Table of Contents

2014-15 Governors Budget - Judicial Standards Board

Agency Profile - Judicial Standards Board 1

Current, Base and Governor's Recommended Expenditures 3

Sources and Uses 4

Governor's Changes 5

All Funds FTE by Program 6

Mission:

The Board on Judicial Standards strives to ensure that the public has confidence in the integrity and impartiality of the entire Minnesota judiciary by enforcing the Minnesota Code of Judicial Conduct and the Minnesota Constitution.

Statewide Outcome(s):

Board on Judicial Standards supports the following statewide outcome.

Efficient and accountable government services.

Context:

The agency serves all citizens of the State by providing a procedure to review and investigate allegations of judicial disability or misconduct by judicial officers. The Board issues private admonitions and public reprimands to judges and judicial officers when appropriate. When necessary, a public proceeding can be initiated before a panel if the misconduct is a serious violation. The recommendations of the panel can be appealed either by the Board or the judicial officer to the Minnesota Supreme Court. The agency also educates and advises the public and judicial officers on appropriate judicial behavior. To avoid conflicts, the only source of funding is the general fund.

Strategies:

As the only state entity with the authority to process judicial complaints, the agency endeavors to promptly process all complaints in a way that respects the judge's right to due process while maintaining the interests of the public. The strategies utilized to achieve these principles are:

- Receive, review and investigate complaints filed against judges for violations of the Code of Judicial Conduct, statutes and Minnesota Constitution and for medical disability;
- Issue private admonition or public reprimand to a judge when appropriate;
- Initiate public proceedings against a judge, when appropriate, which can result in a public hearing by a panel and their recommendation to the Minnesota Supreme Court for discipline including retirement, censure or removal from office;
- Review judges' statutory compliance on issuing timely decisions and take appropriate disciplinary action, if necessary;
- Respond to all inquiries concerning judicial ethics from the public, judges, attorneys and legislature. Contacts with these constituencies are essential to maintaining the public's confidence in the independence, impartiality and integrity of the judicial system. Through these initial contacts, the agency has an opportunity to explain its duties and responsibilities in the judicial ethics enforcement process. Success of the agency is not only measured by the number of complaints received or processed but also by the availability and visibility of the agency.
- Inform and educate the public and judges on judicial ethics along with providing information as to the activities of the agency. Educational presentations on judicial ethics and disability, distribution of agency's brochures and improved information on the agency's website are significant to the public's and judiciary's understanding of how the Board works.

Results:

The agency is continually striving to become more transparent to the judges, the public and legislature. The website has been redesigned to display more information about the activities of the Board and additional changes have been planned. To view discipline activity from the previous years, refer to the Board's Annual Reports, http://www.bjs.state.mn.us.

- Educational activities and website information has increased the number of inquiries alleging serious misconduct.

- The Board has processed more complaints and initiated more investigations of alleged disability and misconduct in the last five years than in the previous period.
- Active monitoring of district court rulings by the board has resulted in a decrease in the number of delayed court cases.
- Speaking engagements and workshops on judicial ethics increased the public's awareness of judicial ethics and discussions for a knowledgeable judiciary.

Performance Measures	Previous	Current	Trend
Contacts received from the public, judges and legislatures	20,906	22.489	increasing
Individuals under jurisdiction of the agency	426	535	increasing
Presentations	5	8	increasing
Formal investigations involving serious unethical matters	4	6	increasing

Performance Measures Notes:

The data shown is for 2009 (previous) and 2011 (current).

In addition to the contacts, the total number of judges and judicial officers under the agency's jurisdiction has significantly increased. More judicial positions mean additional agency activity in the areas of complaint processing, informal and formal investigations and advising on judicial ethical issues.

This agency's volume of activities is increasing and the agency is reaching and educating more numerous constituents than ever before.

Judicial Standards, Board on
Current, Base and Governor's Recommended Expenditures
(Dollars in Thousands, Biennial Totals)

	General Funds	Other State Funds	Federal Funds	All Funds
Current Biennium Expenditures (FY 2012-13)	$1,202			$1,202
Current Law Expenditures (FY 2014-15)	$912			$912
Governor's Recommended Expenditures (FY2014-15)	$1,212			$1,212
$ Change from FY 2014-15 Current Law to Governor's Rec	$300			$300
% Change from FY 2014-15 Current Law to Governor's Rec	33%			33%

Judicial Standards, Board on
Sources and Uses
(Dollars in Thousands)

	Biennium FY14-FY15			
	General Funds	Other State Funds	Federal Funds	Total Funds
APPROPRIATION	$1,212			$1,212
SOURCES OF FUNDS	**$1,212**			**$1,212**
EXPENDITURES	$1,212			$1,212
PAYROLL EXPENSE	$506			$506
OPERATING EXPENSES	$700			$700
CAPITAL OUTLAY-REAL PROPERTY	$6			$6
USES OF FUNDS	**$1,212**			**$1,212**

Judicial Standards, Board on

Governor's Changes

(Dollars in Thousands)

		FY 14	FY 15	FY 14-15 Biennium	FY 16	FY 17	FY 16-17 Biennium

Deficiency--Costs for Formal Disciplinary Hearing and Disablity Matter

The Governor recommends funds be made available for immediate expenditure for additional costs to conduct a formal disciplinary hearing and a disability matter. These are costs that exceed the current appropriations to the agency for its operations and investigatory hearings. Information about the disciplinary hearing has already been made public, and some costs have already been incurred. Costs for these actions include court reporters, investigative services and attorney fees.

Performance Measures:

The funding will help assure that the public maintains confidence and trust in Minnesota judges. The board's duties include investigating serious charges of alleged judicial misconduct and disablity.

General Fund	Expenditure	300	0	300	0	0	0
	Net Change	**300**	**0**	**300**	**0**	**0**	**0**
Net All Change Items	General Fund	300	0	300	0	0	0
	Net Change	**300**	**0**	**300**	**0**	**0**	**0**

Judicial Standards, Board on
All Funds FTE by Program

Program	Current FY 2013	Forecast Base FY 2015	Governor's Recommendation FY 2015
Program: Judicial Standards Board	2.0	2.0	2.0
Judicial Standards, Board on	2.0	2.0	2.0