



FY 2012  
Budget  
Request

# CNMI Judicial Branch

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Supreme Court  
Superior Court  
Judiciary Administrative Office  
Law Revision Commission

February 2012



February 28, 2011

The Honorable Benigno R. Fitial  
Governor  
Commonwealth of the Northern Mariana Islands  
Saipan, MP 96950

The Honorable Eloy S. Inos  
Lieutenant Governor  
Commonwealth of the Northern Mariana Islands  
Saipan, MP 96950

**Subject: CNMI Judiciary FY 2012 Budget Request**

Dear Honorable Sirs:

Please find attached the CNMI Judiciary's preliminary consolidated budget request for Fiscal Year 2012, in response to the budget call issued by the Office of Management and Budget. The judiciary respectfully requests \$4,000,000 to fund the Supreme Court (1691), Superior Court (1690), Commonwealth Judiciary Administrative Office (1694), and the Commonwealth Law Revision Commission (1692) for FY 2012. With \$3,486,159 for personnel costs and \$513,841 for all other expenses, the judiciary seeks 66 Full Time Equivalent positions with the intention to continue limited austerity provisions implemented in FY 2011.

Last year, the CNMI Judiciary submitted an FY 2011 budget request of \$5.5 million, of which the judiciary received only a \$3.3 million appropriation via Public Law 17-21. This represents a decline in funding of 44% from a peak of \$5.9 million in FY 1999. As a result, the judiciary projected a shortfall in necessary funding for FY 2011 and subsequently implemented austerity measures, including furlough Fridays and a hiring freeze for all but the most essential court personnel. Beginning in November 2010, all staff received a 10% reduction in pay, and beginning on January 1, 2011, that reduction increased to 20% and unpaid holidays. In addition, while P.L. 17-21 authorized a total of 74 FTEs to the judiciary, we have reduced the number of FTEs to 61 through attrition. This represents a decrease in total staffing of 50% since 2003.

This decline in the judiciary's funding is simply unsustainable. If we are unable to fund vacant staff positions who work to complete the broader functions of the judiciary, the foundation upon which the judiciary exists will continue to deteriorate. Twelve out of thirteen vacant positions are in the Superior Court, which is the starting point for every function of the CNMI Judiciary. In fact, due to the implementation of austerity measures affecting staff pay, the Clerk of the Superior Court's office has lost three senior deputy clerks in a two month period and, along with them, has lost valuable institutional knowledge and efficacy. This shortage of staff has resulted in delayed criminal hearings, warrant updates, probation hearings, entering of no-contact orders, and transmission of vital information such as criminal case history and abuse protection orders to the Department of Public Safety. Additionally, reductions in staff and a shrinking budget have

delayed the processing of child support payments, visitation orders, and complicated civil settlement agreements. The delay in civil cases, which take longer to adjudicate, tie up property and financial resources for years. Simply put, the judiciary cannot be sustained at the current level of funding – or any added cuts – without further jeopardizing the timely administration of justice for the people of the CNMI.

### **Court Administration**

In FY 2011, the CNMI Judicial Council, created in late 2009 pursuant to Article 4, § 9 of the N.M.I. Constitution and Rule 52 of the CNMI Supreme Court Rules, continued to guide the judiciary's administrative agenda. Over the past year, the Judicial Council has been responsible for many different administrative endeavors. The Council allocated the FY 2011 judiciary budget and implemented austerity measures for all judicial staff. In addition, the Council oversaw the consolidation of the administrative functions of the Supreme and Superior Courts, including the unification of administrative staff and financial functions. Moreover, members of the Judicial Council worked proactively with the administration to ensure the community continued to have the protection of the judiciary during the period of government shutdown in October 2010.

### **Notable Changes in FY 2012 Budget Request**

- **Authorized FTEs.** In FY 2012 the judiciary seeks \$3,486,159 for personnel costs to fill 66 of 74 FTEs as authorized under P.L. 17-21.
- **Continuation of Select Austerity Measures.** Due to the slowing effect current austerity measures have had on the judiciary's operations, we would need to cancel previously implemented austerity measures in FY 2012. However, it is clear that the continuing decline in general government revenues necessitates that we prolong cost saving measures. As such, this request proposes to maintain a reduction in staff salaries by 10%, in line with a 72 hour biweekly work schedule. Personnel wages and salaries listed in the proceeding schedules for all staff, except those constitutionally protected, reflect a 10% reduction. This is an increase from the current imposition of a 20% reduction in pay corresponding to a 64 hour biweekly work schedule, which has had an unsustainable impact on judiciary operations.
- **Health Insurance.** Effective November 7, 2010, the CNMI Retirement Fund increased employer and employee contributions on the premiums paid to the insurance carrier (Aetna) by approximately 30%. For FY 2012, the judiciary has calculated its cost on actual enrollment (for single, couple or family) by staff. The judiciary's total anticipated employer's share of health insurance for FY 2012 is \$168,666.
- **Change in Calculation of Defined Benefit Retirement Employer Contributions.** The judiciary's FY 2012 budget request assumes an employer's mandatory contribution cost of 30% of total base salaries for those employees who continue to be enrolled in the CNMI Retirement Fund's Defined Benefit (DB) plan. This is consistent with the rate used by the Department of Finance beginning October 1, 2010. The judiciary's total anticipated employer's share of defined benefit contributions for 40 employees is \$529,557 for FY 2012.

However, 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 2012 allocations, and in the event it continues its position that projected revenues commit the CNMI Government to a lower rate, the CNMI Judiciary requests that the amount in this category be re-calculated accordingly and the adjusted calculation be provided for it in the judiciary's total budget allocation. Below is a summary of same:

➤ 40 FTEs with DB Plan at 37.3909%  
Actuarially Determined Rate: \$660,020

- **Discontinuation of Subsistence/Housing Benefits for Select Employees.** The CNMI Judiciary has discontinued 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.
- **Utilities.** This budget request does not contain a proposed amount for utilities, consistent with recent discussions with high level administration officials.

### **Law Revision Commission (1692)**

The Commonwealth Law Revision Commission requests \$172,484 for the basic operations of the Commission office. The request represents a nearly \$100,000 reduction from the request from last year's request. This requested budget amount reflects the actual needs of the Commission in order to fulfill its statutory duties to codify and compile the laws of the CNMI, including the production of the statutory code, the CNMI Reporter series, and the CNMI administrative code, as well as providing vital legal information to the community for free through the Commission's website ([www.cnmilaw.org](http://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).

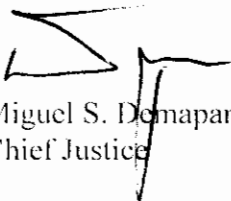
Since 2006, the Commission has had only one staff attorney which has resulted in the long delay of at least one publication, the CNMI Reporter with digest. The lack of this publication makes it difficult for lawyers, judges, legislators and interested community members to efficiently research CNMI case 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 to produce necessary legal publications and provide the community with access to CNMI law, the Commission simply cannot withstand any more budget cuts.

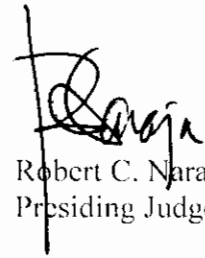
### Conclusion

The CNMI 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 work 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. However, there must be a patent 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 understand the gravity of our financial dilemma, but we cannot put a price tag on justice or its significance to our Commonwealth. For this reason, we respectfully request your earnest consideration of our funding. We ask only for what we need; enough to make sure that each person who comes before us receives the justice promised by the Constitution and our representative democratic system of government. We welcome an opportunity to elaborate further on these issues if needed. As always, please feel free to contact us directly at your convenience.

Si Yu'us Ma'ase,



Miguel S. Demapan  
Chief Justice



Robert C. Naraja  
Presiding Judge

Cc: Ms. Virginia Villagomez, Special Assistant for Management and Budget

**OPERATING EXPENDITURE WORKSHEET - FIVE VACANCIES FILLED AND 72 HOUR BI-WEEKLY SCHEDULE**

Dept.	<b>JUDICIARY FY 2012</b>
Activity Bus. Units	<b>Supreme Court/Superior Court/Commonwealth Judiciary Administrative Office/Law Revision Commission</b>
	<b>1691/1690/1694/1692</b>

<b>CLASS CODE</b>	<b>OBJECT CLASSIFICATION</b>	<b>SUPREME COURT</b>	<b>SUPERIOR COURT</b>	<b>ADMINISTRATIVE OFFICE</b>	<b>LAW REVISION COMMISSION</b>	<b>GRAND TOTAL</b>
61090	Wages/Salaries - CSC	0	394,192	70,892	0	<b>465,084</b>
61100	Wages/Salaries - Ung	701,682	1,137,780	245,187	136,350	<b>2,220,999</b>
61180	Life Insurance	3,747	15,361	4,911	2,051	<b>26,069</b>
61190	Retirement Contribution (30%)	152,455	332,867	44,236	0	<b>529,557</b>
61195	401K D.C. Retirement Contribution (4%)	7,740	16,897	6,745	5,454	<b>36,836</b>
61200	Subsistence/Housing Allowance	0	0	0	0	<b>0</b>
61210	Health Insurance Premium	35,275	110,061	13,953	9,377	<b>168,666</b>
61220	Medicare Contribution (1.45%)	10,174	22,214	4,583	1,977	<b>38,948</b>
<b>Total Personnel Costs</b>		<b>911,073</b>	<b>2,029,371</b>	<b>390,507</b>	<b>155,209</b>	<b>3,486,159</b>
	Number of Positions:	11	38	13	4	<b>66</b>
62050	Official Representation	0	0	900	0	<b>900</b>
62060	Professional Services	0	0	225,000	0	<b>225,000</b>
62070	Public Auditor's Fee	9,419	20,760	8,093	1,725	<b>39,997</b>
62080	Advertising	0	0	850	150	<b>1,000</b>
62090	Recruitment & Repatriation	5,000	5,500	0	4,000	<b>14,500</b>
62100	Boards & Other Comp.	0	0	0	0	<b>0</b>
<b>Total Professional Services</b>		<b>14,419</b>	<b>26,260</b>	<b>234,843</b>	<b>5,875</b>	<b>281,397</b>
62240	Bank Charges	0	400	0	0	<b>400</b>
62250	Communications	0	0	32,000	6,000	<b>38,000</b>
62260	Dues & Subscriptions	16,500	2,300	0	200	<b>19,000</b>
62280	Insurance	0	0	0	0	<b>0</b>
62290	Licenses & Fees	0	0	900	300	<b>1,200</b>
62300	Printing & Photocopying	0	1,500	800	0	<b>2,300</b>
<b>Total Office Expenses</b>		<b>16,500</b>	<b>3,800</b>	<b>33,700</b>	<b>6,500</b>	<b>60,500</b>
<b>62500</b>	<b>Travel</b>	<b>0</b>	<b>15,000</b>	<b>15,000</b>	<b>0</b>	<b>30,000</b>
62660	Repair & Maintenance	0	0	79,924	1,000	<b>80,924</b>
62680	Freight & Handling	0	0	1,000	200	<b>1,200</b>
62690	Personnel Training Cost	0	0	1,800	0	<b>1,800</b>
62710	Utilities (Rota, Saipan, Tinian)	0	0	0	0	<b>0</b>
62750	Cleaning Services (Rota, Saipan, Tinian)	0	0	0	0	<b>0</b>
<b>Total Others</b>		<b>0</b>	<b>0</b>	<b>82,724</b>	<b>1,200</b>	<b>83,924</b>
63010	Books & Library Materials	0	0	4,500	0	<b>4,500</b>
63020	Food Items	0	1,800	500	200	<b>2,500</b>
63030	Fuel & Lubrication (POL)	0	0	8,000	500	<b>8,500</b>
63040	Supplies - Office	0	0	20,000	1,500	<b>21,500</b>
63050	Supplies - Operations	0	0	11,000	0	<b>11,000</b>
<b>Total Supplies</b>		<b>0</b>	<b>1,800</b>	<b>44,000</b>	<b>2,200</b>	<b>48,000</b>

64510	Buildings	0	0	0	0	0
64520	Improvements	0	0	0	0	0
64540	Machinery, Tools & Equipment	0	0	0	0	0
64550	Computer Systems & Equipment	0	0	4,000	1,500	5,500
64560	Office Equipment	0	0	4,000	0	4,000
64570	Office Furniture & Fixtures	0	0	520	0	520
64580	Vechicle-Public Service Admin	0	0	0	0	0
<b>Total Capitalized Fixed Assets</b>		<b>0</b>	<b>0</b>	<b>8,520</b>	<b>1,500</b>	<b>10,020</b>
<b>Total All Others</b>		<b>30,919</b>	<b>46,860</b>	<b>418,787</b>	<b>17,275</b>	<b>513,841</b>
<b>Total Personnel and All Others</b>		<b>941,992</b>	<b>2,076,231</b>	<b>809,294</b>	<b>172,484</b>	<b>4,000,000</b>

**SUPREME COURT**  
**OPERATING EXPENDITURE WORKSHEET**

Dept.	JUDICIARY		
Activity	Supreme Court FY 2012 Budget Request		
Bus. Units	1691		

CLASS CODE	Object Classification	FY2011 PL 17-21 Actual	FY 2011 Budget Request
61090	Wages/Salaries -CSC		0
61100	Wages/Salaries - UNG		701,682
61180	Personnel Insurance		3,747
61190	Retirement Contribution		152,455
61195	401K DC Ret. Employer Contribution		7,740
61200	Subsistence Allowance		0
61210	Health Insurance Premium		35,275
61220	Medicare Contribution (1.45%)		10,174
<b>Total Personnel Costs</b>		<b>792,333</b>	<b>911,073</b>
	Number of Positions:	11	11
62050	Official Representation		0
62060	Professional Services		0
62070	Public Auditor's Fee 1%		9,419
62080	Advertising		0
62090	Recruitment & Repatriation		5,000
62100	Boards & Other Comp.		0
<b>Total Professional Services</b>			<b>14,419</b>
62250	Communications		0
62260	Dues & Subscriptions		16,500
62280	Insurance		0
62290	Licenses & Fees		0
62300	Printing & Photocopying		0
<b>Total Office Expenses</b>			<b>16,500</b>
<b>62500</b>	<b>Travel</b>		<b>0</b>
62660	Repair & Maintenance		0
62680	Freight & Handling		0
62690	Personnel Training Cost		0
62700	Storage & Handling		0
62710	Utilities		0
62750	Cleaning Services		0
<b>Total Others</b>			<b>0</b>
63010	Books & Library Materials		0
63020	Food Items		0
63030	Fuel & Lubrication (POL)		0
63040	Supplies - Office		0
<b>Total Supplies</b>			<b>0</b>
64540	Machinery, Tools & Equipment		0
64550	Computer Systems & Equipment		0
64560	Office Equipment		0
64570	Office Furniture & Fixtures		0
<b>Total Capitalized Fixed Assets</b>			<b>0</b>
<b>Total All Others</b>		<b>3,639</b>	<b>30,919</b>
<b>Total Personnel &amp; All Others</b>		<b>795,972</b>	<b>941,992</b>



**FISCAL YEAR 2012  
SUPREME COURT  
BUDGET JUSTIFICATION**

<b>61100</b>	<b>WAGES/SALARIES UNGRADED</b>	<b>\$701,682</b>
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This amount is requested to maintain the wages and salaries of Commonwealth Supreme Court current eleven Full Time Employees (FTEs). With the exception of the constitutionally protected salaries, this amount reflects a work schedule for all staff of 72 hours biweekly and a corresponding 10% reduction in salaries.

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.

Total No. of FTEs Requested	New	Current	Total
11	0	\$701,682	\$701,682

<b>61180</b>	<b>PERSONNEL INSURANCE</b>	<b>\$3,747</b>
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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 CNMI Retirement Fund. Effective January 1, 2010 (FY 2010), Individual Assurance Company (IAC) was selected by the CNMI 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.

<b>61190</b>	<b>RETIREMENT CONTRIBUTIONS</b>	<b>\$152,455</b>
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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 30% 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

7	\$508,183	30%	\$152,455
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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 2012 allocations to this rate as recommended by the NMIRF or should additional funding become available for appropriation, the Supreme Court requests that the amount of its employer contributions to the NMIRF be adjusted accordingly.

No. of FTEs	Total Personnel	Percentage	Total
7	\$508,183	37.3909%	\$190,014

<b>61195</b>	<b>RETIREMENT CONTRIBUTIONS (401K DC PLAN)</b>	<b>\$7,740</b>
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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 four court employees. This requirement is mandated by CNMI law.

No. of FTEs	Total Personnel	Percentage	Total
4	\$193,500	4%	\$7,740

<b>61200</b>	<b>SUBSISTENCE/HOUSING ALLOWANCE</b>	<b>\$0</b>
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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.

<b>61210</b>	<b>HEALTH INSURANCE PREMIUM</b>	<b>\$35,275</b>
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Effective November 7, 2010, the CNMI Retirement Fund increased employer and employee contributions on the premiums paid to the insurance carrier (Aetna) by approximately 30%. For FY 2012, the judiciary has calculated its cost on actual enrollment (for single, couple or family) by staff. The Supreme Court requests \$35,275 for the health insurance premium based on the employees' actual enrollment.

<b>61220</b>	<b>MEDICARE CONTRIBUTION</b>	<b>\$10,174</b>
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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 \$737,202. 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
11	\$701,682	1.45%	\$10,174

<b>62050</b>	<b>OFFICIAL REPRESENTATION</b>		<b>\$0</b>
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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).

<b>62060</b>	<b>PROFESSIONAL SERVICES</b>		<b>\$0</b>
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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).

<b>62070</b>	<b>PUBLIC AUDITOR’S FEE</b>		<b>\$9,419</b>
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This amount is requested to cover the required Public Auditor’s Fee at 1%.

<b>62080</b>	<b>ADVERTISING</b>		<b>\$0</b>
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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).

<b>62090</b>	<b>RECRUITMENT &amp; REPATRIATION</b>		<b>\$5,000</b>
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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 FY2012 and recruitment of their replacements.

<b>62250</b>	<b>COMMUNICATIONS</b>	<b>\$0</b>
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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).

<b>62260</b>	<b>DUES &amp; SUBSCRIPTIONS</b>	<b>\$16,500</b>
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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. For the past several years, these membership fees have remained unpaid due to the implementation of austerity measures. We are again seeking to reinstate our active memberships in these organizations.

<b>62280</b>	<b>INSURANCE</b>	<b>\$0</b>
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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).

<b>62290</b>	<b>LICENSES &amp; FEES</b>	<b>\$0</b>
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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).

<b>62300</b>	<b>PRINTING &amp; PHOTOCOPYING</b>	<b>\$0</b>
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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).

<b>62500</b>	<b>TRAVEL</b>	<b>\$0</b>
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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).

<b>62660</b>	<b>REPAIR AND MAINTENANCE</b>	<b>\$0</b>
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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).

<b>62690</b>	<b>PERSONNEL TRAINING COST</b>	<b>\$0</b>
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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.

<b>63010</b>	<b>BOOKS &amp; LIBRARY MATERIALS</b>	<b>\$0</b>
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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).

<b>63020</b>	<b>FOOD ITEMS</b>	<b>\$0</b>
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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 CJA0 (1694).

<b>63030</b>	<b>FUEL &amp; LUBRICATION</b>	<b>\$0</b>
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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.

<b>63040</b>	<b>SUPPLIES-OFFICE</b>	<b>\$0</b>
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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 CJA0 (1694).

<b>64550</b>	<b>COMPUTER SYSTEMS &amp; EQUIPMENT</b>	<b>\$0</b>
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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 CJA0 (1694).

**CNMI SUPERIOR COURT**  
**OPERATING EXPENDITURE WORKSHEET**

<b>Dept.</b>	CNMI Judiciary
<b>Activity</b>	CNMI Superior Court FY 2012 Budget Request
<b>Bus. Unit</b>	1690

	<b>Class</b>	<b>Object</b>	<b>FY 2011</b>	<b>FY 2012</b>
	<b>Code</b>	<b>Classification</b>	<b>PL 17-21</b>	<b>Budget</b>
			<b>Actual</b>	<b>Request</b>
	61090	Wages/Salaries - CSC		394,192
	61100	Wages/Salaries - Ung		1,137,780
	61180	Personnel Insurance		15,361
	61190	Retirement Contribution (37.3909%)		332,867
	61195	401K D.C. Retirement Contribution (4%)		16,897
	61200	Subsistence		0
	61210	Health Insurance Premium		110,061
	61220	Medicare Contribution		22,214
		<b>Total Personnel Costs</b>	<b>1,714,552</b>	<b>2,029,372</b>
		Number of Positions	45	<b>38</b>
	62050	Official Representation		0
	62060	Professional Services		0
	62070	Public Auditor's Fee		20,760
	62080	Advertising		0
	62090	Recruitment/Repatriation		5,500
		<b>Total Professional Services</b>		<b>26,260</b>
	62240	Bank Charges		400
	62250	Communications		0
	62260	Dues and Subscriptions		2,300
	62280	Insurance		0
	62290	Licenses and Fees		0
	62300	Printing and Photocopying		1,500
		<b>Total Office Expenses</b>		<b>3,800</b>
	62500	Travel		<b>15,000</b>
	62660	Repair & Maintenance		0
	62680	Freight & Handling		0
	62690	Personnel Training Cost		0
	62700	Storage and Handling		0
	62750	Cleaning Services		0
		<b>Total Others</b>		<b>0</b>
	63010	Books and Library Materials		0
	63020	Food Items		1,800
	63030	Fuel and Lubricate		0
	63040	Supplies Office		0
	63050	Supplies Operations		0
		<b>Total Supplies</b>		<b>1,800</b>
	64550	Computer Systems & Equip.		0
	64560	Office Equipment		0
	64570	Office Furniture & Fixtures		0
		<b>Total Capitalized Fixed Asset</b>		<b>0</b>
		<b>Total All Others</b>	<b>160,961</b>	<b>46,860</b>
		<b>Total Personnel &amp; All Others</b>	<b>1,875,513</b>	<b>2,076,232</b>

**FISCAL YEAR 2012  
CNMI SUPERIOR COURT  
BUDGET JUSTIFICATION**

The Superior Court's proposed Fiscal Year 2012 budget takes into consideration changes to the CNMI Judiciary's organization structure and lists its needs to function as a trial court.

<b>61090</b>	<b>WAGES/SALARIES - CIVIL SERVICE SYSTEM</b>	<b>\$394,192</b>
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The Superior Court requests for funding in this category for 19 personnel/full-time employees in order to meet its statutory duties and responsibilities. This amount reflects a work schedule for all staff of 72 hours biweekly and a corresponding 10% reduction in salaries. 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. The total amount requested 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.

<b>61100</b>	<b>WAGES/SALARIES - UNGRADED</b>	<b>\$1,137,780</b>
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The Superior Court requests for funding in this category for 19 personnel/full-time employees in order to meet its statutory duties and responsibilities. With the exception of the constitutionally protected salaries, this amount reflects a work schedule for all staff of 72 hours biweekly and a corresponding 10% reduction in salaries. 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.



<b>61180</b>	<b>PERSONNEL INSURANCE</b>	<b>\$15,361</b>
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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 CNMI Retirement Fund. Effective January 1, 2010 (Fiscal Year 2010), Individual Assurance Company (IAC) was selected by the CNMI 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.

<b>61190</b>	<b>RETIREMENT CONTRIBUTION-DB PLAN</b>	<b>\$332,867</b>
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This amount is requested to cover the employer's mandatory contribution to the CNMI Retirement Fund's Defined Benefit (DB) plan. This requirement is mandated by CNMI law. For FY 2012, the judiciary assumes a 30% employer contribution rate consistent with that being used by the administration effective October 1, 2010.

- 28 FTEs with DB plan and employer contribution rate at 30% = \$332,867

However, 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 2012 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:

- 28 FTEs with DB Plan and employer contribution rate at 37.3909% = \$414,873

<b>61195</b>	<b>RETIREMENT CONTRIBUTION-DC PLAN</b>	<b>\$16,897</b>
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This amount is requested to cover the employer's mandatory contribution to the CNMI Retirement Fund's Defined Contribution Plan. This requirement is mandated by CNMI law. The proposal projects a cost for ten (10) employees with the DC plan at 4% of total base salary.

<b>61200</b>	<b>HOUSING ALLOWANCE/SUBSISTENCE</b>	<b>\$0</b>
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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 2012 and transfer the correlating amount directly into wages and salary for its law clerks.

<b>61210</b>	<b>HEALTH INSURANCE PREMIUM</b>	<b>\$110,061</b>
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Effective November 7, 2010, the CNMI Retirement Fund increased employer and employee contributions on the premiums paid to the insurance carrier (Aetna) by approximately 30%. For FY 2012, the judiciary has calculated its cost on actual enrollment (for single, couple or family) by staff. The Superior Court requests \$110,061 for the employer's share of health insurance based on actual enrollment.

<b>61220</b>	<b>MEDICARE CONTRIBUTION</b>	<b>\$22,214</b>
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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 \$1,531,972. This requirement is mandated by CNMI law.

<b>62050</b>	<b>OFFICIAL REPRESENTATION</b>	<b>\$0</b>
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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 CJAO (1694).

<b>62060</b>	<b>PROFESSIONAL SERVICES</b>	<b>\$0</b>
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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).

<b>62070</b>	<b>PUBLIC AUDITOR'S FEE</b>	<b>\$20,760</b>
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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.

<b>62080</b>	<b>ADVERTISING</b>	<b>\$0</b>
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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).

<b>62090</b>	<b>RECRUITMENT &amp; REPATRIATION</b>	<b>\$5,500</b>
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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.

<b>62250</b>	<b>COMMUNICATIONS</b>	<b>\$0</b>
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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).

<b>62260</b>	<b>DUES AND SUBSCRIPTIONS</b>	<b>\$2,300</b>
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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.

<b>62300</b>	<b>PRINTING AND PHOTOCOPYING</b>	<b>\$1,500</b>
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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.

<b>62500</b>	<b>TRAVEL</b>	<b>\$15,000</b>
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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 2012. 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.

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

<b>62680</b>	<b>FREIGHT AND HANDLING</b>	<b>\$0</b>
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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).

<b>62690</b>	<b>PERSONNEL TRAINING COST</b>	<b>\$0</b>
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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).

<b>62750</b>	<b>CLEANING SERVICES</b>	<b>\$0</b>
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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).

<b>63010</b>	<b>BOOKS AND LIBRARY MATERIALS</b>	<b>\$0</b>
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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).

<b>63020</b>	<b>FOOD ITEMS</b>	<b>\$0</b>
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This amount is requested to cover expenses for food items incurred during jury trials held on Rota, Saipan, and Tinian.

<b>63030</b>	<b>FUEL AND LUBRICATION</b>	<b>\$0</b>
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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).

<b>63040</b>	<b>SUPPLIES - OFFICE</b>	<b>\$0</b>
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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).

<b>63050</b>	<b>SUPPLIES - OPERATIONS</b>	<b>\$0</b>
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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).

**JUDICIARY ADMINISTRATIVE OFFICE**  
**OPERATING EXPENDITURE WORKSHEET**

Dept.	JUDICIARY
Activity	Commonwealth Judiciary Administrative Office FY 2012
Bus. Unit	1694

CLASS CODE	Object Classification	FY 2011 PL 17-21 Actual	FY 2011 Dept. Request
61090	Wages/Salaries -CSC		70,892
61100	Wages/Salaries - UNG		245,187
61180	Personnel Insurance		4,911
61190	Retirement Contribution		44,236
61195	401K DC Ret. Employer Contribution (4%)		6,745
61200	Subsistence Allowance		0
61210	Health Insurance Premium		13,953
61220	Medicare Contribution (1.45%)		4,583
<b>Total Personnel Costs</b>		<b>295,435</b>	<b>390,507</b>
	Number of Positions:	13	13
62050	Official Representation		900
62060	Professional Services		225,000
62070	Public Auditor 1%		8,093
62080	Advertising		850
62090	Recruitment & Repatriation		0
<b>Total Professional Services</b>			<b>234,843</b>
62250	Communications		32,000
62260	Dues & Subscriptions		0
62280	Insurance		0
62290	Licenses & Fees		900
62300	Printing & Photocopying		800
<b>Total Office Expenses</b>			<b>33,700</b>
<b>62500</b>	<b>Travel</b>		<b>15,000</b>
62660	Repair & Maintenance (Saipan, Tinian and Rota)		79,924
62680	Freight & Handling		1,000
62690	Personnel Training Cost		1,800
62710	Utilities	0	0
62750	Cleaning Services (Saipan, Tinian, and Rota)		0
<b>Total Others</b>			<b>82,724</b>
63010	Books & Library Materials		4,500
63020	Food Items		500
63030	Fuel & Lubrication (POL)		8,000
63040	Supplies - Office		20,000
63050	Supplies - Operations		11,000
<b>Total Supplies</b>			<b>44,000</b>
64550	Computer Systems & Equipment		4,000
64560	Office Equipment		4,000
64570	Office Furniture & Fixtures		520
<b>Total Capitalized Fixed Assets</b>			<b>8,520</b>
Total All Others		217,240	418,787
<b>Total Personnel, Utilities &amp; All Others</b>		<b>512,675</b>	<b>809,294</b>

**FISCAL YEAR 2012  
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.

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. Importantly, these administrative expenses are transferred to the CJAO to be administered centrally for the benefit of the entire judiciary

<b>61090</b>	<b>WAGES/SALARIES – CIVIL SERVICE</b>	<b>\$70,892</b>
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The amount of \$70,892 is budgeted to cover the wages and salaries of four full-time civil service employees (FTEs) previously assigned to the CJAO. This amount reflects a work schedule for all staff of 72 hours biweekly and a corresponding 10% reduction in salaries.

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 includes any increases in its personnel worksheet.

<b>61100</b>	<b>WAGES/SALARIES – UNGRADED</b>	<b>\$245,187</b>
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The amount of \$245,187 is requested to pay for nine ungraded FTEs. This amount reflects a work schedule for all staff of 72 hours biweekly and a corresponding 10% reduction in salaries.

<b>61180</b>	<b>PERSONNEL INSURANCE</b>	<b>\$4,911</b>
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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 CNMI Retirement Fund. Effective January 1, 2010 (Fiscal Year 2010), Individual Assurance Company (IAC) was selected by the CNMI 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.

<b>61190</b>	<b>RETIREMENT CONTRIBUTION – DB PLAN</b>	<b>\$44,236</b>
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This amount is requested to cover the employer's mandatory contribution to the CNMI Retirement Fund's Defined Benefit (DB) plan. This requirement is mandated by CNMI law. The judiciary assumes a 30% DB employer contribution rate, consistent with that used by the administration effective October 1, 2010

- 6 FTEs with a DB plan and employer contribution rate of 30% = 44,236

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 2012 allocations, and in the event it continues its position that projected revenues commit the CNMI Government to a lower rate, the CJA0 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:

- 6 FTEs with DB Plan and employer contribution rate of 37.3909% = \$55,164

<b>61195</b>	<b>RETIREMENT CONTRIBUTION (401K PLAN)</b>	<b>\$6,745</b>
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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.



- 7 FTEs with DC plan and employer contribution rate of 4% = \$6,745

<b>61200</b>	<b>SUBSISTENCE/HOUSING ALLOWANCE</b>	<b>\$0</b>
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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.

<b>61210</b>	<b>HEALTH INSURANCE PREMIUM</b>	<b>\$13,953</b>
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Effective November 7, 2010, the CNMI Retirement Fund increased employer and employee contributions on the premiums paid to the insurance carrier (Aetna) by approximately 30%. For FY 2012, the judiciary has calculated its cost on actual enrollment (for single, couple or family) by staff. The Judiciary Administration Office requests \$13,953 for this purpose.

<b>61220</b>	<b>MEDICARE CONTRIBUTION</b>	<b>\$4,583</b>
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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 \$316,079. This budget category is included by the court to assure that sufficient funds are appropriated to cover Medicare costs for the 13 employees as required by law.

<b>62050</b>	<b>OFFICIAL REPRESENTATION</b>	<b>\$900</b>
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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.

<b>62060</b>	<b>PROFESSIONAL SERVICES</b>	<b>\$225,000</b>
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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.

In addition, this amount includes indigent defense fees and associated costs, which 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 2012: 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.

<b>62070</b>	<b>PUBLIC AUDITOR'S FEE</b>	<b>\$8,093</b>
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This amount is requested to cover the Public Auditor's Fee at 1%.

<b>62080</b>	<b>ADVERTISING</b>	<b>\$850</b>
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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.

<b>62090</b>	<b>RECRUITMENT &amp; REPATRIATION</b>	<b>\$0</b>
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No amount is requested at this time for recruitment and repatriation expenses under this account.

<b>62250</b>	<b>COMMUNICATIONS</b>	<b>\$32,000</b>
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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.

<b>62260</b>	<b>DUES &amp; SUBSCRIPTIONS</b>	<b>\$0</b>
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No amount is requested at this time for dues and subscriptions under this account.

<b>62280</b>	<b>INSURANCE</b>	<b>\$0</b>
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No amount is requested at this time for insurance under this account.

<b>62290</b>	<b>LICENSES &amp; FEES</b>	<b>\$900</b>
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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.

<b>62300</b>	<b>PRINTING &amp; PHOTOCOPYING</b>	<b>\$800</b>
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This amount is budgeted to cover costs for printing of forms, letterheads, and envelopes for the Administrative Office.

<b>62500</b>	<b>TRAVEL</b>	<b>\$15,000</b>
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This amount is requested to pay for the cost of sending maintenance staff to the Tinian and Rota courthouses periodically for inspection, repairs, and maintenance. It also will be used to send court personnel to attend national and regional conferences and seminars conducted by the National Center for State Courts, the Institute for Court Management, the National Conference of Bar Examiners, and the National Association of Court Management.

<b>62660</b>	<b>REPAIR &amp; MAINTENANCE (SAIPAN, TINIAN AND ROTA)</b>	<b>\$79,924</b>
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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.

<b>62680</b>	<b>FREIGHT &amp; HANDLING</b>	<b>\$1,000</b>
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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.

<b>62690</b>	<b>PERSONNEL TRAINING COST</b>	<b>\$1,800</b>
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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.

<b>62710</b>	<b>UTILITIES (SAIPAN, ROTA, &amp; TINIAN)</b>	<b>\$0</b>
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No amount is requested for utilities under this account at this time, consistent with recent advice by high level administration officials. However, this budget category is typically 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 actual historical usage, \$550,000 would be included in this budget request for utilities consumption in FY 2012 for the Saipan judicial facility, the Rota Judicial Center, and the Tinian Judicial Center.

<b>62750</b>	<b>CLEANING SERVICES</b>	<b>\$0</b>
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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. No amount is requested for cleaning services under this account at this time.

<b>63010</b>	<b>BOOKS &amp; LIBRARY MATERIALS</b>	<b>\$4,500</b>
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This budget category is requested to pay for books, journals, periodicals, and other publications and instructional materials for staff development.

<b>63020</b>	<b>FOOD ITEMS</b>	<b>\$500</b>
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This budget category is for the purchase of drinkable water for staff.

<b>63030</b>	<b>FUEL &amp; LUBRICATION</b>	<b>\$8,000</b>
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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 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.

<b>63040</b>	<b>SUPPLIES – OFFICE</b>	<b>\$20,000</b>
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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.

<b>63050</b>	<b>SUPPLIES – OPERATIONS</b>	<b>\$11,000</b>
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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.

<b>64540</b>	<b>MACHINERY, TOOLS &amp; EQUIPMENT</b>	<b>\$0</b>
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This budget category is typically requested to cover machinery, tools, and equipment costs for the building operations and maintenance. No amount is requested for machinery, tools and equipment under this account at this time.

<b>64550</b>	<b>COMPUTER SYSTEMS &amp; EQUIPMENT</b>	<b>\$4,000</b>
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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.

<b>64560</b>	<b>OFFICE EQUIPMENT</b>	<b>\$4,000</b>
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This amount is requested to replacement parts for office equipment such as copier machines and digital recording equipment used in the courtrooms.

<b>64570</b>	<b>OFFICE FURNITURE &amp; FIXTURES</b>	<b>\$520</b>
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This amount is budgeted to replace office furniture and fixtures such as desks and chairs.

# LAW REVISION COMMISSION

## OPERATING EXPENDITURE WORKSHEET

Department	<b>JUDICIARY</b>
Activity	<b>Law Revision Commission FY 2012 Budget Request</b>
Bus. Unit	<b>1692</b>

Class Code	Object Classification	FY 2011 PL 17-21 Actual	FY 2012 Department's Request
61090	Wages/Salaries - CSC		0
61100	Wages/Salaries - Ung		136,350
61180	Personnel Insurance		2,051
61190	Retirement Contribution DB		<b>0</b>
61195	401K DC Ret. Employer Contribution (4%)		<b>5,454</b>
61200	Subsistence		0
61210	Health Insurance Premium		9,377
61220	Medicare Contribution		1,977
<b>Total Personnel Costs</b>		<b>132,442</b>	<b>155,209</b>
	Number of Positions	5	4
62070	Public Auditor's 1% Fee		1,725
62050	Official Representation		0
62060	Professional Services		0
62080	Advertising		150
62090	Repatriation		4,000
62100	Boards and Other Comp.		0
Total Professional Services			<b>5,875</b>
62250	Communications		6,000
62260	Dues and Subscriptions		200
62280	Insurance		0
62290	Licenses and Fees		300
62300	Printing and Photocopying		0
Total Office Expenses			<b>6,500</b>
62500	Travel		0
62660	Repair & Maintenance		1,000
62680	Freight & Handling		200
62690	Personnel Training Cost		0
62750	Cleaning Services		0
Total Others			<b>1,200</b>
63010	Books and Library Materials		0
63020	Food Items		200
63030	Fuel and Lubricate		500
63040	Supplies Office		1,500
63050	Supplies Operations		0
Total Supplies			<b>2,200</b>
64510	Buildings		0
64520	Improvements		0
64550	Computer Systems & Equip.		1,500
Total Capitalized Fixed Asset			<b>1,500</b>
<b>Total All Others</b>		<b>6,245</b>	<b>17,275</b>
<b>Total Personnel &amp; All Others</b>		<b>138,687</b>	<b>172,484</b>

**FISCAL YEAR 2012  
LAW REVISION COMMISSION  
BUDGET JUSTIFICATION**

<b>61100</b>	<b>PERSONNEL SERVICES</b>	<b>\$136,350</b>
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This amount is budgeted to cover the wages cost of 4 personnel (FTE). The 4 FTEs consist of the Executive Director (codifies the Commonwealth Code), one Staff Attorney, 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.

<b>61180</b>	<b>PERSONNEL INSURANCE</b>	<b>\$2,051</b>
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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.

<b>61195</b>	<b>RETIREMENT CONTRIBUTIONS</b>	<b>\$5,454</b>
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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%.

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

<b>61210</b>	<b>HEALTH INSURANCE PREMIUM</b>	<b>\$9,377</b>
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Effective November 7, 2010, the CNMI Retirement Fund increased employer and employee contributions on the premiums paid to the insurance carrier (Aetna) by approximately 30%. For FY 2012, the judiciary has calculated its cost on actual enrollment (for single, couple or family) by staff.

<b>61220</b>	<b>MEDICARE CONTRIBUTION</b>	<b>\$1,977</b>
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This amount is budgeted to cover the employer's mandatory contribution to the Medicare program currently based at 1.45%.

<b>62070</b>	<b>PUBLIC AUDITOR'S FEE</b>	<b>\$1,725</b>
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This amount is requested to cover the Public Auditor's Fee at 1%.

<b>62060</b>	<b>PROFESSIONAL SERVICES</b>	<b>\$0</b>
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For necessary professional services including proofreaders to proofread and cross-check draft publications of Commission publication projects.

<b>62080</b>	<b>ADVERTISING</b>	<b>\$150</b>
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For meeting, publication and procurement announcements in local newspapers; and for advertising in national legal publications for personnel vacancies.

<b>62090</b>	<b>RECRUITMENT &amp; REPATRIATION</b>	<b>\$4000</b>
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For the Commission to repatriate a staff attorney and recruit an attorney from off-island should the Commission be unable to hire a qualified professional from the CNMI.

<b>62250</b>	<b>COMMUNICATIONS</b>	<b>\$6,000</b>
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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.**

<b>62260</b>	<b>DUES AND SUBSCRIPTION</b>	<b>\$200</b>
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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.

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

<b>62660</b>	<b>REPAIR AND MAINTENANCE</b>	<b>\$1,000</b>
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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).

<b>62680</b>	<b>FREIGHT &amp; HANDLING</b>	<b>\$200</b>
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For delivery of publications from stateside publishers to the Commission.

<b>62690</b>	<b>PERSONNEL TRAINING COST</b>	<b>\$0</b>
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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.

<b>63010</b>	<b>BOOKS &amp; LIBRARY MATERIALS</b>	<b>\$0</b>
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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.

<b>63020</b>	<b>FOOD ITEMS</b>	<b>\$200</b>
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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.

<b>63030</b>	<b>FUEL &amp; LUBRICATION</b>	<b>\$500</b>
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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.

<b>63040</b>	<b>SUPPLIES – OFFICE</b>	<b>\$1,500</b>
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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.**

<b>64550</b>	<b>COMPUTER SYSTEMS &amp; EQUIPMENT</b>	<b>\$1,500</b>
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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.**