

**SUPREME COURT OF VERMONT
OFFICE OF THE COURT ADMINISTRATOR**

PATRICIA GABEL, ESQ.
State Court Administrator
patricia.gabel@state.vt.us



Mailing Address
Office of Court Administrator
109 State Street
Montpelier, VT 05609-0701

Telephone: (802) 828-3278
FAX: (802) 828-3457

www.vermontjudiciary.org

August 11, 2014

Rep. Martha Heath, Chair
Sen. Jane Kitchel, Vice-Chair
Joint Fiscal Committee
Montpelier, VT

Dear Representative Heath, Senator Kitchel, and members of the Joint Fiscal Committee:

The following is the Judiciary's response to the Secretary of Administration's proposal for a rescission to the Judiciary's FY 2015 budget under 32 VSA Sec. 704(b)(1).

Summary:

The Secretary of Administration proposes to reduce the Judiciary's budget by \$181,335. This amount reflects the full-time equivalent cost of one Superior Judge, including average benefits. The Judiciary would manage this rescission reduction by requesting deferral during FY 2015 of appointments to Superior Judge positions that become vacant during the fiscal year.

Background and Discussion:

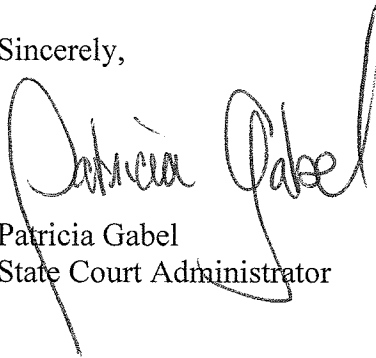
Members of the appropriations committees and other legislators are aware of the events and actions that led to the Judiciary's financial difficulties over the past several years. Extra-ordinary savings efforts by the branch – along with significant budget support by the other branches – have allowed the branch to slowly pull out of this crisis. For the first time in several years, the Judiciary closed its FY 2014 without deferring any significant bills to the subsequent fiscal year.

As noted, this required extraordinary savings efforts on a variety of fronts, but the most significant of those efforts was via vacancy savings – keeping budgeted positions vacant when incumbent employees retire or otherwise terminate. For years, the Judiciary has required staff positions to remain vacant for weeks or months before they can be refilled. Currently, the Judiciary as a general rule is keeping staff positions vacant for 8-10 weeks before they can even be posted for recruitment, with the net effect that positions are often vacant for many months.

Page Two
August 11, 2014

These staff vacancies, while financially necessary, pose an operational challenge for the courts and no doubt have had an impact on caseload management and staff workload and morale -- and as a result turnover. The Judiciary's analysis is that this staff vacancy savings cannot be increased any further without significant operational degradation. The Judiciary therefore proposes to manage the rescission reduction via judicial vacancies. While this too will have an impact on caseload management in the Judiciary, it insulates the court staff from the financial and operational impacts of the rescission, where it would likely otherwise fall.

Sincerely,

A handwritten signature in black ink, appearing to read "Patricia Gabel". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Patricia Gabel
State Court Administrator

cc: Steve Klein, Joint Fiscal Office
Jeb Spaulding, Secretary of Administration
Jim Reardon, Commissioner of Finance and Management
Sarah Clark, Deputy Commissioner of Finance and Management
Heather Campbell, Department of Finance and Management