

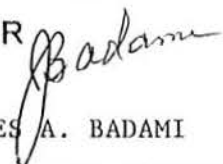
ARKANSAS BUDGET SYSTEM
AGENCY PROGRAM COMMENTARY
1999 - 2001

REGULAR SALARIES AND PERSONAL SERVICES MATCHING - 00 & 03

1. The Arkansas Judicial Discipline and Disability Commission is requesting two new unclassified (Grade 99) positions. Those positions would be an Investigating Attorney and a Legal Secretary. For the fiscal year (FY99-00), the Commission is requesting a salary of \$45,000 for the Investigating Attorney, and \$20,000 for the Legal Secretary, and a 2.8% increase in those salaries for following fiscal year (FY00-01). The Commission members determined that the workload for the Commission increased from approximately 12 complaints, concerning the ethical conduct of Arkansas judges, per month five years ago, to approximately 21 complaints filed per month in calendar year 1997. During this time frame, the Commission staff remained the same. These figures indicate there is a requirement to increase the staff by one Investigating Attorney and one Legal Secretary. The Arkansas Judicial Discipline and Disability Commission is also requesting the salary level of the Executive Director in the fiscal year (FY99-00) to be increased to \$75,000, with a 2.8% increase in the following fiscal year (FY00-01). The Arkansas Judicial Discipline and Disability Commission members determined that the Executive Director's compensation was less than comparable positions within state government and similar positions throughout the region. This request also includes a 2.8% salary increase and the appropriate personal services matching expenses for the other three budgeted positions for the fiscal year (FY99-00) and 2.8% salary increase and appropriate matching expenses for all budgeted and requested positions for the fiscal year (FY00-01).

MAINTENANCE AND OPERATIONS - 02

2. The Arkansas Supreme Court mandated procedural rules for the Commission requiring Commission records, files, and correspondence be kept confidential. With the large increase of the number of complaints filed with this Commission, and the request for two new positions, space in the existing offices will need to be remodeled to accommodate these requested changes. The cost of the renovations, such as modifying and enclosing existing office space, will be approximately \$14,000 for fiscal year 1999-2000. The Commission office lease will expire on November 30, 1999. The Commission has been informed that there will be a monthly rent increase of 5% for fiscal year 1999-2000, and an additional 5% increase for fiscal year 2000-2001. These increases are a total of approximately \$1,000 per year for both fiscal years. With the addition of two new positions, there is also a need to increase the telephone communication systems to the Commission, as well as add the Internet to the Commission's existing communication availability to the public. The Judicial Ethics Advisory Committee, its members, and their work are incorporated and funded as a part of the Judicial Discipline and Disability Commission.

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CONFERENCE FEES AND TRAVEL - 09


3. This appropriation will enable the Executive Director, agency staff, and Commission members to travel to judicial educational seminars or conferences to further educate and enhance their understanding of the Commission's responsibilities, functions, and procedures. It will also keep the Commission staff and members updated on the national standards dealing with the practices and procedures of judicial conduct organizations, as well as the laws that apply to or govern the Commission's operations.

PROFESSIONAL FEES AND SERVICES - 10

4. When the Attorney General's Office is unavailable, the Commission must be able to hire an experienced attorney to prosecute judicial misconduct cases which may include appearances before the Arkansas Supreme Court. In complaints where the Commission finds there is probable cause to believe there has been misconduct by a judge of a nature requiring a formal disciplinary proceeding, the attorney will research the applicable law, prepare and present the case at a formal disciplinary hearing. When a case goes before the Supreme Court, briefs will be prepared and submitted, and if appropriate, oral arguments will also be made. The Commission also needs to contract with court reporters to record all hearings in which judges personally appear to give testimony on their own behalf, and to provide a verbatim transcript of the record of the proceedings on cases of judicial misconduct. This requirement for verbatim transcripts is mandated in a Supreme Court Per Curium that governs the procedure and operation of this Commission. At present, a court reporter is needed at almost every Commission meeting, as well as to transcribe testimony of the many necessary witnesses at various hearings and investigations. The number of complaints received by this Commission requiring transcription has increased.

CAPITAL OUTLAY - 11

5. The funds in the Capital Outlay account are primarily required to purchase office furniture and data processing equipment for the two new Commission staff positions. This increase only applies to the 1999-2000 fiscal year. In the 2000-2001 fiscal year, the amount would return to the Commission's current fiscal year allocation.

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DATA PROCESSING - 12

6. This appropriation will allow the Commission to utilize the Arkansas Department of Information Systems (DIS) as a microcomputer support/servicing group to help resolve computer software/hardware problems that arise. Utilization of DIS information and support staff to maintain and upgrade the current and potential volume of computer information and programs is essential to the Commission's continued functioning.

INVESTIGATOR'S MILEAGE - 46

7. The Arkansas Judicial Discipline and Disability Commission receives information and investigates complaints about the possible misconduct or disability of Arkansas judges. The entire state is the Commission's perimeter. It is necessary for the agency investigator to travel in obtaining necessary testimony and evidence concerning these complaints.

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JUDICIAL DISCIPLINE AND DISABILITY COMMISSION
SUMMARY OF AUDIT FINDINGS AND RECOMMENDATIONS
FOR THE YEAR ENDED JUNE 30, 1996

Assets										Liabilities			Total Equity
Cash and Investments	Fixed		Other	Total	Current	Long-Term	Total		Total Equity				
\$ 715	\$ 74,610	\$ 13,872	\$ 89,197	\$ 200	\$ 11,231	\$ 11,431		\$ 77,766					

Revenues				Expenditures						Other Sources (Uses)
Inter-governmental	Federal	Licenses and Fees	Other	Total	Salaries and Matching	Grants and Aid	Capital	Other Operating	Total	Other Sources (Uses)
\$ 232,000	\$ 0	\$ 0	\$ 131	\$ 232,131	\$ 166,378	\$ 0	\$ 6,212	\$ 63,833	\$ 236,423	\$ 0

Findings

Recommendations

None

None

ARKANSAS BUDGET SYSTEM
 EMPLOYMENT SUMMARY
 AS REQUIRED BY ACT 358 OF 1993
 (A.C.A 19-4-307)

AGENCY TITLE 241 - JUDICIAL DISCIPLINE AND DISABILITY COMMISSION

	MALE	FEMALE	TOTAL	PERCENTAGE OF TOTAL
WHITE EMPLOYEES	<u>2</u>	<u>1</u>	<u>3</u>	<u>75%</u>
BLACK EMPLOYEES	<u>0</u>	<u>1</u>	<u>1</u>	<u>25%</u>
EMPLOYEES OF OTHER RACIAL MINORITIES	<u>0</u>	<u>0</u>	<u>0</u>	<u>0%</u>
TOTAL EMPLOYED AS OF			<u>1</u>	<u>25%</u>
<u>08-01-98</u> DATE			<u>TOTAL MINORITIES</u>	
			<u>4</u>	<u>100%</u>
			<u>TOTAL EMPLOYEES</u>	

J. Badam

 AGENCY DIRECTOR

