

Greenbook
LSC Analysis of Enacted Budget

Court of Claims

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ATTACHMENT:

Budget Spreadsheet By Line Item

Court of Claims

- Court's budget maintains current service levels
- GRF drives 87% of budget
- Adjudicating civil actions against the state is primary function

OVERVIEW

Duties and Responsibilities

The Court of Claims, established in 1975, is the only statutory court with statewide jurisdiction. Prior to its creation, there was no forum for civil actions filed against the state of Ohio. Its duties and responsibilities include:

- Adjudicating civil actions filed against the state;
- Hearing appeals from decisions made by the Attorney General on claims allowed under the Victims of Crime Law;
- Hearing complaints alleging a denial of access to public records; and
- Acting as the state's fiduciary agent for processing claims of wrongful imprisonment.

Appropriation Overview

The Court's actual FY 2017 expenditures are compared with the appropriations for FYs 2018 and 2019, by fund group, in Table 1 below. For FY 2018, the budget appropriates total funding of \$3,517,634, a decrease of \$4,340,307, or 55.2%, from FY 2017 expenditures of \$7,857,941. This decrease largely reflects wrongful imprisonment payments made in FY 2015 on an as-needed basis; money for this purpose is appropriated and expended on an as-needed basis. For FY 2019, the budget appropriates total funding of \$3,556,162, an increase of \$38,528, or 1.1%, from the FY 2018 appropriation. These appropriated amounts are expected to be sufficient for the Court to maintain FY 2017 service levels over the course of the FY 2018-FY 2019 biennium.

Fund Group	FY 2017*	FY 2018	% change, FY 2017-FY 2018	FY 2019	% change, FY 2018-FY 2019
General Revenue	\$7,420,263	\$3,055,119	-58.8%	\$3,075,699	0.7%
Dedicated Purpose	\$437,678	\$462,515	5.7%	\$480,463	3.9%
TOTAL	\$7,857,941	\$3,517,634	-55.2%	\$3,556,162	1.1%

*FY 2017 figures represent actual expenditures.

Other notable aspects of the Court's budget include the following:

- Of the Court's total biennial budget, close to 90% is funded with money appropriated from the General Revenue Fund (GRF).
- Roughly 80% of the Court's total biennial budget is expected to be allocated for personal services (wages, salaries, fringe benefits, and payroll checkoff charges).

Staffing

Tables 2 and 3 below display staffing levels in terms of full-time equivalent (FTE) staff positions maintained by the Court from FY 2014 projected through FY 2019. Table 2 reflects the number of FTEs for the Court's two major programs: (1) Civil, which includes civil actions against the state, public records adjudication, and wrongful imprisonment claims, and (2) Victims of Crime. Table 3 represents FTEs by type of appointment. It should be noted that a number of employees are part-time. For this reason, the numbers may not illustrate a physical portrayal (i.e., head count) of the Court's staffing.

Program	2014	2015	2016	2017	2018	2019
Civil	16.5	16.7	19.1	22.0	22.4	22.4
Crime Victims	2.0	3.5	3.5	3.4	3.5	3.5
TOTAL	18.5	20.2	22.6	25.4	25.9	25.9

*FY 2017-FY 2019 are estimates.

The Court resides in Franklin County and consists of judges who sit by temporary assignment of the Chief Justice of the Supreme Court. The Chief Justice may appoint incumbent justices or judges of the Supreme Court, courts of appeals, or courts of common pleas, or retired justices or judges eligible for active duty pursuant to Division (C) of Section 6 of Article IV of the Ohio Constitution. The appointments to the Court are temporary, lasting roughly three months. Many of the judges, however, are reappointed for multiple terms.

Appointment Types	2014	2015	2016	2017	2018	2019
Permanent Staff	17.3	19.3	22.2	24.7	25.0	25.0
Temporary Staff	0.5	0.4	0.0	0.0	0.0	0.0
Judges	0.7	0.5	0.4	0.7	0.9	0.9
TOTAL	18.5	20.2	22.6	25.4	25.9	25.9

*FY 2017-FY 2019 are estimates.

ANALYSIS OF ENACTED BUDGET

This section provides a more detailed discussion of the appropriations that finance the Court's handling of monetary claims against the state, public records disputes, victims of crime appeals, and wrongful imprisonment settlements. The FY 2018 and FY 2019 appropriations for the Court's primary funding mechanisms are shown in the table below.

Court of Claims Line Item Appropriations				
Fund	ALI and Name		FY 2018	FY 2019
General Revenue Fund (GRF)				
GRF	015321	Operating Expenses	\$2,536,419	\$2,536,419
GRF	015403	Public Records Adjudication	\$518,700	\$539,280
<i>General Revenue Fund Subtotal</i>			\$3,055,119	\$3,075,699
Dedicated Purpose Fund (DPF)				
5K20	015603	CLA Victims of Crime	\$462,515	\$480,463
Total Funding: Court of Claims			\$3,517,634	\$3,556,162

Operating Expenses (GRF line item 015321)

The expenses of operating the Court, primarily the Court's Civil Division, are paid with money appropriated to this GRF line item. The budget appropriates \$2,536,419 in each of FYs 2018 and 2019, a decrease of 9.2% from FY 2017 expenditures of \$2,793,184. Approximately 80%, or \$2 million, of each year's appropriation is expected to be allocated for personal services (wages, salaries, fringe benefits, and payroll checkoff charges), with the remainder funding, in order of magnitude, a mix of supplies and maintenance, purchased personal services, and equipment.

The Court's Civil Division is responsible for hearing all civil claims filed against the state of Ohio and its agencies. These claims are classified as either administrative determinations or judicial cases. Administrative determinations involve claims that are valued at \$10,000 or less and are typically resolved by the clerk without a hearing. Judicial cases are handled by a Court of Claims judge or magistrate and resolved through a judicial hearing.

Public Records Adjudication (GRF line item 015403)

The expenses of the Court's Public Records Adjudication Program are paid with money appropriated to this GRF line item. The enactment of S.B. 321 of the 131st General Assembly, which became effective September 28, 2016, created an adjudication and mediation program for public records request disputes within the Court of Claims. Under the act, except for a court that hears a mandamus action, the Court of Claims is the sole and exclusive authority in Ohio that adjudicates or resolves complaints based

on alleged violations of the Public Records Law. The Clerk of the Court of Claims is required to designate one or more current employees or hire one or more individuals to serve as special masters to hear complaints, and is permitted to assign or hire administrative and clerical work as may be necessary to perform such work.

Under the budget, the line item is appropriated \$518,700 in FY 2018, an increase of \$21,568, or 4.3%, from FY 2017 expenditures of \$497,132. For FY 2019, the budget appropriates \$539,280, an increase of \$20,580, or 0.7%, from the FY 2018 appropriation. Close to 90% of each year's appropriation is expected to be allocated for personal services (wages, salaries, fringe benefits, and payroll checkoff charges), with the remainder funding, in order of magnitude, a mix of supplies and maintenance, purchased personal services, and equipment.

Victims of Crime Appeals (DPF line item 015603)

This line item pays for: (1) the compensation of judges of the Court of Claims necessary to hear and determine appeals from the Office of the Attorney General, and (2) the compensation of any personnel of the Court of Claims needed to administer their appellate duties and responsibilities. Its appropriation is supported by cash transferred by the Office of Budget and Management from the Victims of Crime/Reparations Fund (Fund 4020), which is used by the Office of the Attorney General.

Under the budget, the line item is appropriated \$462,515 in FY 2018, an increase of \$24,837, or 5.7%, from FY 2017 expenditures of \$437,678. For FY 2019, the budget appropriates \$480,463, an increase of \$17,948, or 3.9%, from the FY 2018 appropriation. Close to 90% of each year's appropriation is expected to be allocated for personal services (wages, salaries, fringe benefits, and payroll checkoff charges), with the remainder funding, in order of magnitude, a mix of supplies and maintenance, purchased personal services, and equipment.

Wrongful Imprisonment Claims (GRF line item 015402)

The Court of Claims acts as the state's fiduciary agent for processing claims of wrongful imprisonment. When a wrongful imprisonment judgment has been rendered in a court of common pleas, the Controlling Board, upon certification by the Court of Claims, transfers the sum necessary to pay that judgment to the Court's GRF line item 015402, Wrongful Imprisonment Compensation. Since the Controlling Board provides the money for such judgments on an as-needed basis, the Court's line item does not receive a direct appropriation through the main operating appropriations act enacted by each General Assembly. However, once the expenditure is made, the amounts are tracked as spending by the Court.

Table 4 below shows the total amount of money that the Court has disbursed to make wrongful imprisonment settlements from FYs 2010-2017.

Table 4. Wrongful Imprisonment Settlement Disbursements, FYs 2010-2017	
Fiscal Year	Total Disbursed
2010	\$1,088,396
2011	\$3,664,717
2012	\$549,628
2013	\$379,128
2014	\$721,560
2015	\$2,962,101
2016	\$8,357,100
2017	\$4,129,947

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FY 2018 - FY 2019 Final Appropriation Amounts

All Fund Groups

Line Item Detail by Agency

			FY 2016	FY 2017	Appropriation FY 2018	FY 2017 to FY 2018 % Change	Appropriation FY 2019	FY 2018 to FY 2019 % Change
Report For Main Operating Appropriations Bill			Version: As Enacted					
CLA Court of Claims								
GRF	015321	Operating Expenses	\$ 2,696,292	\$ 2,793,184	\$ 2,536,419	-9.19%	\$ 2,536,419	0.00%
GRF	015402	Wrongful Imprisonment Compensation	\$ 8,357,100	\$ 4,129,947	\$ 0	-100.00%	\$ 0	N/A
GRF	015403	Public Records Adjudication	\$0	\$ 497,132	\$ 518,700	4.34%	\$ 539,280	3.97%
General Revenue Fund Total			\$ 11,053,392	\$ 7,420,263	\$ 3,055,119	-58.83%	\$ 3,075,699	0.67%
5K20	015603	CLA Victims of Crime	\$ 450,873	\$ 437,678	\$ 462,515	5.67%	\$ 480,463	3.88%
Dedicated Purpose Fund Group Total			\$ 450,873	\$ 437,678	\$ 462,515	5.67%	\$ 480,463	3.88%
Court of Claims Total			\$ 11,504,265	\$ 7,857,941	\$ 3,517,634	-55.23%	\$ 3,556,162	1.10%