



Legislature of the Virgin Islands

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POST AUDIT DIVISION

June 24, 2016

COMMITTEE ON FINANCE
FISCAL YEAR 2017 BUDGET HEARING

JUDICIAL COUNCIL OF THE VIRGIN ISLANDS

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BACKGROUND / HISTORY

The Judicial Council of the Virgin Islands consists of the Chief Justice of the Supreme Court—who serves as the Chair—as well as the two Associate Justices, the Presiding Judge of the Superior Court, a Superior Court judge selected by the Governor, the Chairman and Vice-Chairman of the Legislature’s Committee on the Judiciary, the Attorney General, the Chief Public Defender, the Executive Director of Legal Services of the Virgin Islands, and the President and Vice-President of the Virgin Islands Bar Association. The Clerk of the Supreme Court serves as its secretary.

Historically, the Judicial Council acted as the vehicle by which the Government of the Virgin Islands would provide financial assistance to the federal District Court of the Virgin Islands, since (1) until January 29, 2007, the District Court heard appeals from the Superior Court and (2) many fees collected by the District Court were deposited into the General Fund. With the establishment of the Supreme Court, the District Court no longer hears new appeals from the Superior Court although it must still resolve the cases that remained pending as of January 29, 2007. Moreover, virtually all fees collected by the District Court are now deposited in the United States Treasury rather than in the General Fund.

The Appellate Division of the district Court of the Virgin Islands served as the appellate court for processing cases appealed from the Superior Court of the Virgin Islands, prior to the establishment of the Supreme Court of the Virgin islands and historically, the Judicial Council has acted as the vehicle through which the Territorial Government has provided assistance to the District Court. Since the acceptance of jurisdiction in 2007 by the Supreme Court of the Virgin Islands, no new cases have been filed in the Appellate Division. However, the Appellate Division continues to work towards the conclusion of the cases pending prior to the establishment of the Supreme Court.

In addition to the conclusion of the cases pending before the Appellate Division, the District Court Library continues to provide services to the members of the local bar and the community at large. However, since there are no other expenses related to the administration of the pending appellate caseload the fiscal year 2016 Judicial Council request is solely to cover the salaries of 2 Law Librarians.

FINANCIAL SUMMARY

The Governor's Fiscal Year 2017 recommended budget remains the same \$108,161 as Fiscal Year 2016 for the Judicial Council's operating budget. The Council's FY 2017 request however, reflects a 6% above the Governor's recommendation.

| GENERAL FUND | | | | |
|--------------------------|----------------------|----------------------------|----------|----------|
| FY 2016 Appropriation | FY 2017 Recommend | FY 2017 Court's Request | Variance | % Change |
| \$ 108,161 | \$ 108,161 | \$ 114,630 | +6,469 | 5.98% |

Exhibit I

ACTUAL EXPENDITURES

According to the Judicial Council, the following chart lists its actual expenditures and FY 2017 projected operating budget.

| GENERAL FUND / LINE ITEMS | | | | |
|-------------------------------------|--|--|--|--|
| DESCRIPTION | FY 2015 October 1, 2014 - September 30, 2015 | FY 2016 October 1, 2015 - May 31, 2016 | | FY 2017 October 1, 2016 - September 30, 2017 |
| PERSONNEL SERVICES | | | | |
| SALARIES | 52,720 | 43,387 | | 71,986 |
| HOLIDAY PAY | 3,835 | 3,164 | | |
| SICK LEAVE | 7,310 | 791 | | |
| ANNUAL PAY | 4,958 | 362 | | |
| Sub-Total | 68,823 | 47,704 | | 71,986 |
| CAPITAL OUTLAYS | 0 | 0 | | 0 |
| FRINGE BENEFITS | | | | |
| RETIREMENT | 12,898 | 9,779 | | 14,757 |
| F.I.C.A | 4,267 | 2,958 | | 5,507 |
| MEDICARE | 998 | 692 | | |
| HEALTH INSURANCE PREMIUM | 20,308 | 14,050 | | 22,296 |
| WORKERS COMP. PREMIUMS | 84 | 84 | | 84 |
| Sub-Total | 38,555 | 27,563 | | 42,644 |
| SUPPLIES | 0 | 0 | | 0 |
| OTHER SERVICES & CHARGES | 0 | 0 | | 0 |
| UTILITY SERVICES | 0 | 0 | | 0 |
| TOTAL | 107,378 | 75,267 | | 114,630 |

Exhibit II

FY 2017 PERSONNEL SUMMARY

| POSITION TITLE | STATUS | ANNUAL SALARY FISCAL YEAR 2016 | Workers Comp. premium | FICA @ 7.65% (2014 SS Salary Cap is \$117,000) | SOCIAL SECURITY @ 6.20 % Ceiling of \$118,500 | MEDICARE @ 1.45% | EMPLOYER COST RETIREMENT @ 20.5% ANNUAL | HEALTH INSURANCE ANNUAL |
|-----------------------------|----------|--------------------------------|-----------------------|--|---|------------------|---|-------------------------|
| | | <i>ST. THOMAS</i> | | 0.0765 | 0.062 | 0.0145 | 0.205 | |
| LAW LIBRARIAN TECHNICIAN | F | 32,924 | | 2,519 | 2,041 | 477 | 6,749 | 11,148 |
| LAW LIBRARIAN TECHNICIAN | F | 39,062 | | 2,988 | 2,422 | 566 | 8,008 | 11,148 |
| TOTAL BOTH DISTRICTS | 2 | \$ 71,986 | \$ 84 | \$ 5,507 | \$ 4,463 | \$ 1,044 | \$ 14,757 | \$ 22,296 |

Exhibit III

VACANCIES

There are no vacant positions reported by this agency.

SUPPLIES

Presently, there is no projected budget request for this category, for fiscal year 2017.

OTHER SERVICES & CHARGE

UTILITIES`

No budgetary request for fiscal year 2017 was submitted for this category.

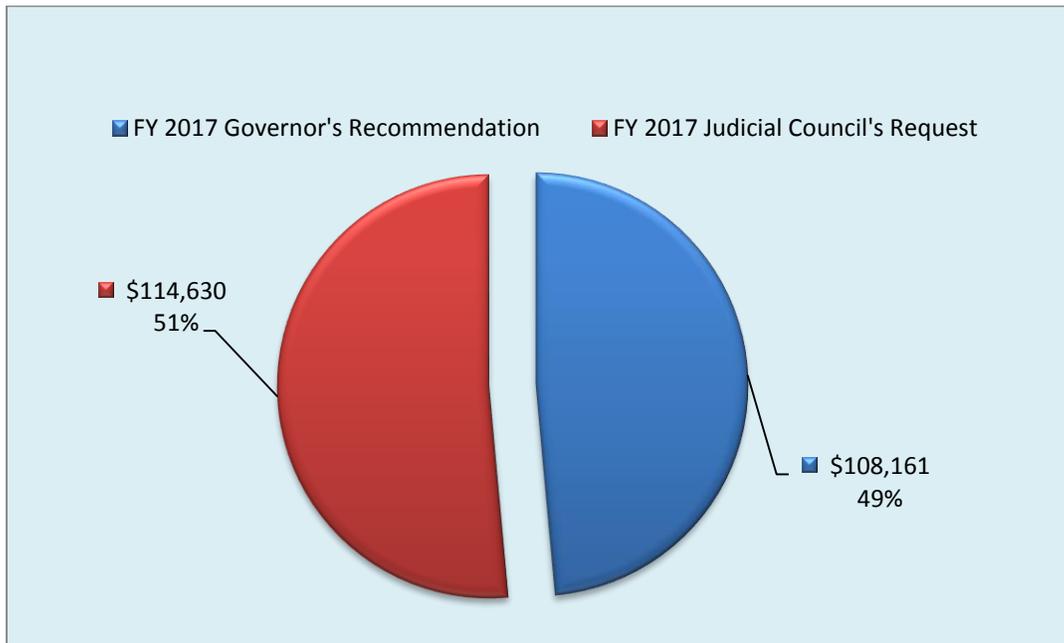
VEHICLES

No vehicles are assigned to this agency.

SUMMARY

The Governor has recommended a sum of \$108,161 for the Judicial Council’s operating expenses for Fiscal Year 2017. However the Council has submitted its estimated budget, totalling \$114,630, this represents an increase of \$6,469 above the Governor’s recommendation.

The chart below depicts the Judicial Council’s Fiscal Year 2017 operating budget as recommended and the Council’s projected budget.



The Office of Management and Budget has indicated the Council's distribution of FY 2016 allotment as follows:

| ALLOTMENT DISTRIBUTION AS OF MAY 25, 2016 | | | | | | |
|---|-----------------------|-----------------------|-----------------------|-----------------------|-------------------------|---------------------------|
| Dept./ Agency | FY 2016 Appropriation | 1st Quarter Allotment | 2nd Quarter Allotment | 3rd Quarter Allotment | Total Allotment to Date | FY 2016 Unallotted Amount |
| Judicial Council | \$108,161 | \$27,039 | \$27,039 | \$27,039 | \$81,117 | \$27,044 |

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