new positions are requested for three (3) Deputy Clerk I’s for the Office of the Clerk of Court. Filling of these new positions would immediately address the docket handling requirement for numerous cases, both at pre-judgment and post-judgment stages in the civil and criminal calendars for Associate Judges David A. Wiseman, Kenneth L. Govendo, and Perry B. Inos. Of the starting 26 FTEs, the transfer of 8 FTEs to the CJA0 and the addition of 3 new positions in this category, the Superior Court would have twenty one (21) total graded positions to assist in trial court services for FY 2011.

Following is a breakdown of all positions from and in this category:

I. FTEs FOR TRANSFER FROM SUPERIOR COURT (1690) TO CJA0 (1694)					
	Position Title	Incumbent	Grade/Step	Base Salary	Option
1	Accountant II		27/12	\$33,345	DB
2	Accounting Technician I		18/01	\$13,053	DC
3	Account Clerk II		16/02	\$12,432	DC
4	Records Assistant		13/01	\$10,233	DC
5	Commonwealth Recorder		33/05	\$31,758	DB
6	Administrative Specialist - Rota		22/05	\$19,273	DB

I. FTEs FOR TRANSFER FROM SUPERIOR COURT (1690) TO CJAO (1694)					
7	Records Assistant-Tinian		13/01	\$10,233	DC
8	Records Assistant-Saipan		13/01	\$10,233	DB
TOTAL				\$107,248	

II. TOTAL GRADED FTEs FOR SUPERIOR COURT (1690)					
	Position Title	Incumbent	Grade/Step	Base Salary	Option
1	Deputy Clerk III (Appeals/Jury)		31/07	\$31,758	DB
2	Deputy Clerk III (Lexis/Nexis)		31/02	\$24,890	DB
3	Deputy Clerk II (AJRVM)		30/01	\$22,577	DC
4	Deputy Clerk I - Rota		28/10	\$31,758	DB
5	Deputy Clerk I - Tinian		28/01	\$20,485	DC
6	Deputy Clerk I (Certifications)		28/03	\$22,577	DB
7	Deputy Clerk I (Intake)		28/01	\$20,485	DB
8	Deputy Clerk I (PJRCN)		28/01	\$20,485	DB
9	Records Technician		17/01	\$12,432	DB
10	Records Assistant	Vacant (Vice:)	13/01	\$10,233	DC
11	Records Assistant		13/01	\$10,233	DB
12	Computer Operator I	Vacant (Vice:)	14/01	\$10,743	DC
13	Computer Operator I	Vacant (Vice:)	14/02	\$11,279	DC
14	Probation Officer III		34/06	\$35,013	DB
15	Probation Officer II		32/03	\$27,438	DB
16	Probation Officer II		32/01	\$24,890	DB

17	Probation Officer I		28/01	\$20,485	DC
18	Administrative Specialist II		24/01	\$16,858	DB
19	Deputy Clerk I (AJDAW)	New Position	28/01	\$20,485	DC
20	Deputy Clerk I (AJKLG)	New Position	28/01	\$20,485	DC
21	Deputy Clerk I (AJPBI)	New Position	82/01	\$20,485	DC
	TOTAL			\$436,074	

The total amount requested (\$436,074) is to cover wages and salaries for the 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 requested for wages and salary **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 include any increases in its personnel worksheet.

61100	WAGES/SALARIES - UNGRADED	\$1,051,000
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The Superior Court requests for funding in this category of personnel/full-time employee level in order to meet its statutory duties and responsibilities. Funds requested will help retain 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.

Public Law 16-32 provided nineteen (19) full-time employee (FTE) positions for the trial court in this budget category. For Fiscal Year 2010, the Superior Court maintained the 19 FTEs in this category. In line with the unification efforts, the Superior Court requests that five (5) positions in this category be maintained **and** transferred from the Superior Court account (1690) to the CJAO account (1694). The Superior Court's initial 19 ungraded FTEs, after the transfer of 5 FTEs to the CJAO, becomes a total of fourteen (14) ungraded positions to assist in trial court services for FY 2011. This includes the salaries and wages of the Presiding Judge, four (4) Associate Judges, five (5) law clerks (research attorneys), and four (4) senior level managers, positions which are as professional and division-specific to the trial court functions. The Court

must maintain these positions in this fashion as it allows flexibility in its hiring of these positions that are essential to addressing the caseload of Judges.

Following is a breakdown of all positions from and in this category:

I. FTEs FOR TRANSFER FROM SUPERIOR COURT (1690) TO CJAO (1694)					
	Position Title	Incumbent	Grade/Step	Base Salary	Option
1	Special Assistant to the Presiding Judge		UNG	\$50,000	DB
2	Secretary to Associate Judge (AJDAW)		UNG	\$33,100	DC
3	Secretary to Associate Judge (AJRVM)		UNG	\$33,100	DB
4	Secretary to Associate Judge (AJKLG)		UNG	\$25,000	DB
5	Secretary to Associate Judge (AJPBI)		UNG	\$20,000	DC
	TOTAL			\$161,200	

II. TOTAL GRADED FTEs FOR SUPERIOR COURT (1690)					
	Position Title	Incumbent	Grade/Step	Base Salary	Option
1	Presiding Judge (Retention)		UNG	\$123,000	DB
2	Associate Judge (Retention)		UNG	\$120,000	DB
3	Associate Judge (Retention)		UNG	\$120,000	DB
4	Associate Judge (Retention)		UNG	\$120,000	DB
5	Associate Judge (Appointed)		UNG	\$120,000	DC
6	Law Clerk (PJRCN)		UNG	\$53,000	DC
7	Law Clerk (AJDAW)		UNG	\$53,000	DC
8	Law Clerk (AJRVM)	Vacant (Vice:)	UNG	\$53,000	DC
9	Law Clerk (AJKLG)		UNG	\$53,000	DC
10	Law Clerk (AJPBI)		UNG	\$53,000	DC
11	Clerk of Court		UNG	\$50,000	DB
12	Chief Probation Officer		UNG	\$50,000	DB
13	Family Court Manager		UNG	\$45,000	DB
14	Family Court Coordinator		UNG	\$38,000	DB
	TOTAL			\$1,051,000	

61180	PERSONNEL INSURANCE	\$15,257
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This amount is requested to cover the employer's mandatory contribution to the selected life insurance carrier for the group plan administered by the NMI Retirement Fund. Effective January 1, 2010 (Fiscal Year 2010), Individual Assurance Company (IAC) was selected by the NMI Retirement Fund as the insurance carrier for CNMI Government employees. The terms of the group life program mandates 50% payment by the Government of the premium cost. The total rate is \$.60 per \$1,000 bi-weekly or \$.65 per \$1,000 semi-monthly. With its bi-weekly payroll terms, the Superior Court calculates its cost at \$.30 per \$1,000 bi-weekly for enrolled staff.

61190	RETIREMENT CONTRIBUTION-DB PLAN	\$353,276
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This amount is requested to cover the employer's mandatory contribution to the NMI Retirement Fund's Defined Benefit (DB) plan. This requirement is mandated by CNMI law.

The Northern Mariana Islands Retirement Fund (NMIRF) Board of Trustees had 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. A Court order in *Northern Mariana Islands Retirement Fund v. Commonwealth of the Northern Mariana Islands*, et al., CNMI Superior Court Civil Action No. 06-0367 gives judicial notice related to payments on this issue.

As the Legislative Branch considers employer responsibilities in its Fiscal Year 2011 allocations, and in the event it continues its position that projected revenues commit the CNMI Government to a lower 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:

$$21 \text{ FTEs with DB Plan at } 37.3909\% = \$353,276$$

61195	RETIREMENT CONTRIBUTION-DC PLAN	\$21,690
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This amount is requested to cover the employer's mandatory contribution to the NMI Retirement Fund's Defined Contribution Plan. This requirement is mandated by CNMI law. The proposal projects a cost for fourteen (14) employees with the DC plan at 4% of total base salary.

61200	HOUSING ALLOWANCE/SUBSISTENCE	\$1,510
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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 required housing allowances in FY 2010. The Superior Court, through its restructuring efforts with the Judicial Council, has determined the need to delete housing allowances in Fiscal Year 2011 and transfer the correlating amount directly into wages and salary for its law clerks. However, one contract remains with this term intact for the first three months of FY 2011. The amount requested in this budget is to cover the remaining housing allowances for this single position.

PROJECTED HOUSING ALLOWANCE	Per Month	Oct 1 to Dec 16, 2011
Law Clerk to Associate Judge David A. Wiseman	600	1,510

61210	HEALTH INSURANCE PREMIUM	\$47,453
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This amount is requested to cover the employer’s mandatory contribution to the selected health insurance company with the group plan administered by the NMI Retirement Fund. Effective November 8, 2009 (Fiscal Year 2010), the NMI Retirement Fund mandated a 50/50 employer and employee contributions on the premiums paid to the insurance carrier (Aetna). There are three categories available to Superior Court’s enrolled employees:

Type	Code	Employer’s Bi-Weekly Contribution
Single	1	\$64.72
Couple	2	\$132.68
Family	3	\$207.10

61220	MEDICARE CONTRIBUTION	\$21,563
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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 \$1,487,074. This requirement is mandated by CNMI law.

62050	OFFICIAL REPRESENTATION	\$0
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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. Again, in line with the Judiciary’s efforts to unify court administrative functions, the Superior Court requests this amount historically budgeted for this line item to be transferred to the CJA0 (1694).

62060	PROFESSIONAL SERVICES	\$0
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Please see the Commonwealth Judiciary Administrative Office Budget (1694) for this category. Again, in line with the Judiciary's efforts to unify court administrative functions, the Superior Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

6	INDIGENT FEES & COSTS	\$0
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Please see the Commonwealth Judiciary Administrative Office Budget (1694) for this category.

62070	PUBLIC AUDITOR'S FEE	\$19,746
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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	\$0
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This budget category is requested to cover the advertising costs in relation to Court announcements to the public, including but not limited to, judicial notices required by rules, regulations, or statutes. Again, in line with the Judiciary's efforts to unify court administrative functions, the Superior Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

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	\$0
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Please see the Commonwealth Judiciary Administrative Office Budget (1694) for this category. Again, in line with the Judiciary's efforts to unify court administrative functions, the Superior Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

62260	DUES AND SUBSCRIPTION	\$0
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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. Again, in line with the Judiciary's efforts to unify court administrative functions, the Superior Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

62300	PRINTING AND PHOTOCOPYING	\$0
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This amount is budgeted to cover costs for printing and reproduction of forms, letterhead, business cards, program brochures for docket procedures, reports, and envelopes. The forms include 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, etc. Again, in line with the Judiciary's efforts to unify court administrative functions, the Superior Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

62500	TRAVEL	\$0
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The amount is requested to cover travel expenses for judges, courtroom clerks, and probation officers to Tinian and Rota to conduct the business of the Court in FY 2011. 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. National and regional travel is also funded from this category to meet continuing legal education enhancements for our general jurisdiction courts. Again, in line with the Judiciary's efforts to unify court administrative functions, the Superior Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

62660	REPAIR AND MAINTENANCE	\$0
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Please see the Commonwealth Judiciary Administrative Office Budget (1694) for this category.

62680	FREIGHT AND HANDLING	\$0
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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. Again, in line with the Judiciary's efforts to unify court administrative functions, the Superior Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

62690	PERSONNEL TRAINING COST	\$0
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This amount is allocated to cover training costs of trial court judges and staff. Professional development and other continuing legal education requirements may be routinely met through webinars, local hosting, or national chapter sessions. Again, in line with the Judiciary's efforts to unify court administrative functions, the Superior Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

62750	CLEANING SERVICES	\$0
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Please see the Commonwealth Judiciary Administrative Office Budget (1694) for this category. Again, in line with the Judiciary's efforts to unify court administrative functions, the Superior Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

63010	BOOKS AND LIBRARY MATERIALS	\$0
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Please see the Commonwealth Judiciary Administrative Office Budget (1694) for this category. Again, in line with the Judiciary's efforts to unify court administrative functions, the Superior Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

63020	FOOD ITEMS	\$0
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This amount is requested to cover expenses for food items incurred during jury trials held on Rota, Saipan, and Tinian. Again, in line with the Judiciary's efforts to unify court administrative functions, the Superior Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

63030	FUEL AND LUBRICATION	\$0
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Please see the Commonwealth Judiciary Administrative Office Budget (1694) for this category. Again, in line with the Judiciary's efforts to unify court administrative functions, the Superior Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

63040	SUPPLIES - OFFICE	\$0
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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, 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. Again, in line with the Judiciary's efforts to unify court administrative functions, the Superior Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

63050	SUPPLIES - OPERATIONS	\$0
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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 Family Court Division. 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 requires 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. Again, in line with the Judiciary's efforts to unify court administrative functions, the Superior Court requests this amount historically budgeted for this line item to be transferred to the CJAO (1694).

OPERATING EXPENDITURE WORKSHEET

Dept.	JUDICIARY
Activity	Commonwealth Judiciary Administrative Office FY 2011
Bus. Unit	1694

CLASS CODE	Object Classification	FY 2009 PL 16-32 Actual	FY 2010 Continuing Resolution	FY 2011 Dept. Request
61090	Wages/Salaries -CSC			219,329
61100	Wages/Salaries - UNG			684,932
61180	Personnel Insurance			13,595
61190	Retirement Contribution (37.3909%)			177,512
61195	401K DC Ret. Employer Contribution (4%)			17,181
61200	Subsistence Allowance			0
61210	Health Insurance Premium			40,637
61220	Medicare Contribution (1.45%)			13,112
Total Personnel Costs		353,167	353,167	1,166,298
	Number of Positions:	13	13	33
62050	Official Representation			5,500
62060	Professional Services			85,000
620__	Indigent Fees & Costs			100,000
62070	Public Auditor 1%			23,763
62080	Advertising			1,080
62090	Recruitment & Repatriation			0
Total Professional Services				215,343
62250	Communications			39,500
62260	Dues & Subscriptions			28,000
62280	Insurance			1,000
62290	Licenses & Fees			26,000
62300	Printing & Photocopying			9,200
Total Office Expenses				103,700
62500	Travel			35,000
62660	Repair & Maintenance (Saipan)			114,500
62660	Repair & Maintenance (Rota)			25,000
62660	Repair & Maintenance (Tinian)			10,000
62680	Freight & Handling			300
62690	Personnel Training Cost			2,000
62710	Utilities (Saipan)	309,701	309,701	502,000
62710	Utilities (Rota)			56,000
62710	Utilities (Tinian)			33,000
62750	Cleaning Services (Saipan, Tinian, and Rota)			50,000
Total Others				792,800
63010	Books & Library Materials			7,500
63020	Food Items			3,200
63030	Fuel & Lubrication (POL)			10,100
63040	Supplies - Office			13,400
63050	Supplies - Operations			18,500
Total Supplies				52,700
64540	Machinery, Tools & Equipment			3,000
64550	Computer Systems & Equipment			7,500
Total Capitalized Fixed Assets				10,500
Total All Others		26,275	26,275	619,043
Total Utilities		335,976	335,976	591,000
Total Personnel, Utilities & All Others		689,143	689,143	2,376,341

PERSONNEL SERVICE WORKSHEET

Dept.	JUDICIARY
Activity	Judiciary Administrative Office FY 2011
Bus. Unit	1694

Job Code	Position Title	Incumbent	FY 2010 PAY LEVEL			FY 2011 REQUEST			Allow
			Emp. Stat.	Grade Step	Base Salary	Emp. Stat.	Grade Step	Base Salary	
1	9047	Director of Courts	ESC	UNG	70,000	ESC	UNG	70,000	DC
2	6918	Administrative Officer	ESC	UNG	35,000	ESC	UNG	35,000	DC
3	8123	Building Superintendent	ESC	UNG	35,000	ESC	UNG	35,000	DB
4	8133	Bldg. Maintenance Worker	ESC	UNG	15,000	ESC	UNG	15,000	DC
5	0023	Administrative Assistant	CS	20/10	18,357	CS	20/10	18,357	DB
6	1310	Deputy Marshal III	CS	27/08	27,438	CS	27/08	27,438	DB
7	1309	Deputy Marshal II	CS	25/02	18,585	CS	25/02	18,585	DC
8	1308	Deputy Marshal I	ESC	UNG	16,652	ESC	UNG	16,652	DB
9	1306	Marshal Intern	CS	20/01	14,389	CS	20/01	14,389	DB
10	1306	Marshal Intern	ESC	UNG	14,389	ESC	UNG	14,389	DC
11	1306	Marshal Intern	ESC	UNG	14,389	ESC	UNG	14,389	DC
12	1685	Systems Administrator	ESC	UNG	46,000	ESC	UNG	50,000	DB
13	1149	Computer Specialist I	ESC	UNG	20,000	ESC	UNG	20,000	DC
FY 2010 FTEs AT OFFICE OF THE PRESIDING JUDGE (SUPERIOR COURT 1690) TRANSFERED IN FY 2011 TO CJAO									
14	9141	Special Assistant to the Presiding Judge				ESC	UNG	50,000	DB
15	0940	Secretary to Associate Judge				ESC	UNG	33,100	DC
16	0940	Secretary to Associate Judge				ESC	UNG	33,100	DB
17	0940	Secretary to Associate Judge				ESC	UNG	20,000	DC
18	0940	Secretary to Associate Judge				ESC	UNG	25,000	DB
19	1002	Accountant II				CS	27/12	33,345	DB
20	0012	Accounting Technician I				CS	18/01	13,053	DC
21	0002	Account Clerk II				CS	16/02	12,432	DC
22	0350	Records Assistant				CS	13/01	10,233	DC
FY 2010 FTEs AT COMMONWEALTH RECORDER'S OFFICE (SUPERIOR COURT 1690) TRANSFERED IN FY 2011 TO CJAO									
23	1145	Commonwealth Recorder				CS	33/05	31,758	DB
24	1021	Administrative Specialist - Rota				CS	22/05	19,273	DB
25	0350	Records Assistant - Tinian	Vacant (Vice:)			CS	13/01	10,233	DC
26	0350	Records Assistant				CS	13/01	10,233	DB
FY 2010 FTEs AT SUPREME COURT (1691) TRANSFERRED TO CJAO IN FY 2011									
27	940	SECRETARY (C.J.)				ESC	UNG	40,000	DB
28	940	SECRETARY (A.J.)				ESC	UNG	38,202	DB
29	940	SECRETARY (A.J.)				ESC	UNG	32,000	DB
NEW POSITIONS REQUESTED FOR FY2011									
30	940	Secretary to Presiding Judge	NEW POSITION REQUESTED IN FY 2011			ESC	UNG	33,100	DC
31		Grants Coordinator	NEW POSITION REQUESTED IN FY 2011			ESC	UNG	35,000	DC
32		Staff Attorney	NEW POSITION REQUESTED IN FY 2011			ESC	UNG	55,000	DC
33		Mechanic/Maintenance Engineer	NEW POSITION REQUESTED IN FY 2011			ESC	UNG	20,000	DC

WAGES & OTHERS:			
Civil Service	4	78,769	12 219,329
Appointed	0	0	0 0
Excepted Service Contracts	9	266,430	21 684,932

Total Wages & Others	13	345,199	33	904,261
BENEFITS:				
Health Insurance		13,808		40,637
Life Insurance				13,595
Retirement DB (37.3909%)		17,362	16	177,512
Retirement DC (4%)		9,095	17	17,181
Medicare (1.45%)		5,005		13,112
Subsistence Allowance		6,000		0
Total Personnel Benefits		51,270		262,037
TOTAL FTEs, PERSONNEL COMPENSATION & BENEFITS	13	396,469	33	1,166,298

**FISCAL YEAR 2011
JUDICIARY ADMINISTRATIVE OFFICE
BUDGET JUSTIFICATION**

The Commonwealth Judiciary Administrative Office (CJAO) 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.

In line with the Judiciary’s administrative unification efforts, the Judicial Council approved the transfer of a total of 16 full time employees whose job duties are administrative in nature from the Supreme and Superior Courts respectively into the CJAO. Included in this lateral transfer are staffs of the Commonwealth Recorder’s Office, Superior Court Administrative Services Unit, and chamber staff of both the Supreme and Superior Courts. The total amount in salary and wages and benefits requested to be transferred into the CJAO is \$564,676.

Also in line with the Judiciary’s administrative unification efforts, the Judicial Council transferred select operating expenses from the Supreme Court and Superior Court to the CJAO to achieve greater administrative efficiencies. These accounts include all non-personnel expenses, with the exception of recruitment and repatriation expenses associated with hiring qualified law clerks and the mandatory Public Auditor’s Fee for each account respectively. The total amount for these accounts is \$619,043. Importantly, these administrative expenses are transferred to the CJAO to be administered centrally for the benefit of the entire Judiciary

61090	WAGES/SALARIES – CIVIL SERVICE	\$219,329
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The amount of \$78,769 is budgeted to cover the wages and salaries of four full-time civil service employees (FTEs) previously assigned to the CJAO.

I. Civil Service FTEs Previously Included in CJAO (1694)			
	POSITION OR TITLE	Grade/Step	Base Salary
1	Administrative Assistant	20/10	18,357
2	Deputy Marshal III	27/08	27,438
3	Deputy Marshal II	25/02	18,585
4	Deputy Marshal Intern	20/01	14,389
	Total		\$78,769

In addition, a total of eight Civil Service FTEs previously assigned to the Superior Court (1690) are transferred to the CJAO (1694) and a correlating amount of \$140,560 is requested continue funding for these FTE salaries.

II. Civil Service FTEs Transferred to CJAO (1694) from Superior Court (1690)			
	POSITION OR TITLE	Grade/Step	Base Salary
1	Accountant II	27/12	33,345
2	Accounting Technician I	18/01	13,053
3	Account Clerk II	16/02	12,432
4	Records Assistant	13/01	10,233
5	Commonwealth Recorder	33/05	31,758
6	Administrative Specialist - Rota	22/05	19,273
7	Records Assistant - Tinian	13/01	10,233
8	Records Assistant	13/01	10,233
	Total		\$140,560

The total amount requested for wages and salary 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 CJAO takes consideration of the decreasing revenue projections and does not include any increases in its personnel worksheet.

61100	WAGES/SALARIES – UNGRADED	\$684,932
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Of the 13 total FTE positions previously allotted to the CJAO (1694) by P.L. 16-32, nine are ungraded positions. This amount is budgeted to cover the wages of nine full-time ungraded employee slots (FTEs) for the CJAO as shown in the following.

I. Ungraded FTEs Previously Included in CJAO (1694)			
	POSITION OR TITLE	Grade/Step	Base Salary
1	Director of Courts	UNG	70,000
2	Administrative Officer	UNG	35,000
3	Building Superintendent	UNG	35,000
4	Build & Grounds Maintenance Worker	UNG	15,000
5	Systems Administrator	UNG	50,000
6	Computer Specialist I	UNG	20,000
7	Deputy Marshal I	UNG	16,652
8	Marshal Intern	UNG	14,389

9	Marshal Intern	UNG	14,389
	Total		\$270,430

In addition, a total of five Ungraded FTEs previously assigned to the Superior Court (1690) are transferred to the CJAO (1694) and a correlating amount of \$161,200 is requested continue funding for these FTE salaries.

II. Ungraded FTEs Transferred to CJAO (1694) from Superior Court (1690)			
	POSITION OR TITLE	Grade/Step	Base Salary
1	Special Assistant to the Presiding Judge	UNG	\$50,000
2	Secretary to Associate Judge (AJDAW)	UNG	\$33,100
3	Secretary to Associate Judge (AJRVM)	UNG	\$33,100
4	Secretary to Associate Judge (AJKLG)	UNG	\$25,000
5	Secretary to Associate Judge (AJPBI)	UNG	\$20,000
	Total		\$161,200

Also, a total of three Ungraded FTEs previously assigned to the Supreme Court (1691) are transferred to the CJAO (1694) and a correlating amount of \$110,202 is requested continue funding for these FTE salaries.

III. Ungraded FTEs Transferred to CJAO (1694) from Supreme Court (1691)			
	POSITION OR TITLE	Grade/Step	Base Salary
1	Secretary to Chief Justice	UNG	40,000
2	Secretary to Associate Justice (AJACC)	UNG	38,202
3	Secretary to Associate Justice (AJJAM)	UNG	32,000
	Total		\$110,202

In addition, the CJAO is requesting four new Ungraded FTE position for FY 2011. The position of Secretary to the Presiding Judge is a vital position that had previously been funded in past appropriations but left unfilled due to continuing budget constraints.

IV. Ungraded FTEs NEW REQUEST			
	POSITION OR TITLE	Grade/Step	Base Salary
1	Secretary to Presiding Judge	UNG	33,100
2	Grants Coordinator	UNG	35,000
3	Staff Attorney	UNG	55,000
4	Mechanic/Maintenance Engineer	UNG	20,000
	Total		\$143,100

61180	PERSONNEL INSURANCE	\$13,595
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This amount is requested to cover the employer’s mandatory contribution to the selected life insurance carrier for the group plan administered by the NMI Retirement Fund. Effective January 1, 2010 (Fiscal Year 2010), Individual Assurance Company (IAC) was selected by the NMI Retirement Fund as the insurance carrier for CNMI Government employees. The terms of the group life program mandates 50% payment by the Government of the premium cost. The total rate is \$.60 per \$1,000 bi-weekly or \$.65 per \$1,000 semi-monthly. With its bi-weekly payroll terms, the Superior Court calculates its cost at \$.30 per \$1,000 bi-weekly for enrolled staff.

61190	RETIREMENT CONTRIBUTION – DB PLAN	\$177,512
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This amount is requested to cover the employer’s mandatory contribution to the NMI Retirement Fund’s Defined Benefit (DB) plan. This requirement is mandated by CNMI law.

The Northern Mariana Islands Retirement Fund (NMIRF) Board of Trustees had 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. A Court order in *Northern Mariana Islands Retirement Fund v. Commonwealth of the Northern Mariana Islands*, et al., CNMI Superior Court Civil Action No. 06-0367 gives judicial notice related to payments on this issue.

As the Legislative Branch considers employer responsibilities in its Fiscal Year 2011 allocations, and in the event it continues its position that projected revenues commit the CNMI Government to a lower rate, the CJO 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:

$$16 \text{ FTEs with DB Plan at } 37.3909\% = \$177,512$$

61195	RETIREMENT CONTRIBUTION (401K PLAN)	\$17,181
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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 17 employees who have elected to participate in this plan. This requirement is mandated by CNMI law.

No. of FTE	Total Personnel	Percentage	Total
17	\$429,514	4%	\$17,181

61200	SUBSISTENCE/HOUSING ALLOWANCE	\$0
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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. Previously, 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. However, the CJAO requests this amount to be transferred to salary and wages for the Systems Administrator position, subject to the statutory salary cap.

61210	HEALTH INSURANCE PREMIUM	\$40,637
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This amount is requested to cover the employer's mandatory contribution to the selected health insurance company with the group plan administered by the NMI Retirement Fund. Effective November 8, 2009 (Fiscal Year 2010), the NMI Retirement Fund mandated a 50/50 employer and employee contributions on the premiums paid to the insurance carrier (Aetna). There are three categories available to enrolled employees:

Type	Code	Employer's Bi-Weekly Contribution
Single	1	\$64.72
Couple	2	\$132.68
Family	3	\$207.10

61220	MEDICARE CONTRIBUTION	\$13,112
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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 of \$904,261. This budget category is included by the court to assure that sufficient funds are appropriated to cover Medicare costs for the 33 employees as required by law.

62060	PROFESSIONAL SERVICES	\$85,000
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As part of the Judiciary's organizational realignment to realize greater efficiencies in administration, professional service expenses have been consolidated from the Supreme Court and Superior court in the CJAO. As such, this budget category is requested to cover the charges for the continuing cost of court-ordered services associated with trial and appellate court activities. It will cover payment for Pro Tem Judges and Justices (fees for Pro Tem Judges are paid at the rate of a sitting judge on a per hour basis), special prosecutors appointed to sit in judicial discipline cases, expenses incurred for paternity testing and other pre-trial proceedings in Family Court cases, and fees for the services of jury panels in cases disposed through trial by jury. This budgeted amount will also encompass professional services for support of the Judiciary's court case management system and online legal research contract.

6	INDIGENT FEES & COSTS	\$100,00
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This category has historically been the biggest operational cost for the trial court. Again, in line with the Judiciary's administrative unification efforts, this amount has been transferred from the Superior Court to the CJAO. 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 FY 2011: 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 also includes 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 CJAO requests from the Secretary of Finance and/or Special Assistant for Management and Budget for consideration of a separate account classification to cover this particular category to differentiate it from the other professional services paid by the Judiciary.

62070	PUBLIC AUDITOR'S FEE	\$23,763
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This amount is requested to cover the Public Auditor's Fee at 1%.

62080	ADVERTISING	\$1,080
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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	\$0
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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	\$39,500
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This budget category is also being consolidated in the Judiciary's efforts to streamline administrative functions from the Supreme and Superior Courts to the CJAO. This is requested to cover communications costs associated with the procurement of postage stamps and other mailing costs and for the payment of monthly telephone, internet, and facsimile. In addition, high speed internet access for the judicial facilities in Saipan, Tinian and Rota is absolutely necessary to facilitate online legal research via databases such as Lexis Nexis and Westlaw and

electronic case filing systems. 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	\$28,000
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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, Pacific Judicial Council, 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.

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	LICENSES & FEES	\$26,000
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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	\$9,200
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This amount is budgeted to cover costs for printing of forms, letterhead, business cards, program brochures for docket procedures, reports, and envelopes. The forms include 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, etc.

62500	TRAVEL	\$35,000
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This amount is requested to cover travel expenses for judge, courtroom clerks, and probation officers to Tinian and Rota to conduct the business of the courts in FY 2011. Civil, criminal and family courts matters 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 are also conducted by probation officers to monitor and supervise defendants that are on probation and/or conduct investigations to provide pre-sentencing reports for Judges. This amount will also cover travel expenses for off-island *Justices Pro Tem* to hear appellate cases. 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. Additionally, the justices are normally scheduled to attend annual training sessions at the National Judicial College in Reno, Nevada.

62660	REPAIR & MAINTENANCE (SAIPAN, TINIAN AND ROTA)	\$149,500
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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. In addition, this amount will be used to cover the cost of repairs and updates to high-traffic trial court equipment such as photocopy machines and courtroom recording equipment.

62710	UTILITIES (SAIPAN)	\$502,000
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This budget category is requested for utilities expenses incurred by the Judiciary's Saipan Facility, the Guma' Hustisia/Imwaal Aweewe/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 2011 expenses. In FY 2009, 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)	\$56,000
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In FY 2009, 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 \$56,000 to pay for the cost of utilities to the Rota Judicial Center.

62710	UTILITIES (TINIAN)	\$33,000
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In FY 2009, 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 \$33,000 to pay for the cost of utilities to the Tinian Judicial Center.

62750	CLEANING SERVICES	\$50,000
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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), Rota, and Tinian Courthouses.

63010	BOOKS & LIBRARY MATERIALS	\$7,500
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This budget category is requested to pay for books, journals, periodicals, and other publications and instructional materials for staff development. In addition, this amount is requested to update materials and books for the Judges' library, important for keeping them current and up to date on case law.

63020	FOOD ITEMS	\$3,200
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This budget category is for the purchase of drinkable water and food costs associated with jury trials.

63030	FUEL & LUBRICATION	\$10,100
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Another consolidated budget line item from Supreme and Superior Courts into CJAO, 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 the Judiciary's vehicle and maintenance fleet, 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	\$13,400
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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	\$18,500
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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. In addition, this amount is requested to cover expenses for anticipated equipment and/or industry-standard tools for use by the Office of Adult Probation, Clerk of Court, and the Family Court Division. Probation officers must be properly equipped as they enforce post-trial sentences imposed by the court. Certain enforcement methods and precautions must be taken to ensure officer safety.

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	\$7,500
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This budget category is requested to upgrade the Judiciary's server infrastructure. The Information Infrastructure is the backbone of the CNMI Judicial Branch. It is composed of a complex LAN system comprised of pc systems, scanners, printers, hubs, switches, routers, cabling, and servers. Court employees access and retrieve justice information through this secure infrastructure in order to perform their duties. Because of this important role, the LAN system is kept on 24/7, 365 days a year. The decade-old LAN system has accumulated considerable wear and tear and needs to be upgraded due to the high volume of traffic and constant use. If this system were to fail, users will be cut off from access to essential court documents, not to mention the JustWare Case Management application for managing the court's docket.

OPERATING EXPENDITURE WORKSHEET

Department	JUDICIARY
Activity	Law Revision Commission
Bus. Unit	1692

Class Code	Object Classification	FY 2009 PL 16-32 Actual	FY 2010 Continuing Resolution	FY 2010 Department's Request
61090	Wages/Salaries - CSC			
61100	Wages/Salaries - Ung	184,091	184,091	201,000
61180	Personnel Insurance			3,136
61190	Retirement Contribution DB 37.3909%			33,652
61195	401K DC Ret. Employer Contribution (4%)			4,440
61200	Subsistence			0
61210	Health Insurance Premium			16,154
61220	Medicare Contribution			2,915
61240	Workmen's Compensation			
61270	30% Retirement Bonus			
Total Personnel Costs		184,091	184,091	261,296
	Number of Positions	5	5	5
62070	Public Auditor's 1% Fee			3,011
62050	Official Representation			
62060	Professional Services			7,000
62080	Advertising			300
62090	Recruitment and Repatriation			0
62100	Boards and Other Comp.			
Total Professional Services				10,311
62250	Communications			10,000
62260	Dues and Subscriptions			200
62280	Insurance			
62290	Licenses and Fees			300
62300	Printing and Photocopying			
Total Office Expenses				10,500
62500	Travel			0
62660	Repair & Maintenance			1,000
62680	Freight & Handling			800
62690	Personnel Training Cost			3,000
62700	Storage and Handling			
62750	Cleaning Services			
Total Others				4,800
63010	Books and Library Materials			500
63020	Food Items			200
63030	Fuel and Lubrication			500
63040	Supplies Office			5,000
63050	Supplies Operations			
Total Supplies				6,200
64510	Buildings			
64520	Improvements			
64550	Computer Systems & Equip.			8,000
64560	Office Equipment			
64570	Office Furniture & Fixtures			
Total Capitalized Fixed Asset				8,000
Total All Others		24,300	24,300	39,811

Total Personnel & All Others	208,391	208,391	301,107
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PERSONNEL SERVICE WORKSHEET

Dept.	JUDICIAL BRANCH
Activity	LAW REVISION COMMISSION
Bus. Unit	1692

Job Code	Position Title	Incumbent	* FY 2010 PAY LEVEL			* FY 2011 REQUEST		
			Emp. Stat.	Grade Step	Base Salary	Emp. Stat.	Grade Step	Base Salary
1	Executive Director (Statutory Code)		APT	UNG	61,000	APT	UNG	61,000
2	Staff Attorney (Admin. Code)	Vacant (vice)	ESC	UNG	0	ESC	UNG	45,000
3	Staff Attorney (Judicial Reporters)		ESC	UNG	45,000	ESC	UNG	45,000
4	Executive Assistant		ESC	UNG	27,000	ESC	UNG	30,000
5	Publications Clerk		ESC	UNG	18,500	ESC	UNG	20,000

	* FY 2010 PAY LEVEL		* FY 2011 REQUEST	
Civil Service	0	0	0	0
Limited Term Appointments	0	0	0	0
Excepted Service Contracts	5	151,500	5	201,000

WAGES & OTHERS:

Wages	151,500	201,000
Overtime	0	0
Differentials	0	0
Total Wages & Others	151,500	201,000

BENEFITS:

Health Insurance	10,769	16,154
Life Insurance	2,363	3,136
Retirement DB - 37.3909%	16,826	33,652
Retirement DC - 4%	4,260	4,440
Medicare - 1.45%	2,197	2,915
Housing Allowance	0	0
Total Personnel Benefits	36,415	60,296

TOTAL FTEs, PERSONNEL COMPENSATION, & BENEFITS	5	187,915	5	261,296
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**FISCAL YEAR 2011
LAW REVISION COMMISSION
BUDGET JUSTIFICATION**

61100	PERSONNEL SERVICES	\$201,000
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This amount is budgeted to cover the wages cost of 5 personnel (FTE). The 5 FTEs 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	\$19,289
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This amount is budgeted to cover the employer's mandatory contribution to health and life insurance calculated using actual rates contributed on behalf of personnel.

61190	RETIREMENT CONTRIBUTIONS	\$38,092
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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 contributions of 37.39% and 4%.

61200	SUBSISTENCE/HOUSING ALLOWANCE	\$0
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Currently, no employee of the Law Revision Commission receives a housing allowance.

61220	MEDICARE CONTRIBUTION	\$2,915
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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	\$3,011
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This amount is requested to cover the Public Auditor's Fee at 1%.

62060	PROFESSIONAL SERVICES	\$7,000
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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 meeting, publication and procurement announcements in local newspapers; and for advertising in national legal publications for personnel vacancies.

62090	RECRUITMENT & REPATRIATION	\$0
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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	\$10,000
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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	\$3000
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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	\$8,000
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For routine and required upgrades of computer systems (example, necessary upgrade of Windows and scanning software) 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.**