

**ARKANSAS BUDGET SYSTEM
AGENCY PROGRAM COMMENTARY
1997 - 1999**

REGULAR SALARIES AND PERSONAL SERVICES MATCHING - 00 & 03

1. The Arkansas Judicial Discipline & Disability Commission requested a review of the Secretary II position, which is currently an unclassified (Grade 99) position. The Bureau of Legislative Research analyzed the job duties of the Secretary, and they believe the position qualifies for an equivalent reclassification to Executive/Administrative Secretary. The Bureau of Legislative Research suggested a salary of \$19,500 for the fiscal year (FY 97-98) and a 4% salary increase for the following fiscal year (FY 98-99). The Arkansas Judicial Discipline & Disability Commission is also requesting that the salary level of the Executive Director be commensurable with a Circuit/Chancery court judge beginning with the 1998 fiscal year. This request also includes a 2.8% salary increase and the appropriate personal services matching expenses for the other two budgeted positions for the fiscal year (FY 97-98) and 2.8% salary increase and appropriate matching expenses for all budgeted and requested positions for the fiscal year (FY 98-99).

MAINTENANCE AND OPERATIONS - 02

2. The Arkansas Supreme Court mandated procedural rules for the Commission requiring Commission records, files, and current correspondence be kept confidential. With the increase of the number of complaints filed with this Commission, there has been an increase in the number of witnesses who have been required to give sworn statements or to testify in hearings. Without a waiting room for witnesses (and those individuals accompanying witnesses), it has become difficult, if not impossible, for some of the Commission staff at times to continue to work. Further, the Commission hearing room did not have adequate space so that all of the necessary individuals at a hearing could be seated and that the required confidentiality maintained. Working with State Building Services, the Commission was able to incorporate available adjacent office space into its current leased property. The current lease was extended for one (1) year with an additional monthly rent of \$346.00. This requires the rent to be paid by this Commission to be increased \$4,152 per year. The Judicial Ethics Advisory Committee, its members, and their work are incorporated and funded as a part of the Judicial Discipline and Disability Commission. The balance of the request includes the increase in mileage reimbursement, which includes staff and Commission members, the purchase of books, the need for some furniture repair, and rental of the copier.

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

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3. (continued)

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. The Commission must be able to hire an 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 Curiam 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. The number of complaints received by this Commission requiring transcription has increased.

CAPITAL OUTLAY - 11

5. The funds in the Capital Outlay account are required to purchase furniture for a witness waiting room, the expanded hearing room, and other offices. It will also be used to upgrade the data processing equipment and to purchase an additional printer/copier.

DATA PROCESSING - 12

6. This appropriation will allow the Commission to utilize the Arkansas Department of Computer Services (DCS) as a microcomputer support/service group to help resolve computer software/hardware problems that arise. The DCS has stated that they plan to charge each customer an additional \$10 per hour for services performed. This caused a significant amount requested by this agency.

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INVESTIGATOR'S MILEAGE - 46

7. The Arkansas Judicial Discipline and Disability Commission receives and investigates information and 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 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, 1995

Assets										Liabilities			Total Equity
Cash and Investments	Fixed		Other	Total	Current	Long-Term		Total		Total Equity			
\$ 4,441	\$ 71,016		\$ 12,334	\$ 87,791	\$ 7	\$ 9,319		\$ 9,326		\$ 78,465			

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)
\$ 239,524	\$ 0	\$ 0	\$ 0	\$ 239,524	\$ 158,206	\$ 0	\$ 6,778		\$ 69,500	\$ 234,484	\$ 0

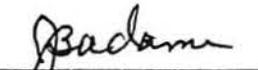
Findings	Recommendations
None	None

Audited by Division of Legislative Audit
SA0724195

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>08/10/96</u> DATE			<u>1</u>	<u>25%</u>
			TOTAL MINORITIES	
			<u>4</u>	<u>100%</u>
			TOTAL EMPLOYEES	



 AGENCY DIRECTOR

ARKANSAS BUDGET SYSTEM

	EXPENDITURES					RECOMMENDATIONS	
	95-96	96-97	96-97	97-98	98-99	LEGISLATIVE	
	ACTUAL	BUDGETED	AUTHORIZED APPROPRIATION	TOTAL REQUEST	TOTAL REQUEST	97-98	98-99
REGULAR SALARIES	\$137,831	\$141,475	\$140,695	\$182,794	\$188,147		
NO. OF POSITIONS	4	4	4	4	4	No Executive Recommendation is made for this agency.	
PERSONAL SERVICES MATCHING	28,992	36,161	36,161	51,182	52,681		
GENERAL OPERATING EXPENSES	42,446	42,920	42,920	50,520	52,420		
CONFERENCE FEES & TRAVEL	4,998	6,500	8,000	8,400	8,820		
PROFESSIONAL FEES & SERVICES	13,978	41,290	47,000	49,820	52,320		
CAPITAL OUTLAY	5,924	6,100	6,100	6,400	6,700		
DATA PROCESSING	-0-	1,500	-0-	1,650	1,700		
MILEAGE - INVESTIGATOR	1,654	4,600	4,600	4,830	5,080		
Proposed Funding Sources TOTALS	235,823	280,546	285,476	355,596	367,868		
Unassigned Balances							
General Revenues							
Special Revenues							
General Funds							
Const. & Fiscal Agy. Fund							
State Central Services Fund	235,823	280,546		355,596	367,868		
Non-Revenue Receipts							
Other Funds							
Other							
Total Funding	235,823	280,546		355,596	367,868		
Unassigned Appro./ (Funding)							
TOTAL	235,823	280,546		355,596	367,868		

APPROPRIATION SUMMARY

DEPARTMENT JUDICIAL BRANCH
 AGENCY 241 - JUDICIAL DISCIPLINE & DISABILITY CMSN.
 APPROPRIATION 913 - JUDICIAL DISCIPLINE & DISABILITY CMSN.
 FUND HSC - STATE CENTRAL SERVICES

BR215

Various Maintenance and General Operation line items may be greater than the authorized appropriation amounts due to reclassification transfers processed in FY97.

The FY97 Budgeted amounts in Regular Salaries and/or Personal Services Matching may exceed the Authorized amounts due to the implementation of the pay plan during the 1995-97 biennium.