

Testimony of Judge Barbara M. Quinn
Chief Court Administrator
Appropriations Committee Public Hearing on Deficiencies
November 18, 2009

Good afternoon Senator Harp, Representative Geragosian, Senator Debicella, Representative Miner, and members of the Appropriations Committee. Thank you for the opportunity to provide you with information on the Judicial Branch's budget and the impending deficiency with which we are faced.

The Judicial Branch is facing the worst budget crisis we have ever had to address. The Branch has not operated with a deficiency in many years. When funding has not been adequate, we have made extraordinary efforts to ensure that we can meet the bottom line.

We now find ourselves in uncharted territory because, despite all of our efforts to cut costs, we are unable to achieve savings of \$12.9 million in our Other Expenses line item. This is what brings us here today.

The Other Expenses line item funds many fixed costs such as leases, utility costs in our buildings and critical functions such as medical and mental health services for children in detention. For historical reasons, the Judicial Branch's OE account pays for expenses that are funded through other accounts in Executive Branch agencies. Those other accounts have not been subjected to this cut.

As background, the Legislature recognized the difficulty we would have in making cuts in this line item, and specifically excluded the Judicial Branch from the OE cuts to 2007 levels. But when we received our allotment from OPM, we were shocked to see that \$7.8 million was removed from this line item under the OE to 2007 levels cut, in addition to the \$5 million in cuts that we anticipated.

We brought this problem to the Legislature's attention and its intent to exclude the Judicial Branch from this reduction was clarified in a budget implementing bill. Unfortunately the Governor vetoed the bill and the veto was not overridden.

We are now faced with reducing our OE account by \$12.9 million. This involves cuts that we do not wish to make. Not only are they very painful to make, but such cuts also have the consequence of frustrating legislative mandates. We must:

1. Close at least three court facilities. This will place a significant burden on the people who use our courts.
2. Cancel new services intended for 16-year-olds coming into the Juvenile Court on January 1, 2010, as a result of the "Raise the Age" law.
3. Cancel the 6 additional Family Support Centers which are needed to provide statewide coverage. These centers provide badly needed assistance to dysfunctional families in crisis. The cancellation of these critical juvenile services is very disappointing and not something that we want to do, as we have worked very hard with many of you to obtain the necessary funding.
4. Cancel 60 new treatment beds associated with the Jail Re-Interview Program. This may increase the number of people who are incarcerated in DOC facilities and will increase the already lengthy waiting list for these services.
5. Cancel the purchase of 6 residential sex offender beds. These beds are critical to enhancing public safety.
6. Substantially reduce the funding for victim services community-based contracts.
7. Reduce *Children in Placement's* funding from \$350,000 to \$150,000.
8. Eliminate \$1.5 million in funding for legal services for the poor which would have been distributed through the *Connecticut Bar Foundation*.

Even with all these painful cuts, we won't be able to achieve the \$12.9 million of savings that is needed.

Lack of funding is also a critical problem with respect to legal research resources. These resources are absolutely essential in order for judges to perform their constitutional functions. We cannot operate a viable judicial system with outdated law. Our electronic and other materials become useless unless they are kept up to date. We received no funding in either year of the biennium for these research tools. In order to continue to function, we must now close 6 law libraries out of 16 around the state. These closings will make it much more difficult for members of the public, including self-represented parties, to access legal materials.

I know that you share the pain we are expressing today, and I hope that you also share our wish to resolve this situation. Towards that end, I would respectfully offer the following suggestions. These actions, if implemented, will eliminate or mitigate the cuts and program reductions I have outlined above:

1. Restore the unauthorized \$7.8 million cut to our OE account;
2. Recognize that even after the \$7.8 million is restored, a deficiency in OE of several million dollars is very likely;
3. Recognize that maintaining updated legal research tools will result in a need for additional funding of up to \$1.5 million in our General Fund Equipment account, and
4. Take steps to equalize the balance of power, so that both the Legislature and the Executive Branch would have to agree to cuts to the Judicial Branch. As it stands now, the Executive Branch, through its rescission and hold back authority, can and has reduced the Judicial Branch budget. These actions have subverted the intent of the Legislative Branch as expressed in its approved budget.

I would end with one final appeal that you help us to solve our problem so that we can continue to provide the high quality of justice that Connecticut citizens expect. I have submitted additional testimony which includes a more detailed explanation of our current difficult budget situation.

Thank you for the opportunity to address you. I would be pleased to answer any questions that you may have.