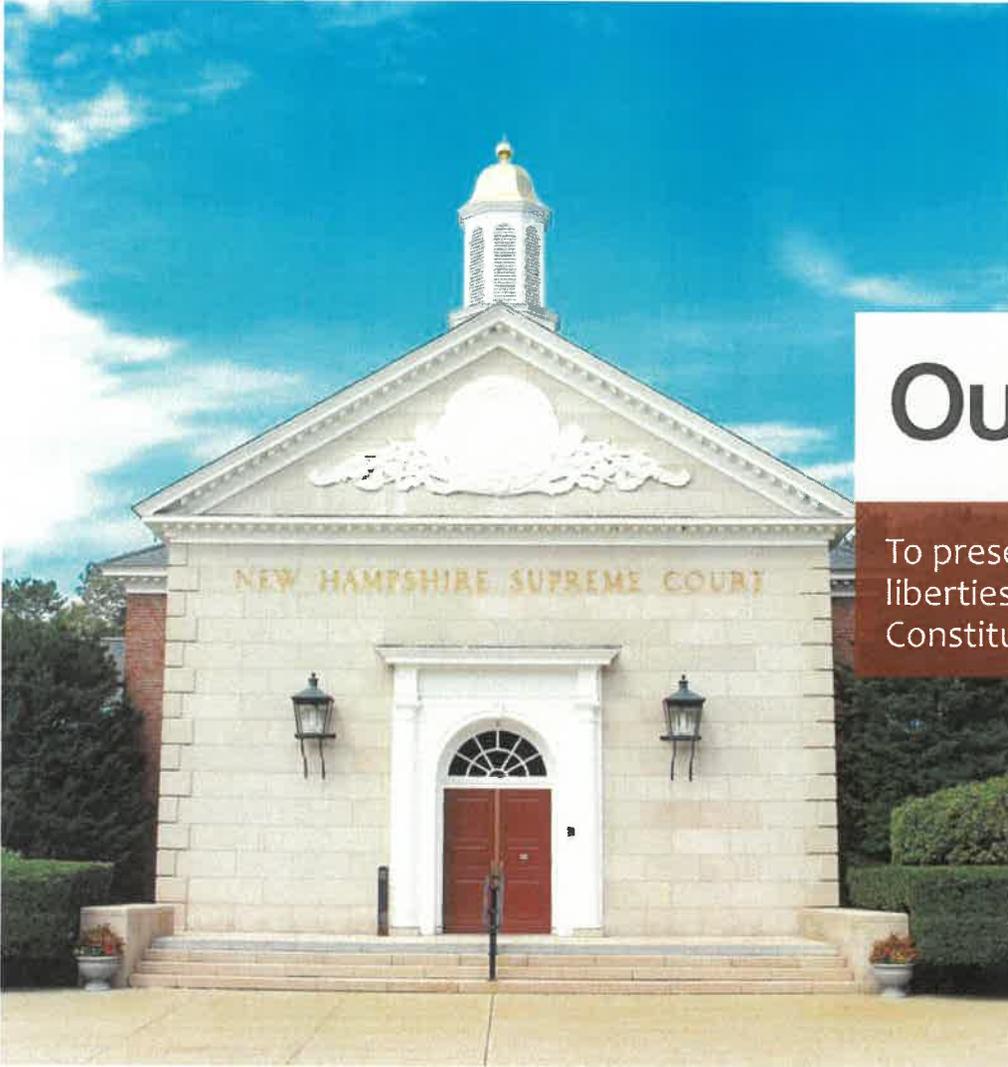




New Hampshire Judicial Branch Operating Budget Request FY2026/2027

Senate Finance Committee - April 18, 2025





Our Mission:

To preserve the rule of law while protecting the rights and liberties guaranteed by the United States and New Hampshire Constitutions.

The courts provide accessible, prompt, and efficient forums for the fair and independent administration of justice, with respect for the dignity of all we serve.

Today's Presentation



1. **Judicial Branch Overview**
2. **Proposed Efficiency Budget**
3. **Efficiency Budget Impacts**
4. **Impact of HB1/HB2**
5. **Judicial Branch Budget Related Initiatives**
6. **FY2026-27 Budget Request**

Supreme Court



Superior Court



Circuit Court



Administrative Office of the Courts



About the Judicial Branch

The Judicial Branch has two trial courts, one appellate court and an administrative office to support the courts.



Circuit Court

Created in 2011 when the legislature combined the District Court, Probate Court, and Family Division into one unified court with centralized management.

The Circuit Court has jurisdiction to hear and decide cases across three divisions – the District Division, the Family Division, and the Probate Division.

Circuit Court Facts

The State is divided into 10 Circuits, one for each county. Within those Circuits are 34 Circuit Courts serving local communities.

Circuit Court Judges sitting as of January 1, 2025:

- 49 Full-Time Judges
- 3 Part-Time and Per Diem Judges
- 4 Senior Active Status Judges
- 16 Judicial Referees

*RSA 490-F:7, "The number of judges and masters in the circuit court shall be not less than the number of authorized judicial and master positions in the former district court, probate court, and judicial branch family division ... on the effective date of this chapter."

Approximately 131,422 Annual Circuit Court Filings in 2024:

District

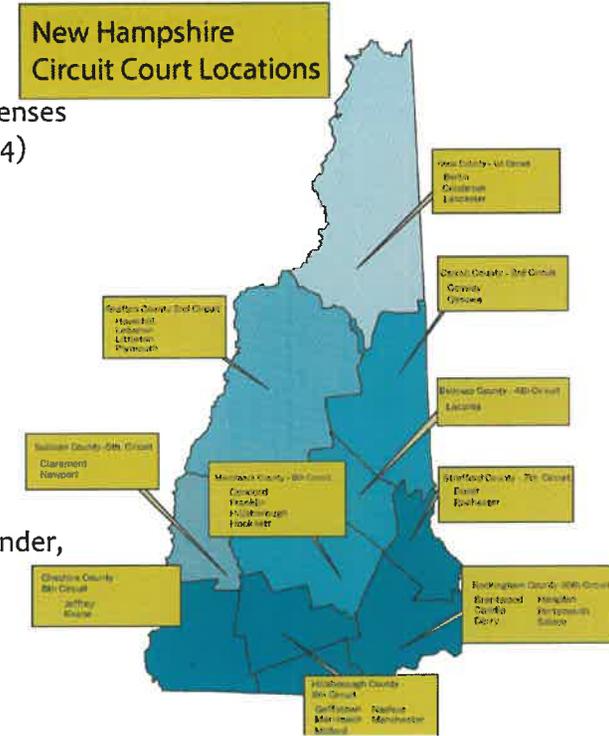
- Misdemeanor and violation level offenses
- Felony offenses (as of January 1, 2024)
- Motor vehicle
- Small claims and civil
- Landlord-tenant
- Stalking

Family

- Divorce/parenting
- Domestic violence
- Guardianship of minors
- Abuse/neglect
- Termination of parental rights, surrender, adoption in abuse/neglect cases
- Juvenile delinquency/CHINS

Probate

- Trusts and estates
- Guardianship of adults and involuntary commitments
- Adoptions and name changes



34 Circuit Court Locations

- 10 Probate Divisions
- 31 District Divisions
- 31 Family Divisions



Superior Court

The Superior Court handles all types of civil and criminal trials except those exclusively subject to the jurisdiction of the Circuit Court.

The Superior Court hears the following types of cases:

- Felonies (major crimes such as homicides; sexual assaults on children and adults; fentanyl, meth and other drug offenses, burglary, theft, and financial fraud and elder abuse). Criminal docket also includes class A misdemeanor appeals from the Circuit Court District Division.
- Civil cases, such negligence, contracts, and other matters with a minimum claim of \$1,500 in damages in which either party requests a trial by jury. Equity jurisdiction to determine property rights, injunctions and attachments.
- Land Use Appeals and Business and Commercial Disputes
- Treatment Courts, including Adult Drug Courts, Mental Health Courts, Veterans Court, and Young Adult Treatment Court

Superior Court Facts

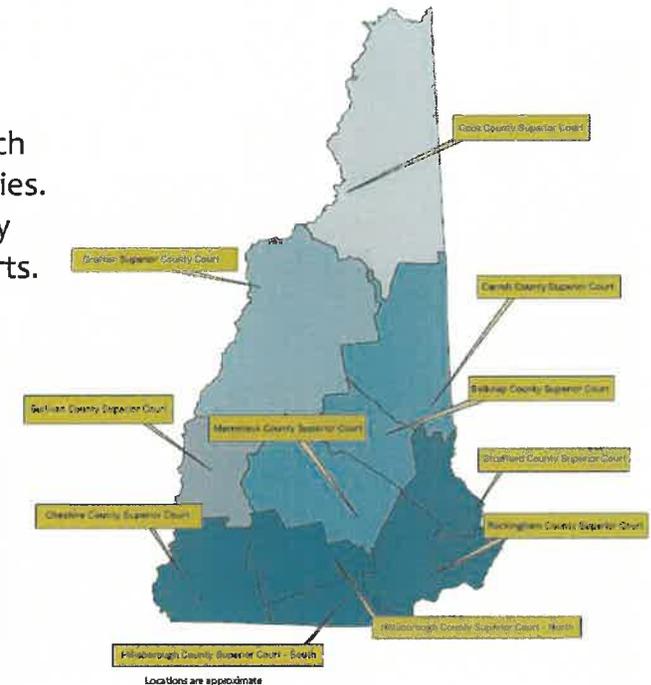
More than 22,500 Superior Court Filings in 2024

- Felony level criminal offenses (Once bound over from Circuit Court)
- Civil cases
- Probation Violations
- Felony Search and Arrest Warrants
- 1,398 YDC Claims in Superior Court
 - 1,239 in Rockingham County
 - 159 in Merrimack County
 - Since 1/1/25, 196 cases filed in Claims Process, but remain pending in Superior Court

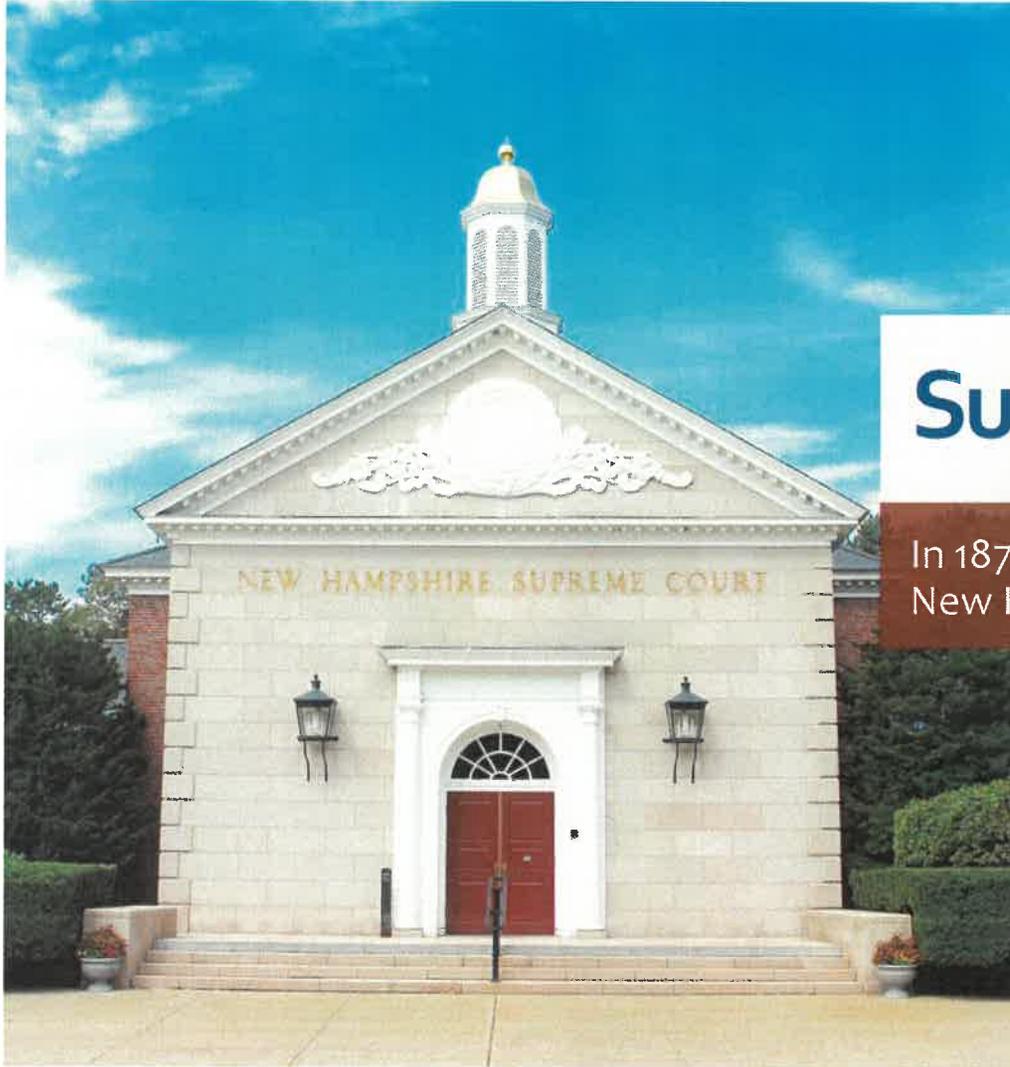
There is a Superior Court in each of New Hampshire's ten counties. Hillsborough County is the only county with two Superior Courts.

Superior Court Judges as of January 1, 2025*:

- 23 Full-Time Judges
- 2 Senior Active Status Judges
- 4 Judicial Referees



*RSA 491:1, "The superior court shall consist of a chief justice... and 22 associate justices."



Supreme Court

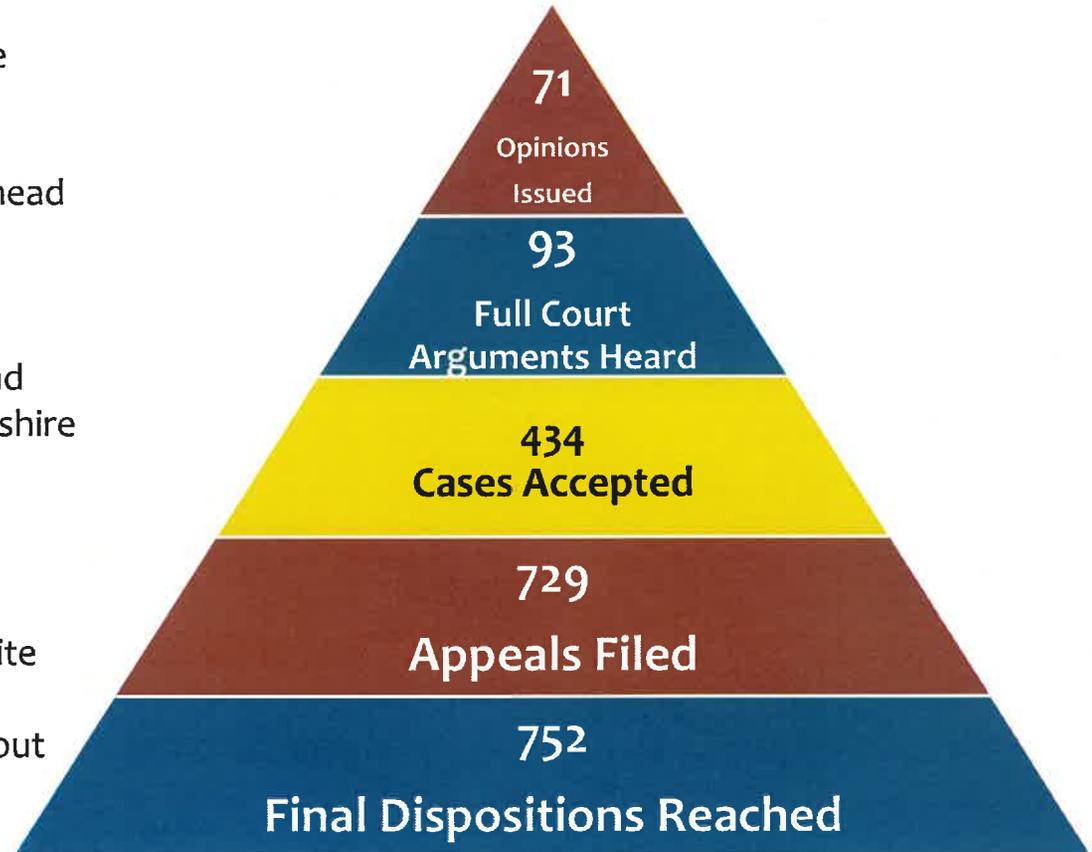
In 1876, an act was passed creating the Supreme Court as New Hampshire's highest and only appellate court.

The Supreme Court has jurisdiction to review and decide appeals from the State trial courts and from many State administrative agencies.

Supreme Court Facts

- The Supreme Court is comprised of 4 Associate Justices and 1 Chief Justice
- The Chief Justice serves as the administrative head of the Judicial Branch
- The Supreme Court has significant non-judicial duties including oversight of bar admissions and attorney discipline, liaison with the New Hampshire Bar, and development of court rules
- Sits all year round
- Oral arguments are streamed live on our website
- Opinions and final orders in cases with or without oral argument are posted on our website

2024 Supreme Court Filings:



Administrative Office of the Courts

In 1983, the New Hampshire Supreme Court created the Administrative Office of the Courts (AOC).

The AOC provides operational support to New Hampshire's unified court system in its constitutional responsibility to provide for the administration of justice.



Providing Administrative Support for Our Courts

The AOC is responsible for the Judicial Branch's statewide functions of:

- Operations and Audit
- Fiscal and Strategic Funding Initiatives
- Accounting & Payroll
- General Counsel and Government Relations
- Human Resources
- Communications
- Court Security
- Treatment Court Coordination
- Access and Community Engagement
- Justice Data & Statistics
- Mental Health & Wellness
- Information Technology
- Facilities and Buildings & Grounds
- Procurement and Purchasing





FY26-27 Judicial Branch Proposed Efficiency Budget

N.H. Rev. Stat. § 9:4-a

Section 9:4-a - Judicial Branch Budget

The supreme court, in consultation with the judicial branch administrative council appointed pursuant to supreme court rule 54, shall prepare the judicial branch budget for review and processing by the legislature according to the same time schedule for budgetary review and analysis required of executive agencies. The judicial branch budget shall be prepared upon forms and according to procedures prescribed by the commissioner of administrative services. The budget request documents and such additional information as may be requested shall be submitted to the commissioner of administrative services to be included in the governor's budget in the amounts requested, and with such comments as the governor deems appropriate.

RS:9 4-a

Amended by 2015, 102:1, eff. 1/1/2016.

1969, 21:1, 1979, 403:2, 1983, 331:6, 1985, 399:3, 1995, 9:2, eff. June 11, 1995; 2015, 102:1, eff. Jan. 1, 2016.



Facts Governing the Judicial Branch Budget

- **Personnel is 75% of the budget**
 - *Costs are essentially fixed*
- **Limited control over major non-personnel cost centers**
 - *Transfer to Sheriffs*
 - *Transfer to Department of Administrative Services / Bureau of Court Facilities*
 - *Rent*
 - *Technology*
- **Approximately 92% General Funds**



FY 2026-27 Efficiency Budget

- **Reduces General Fund Appropriation from FY25 Adjusted Authorized Budget by 3.8% ***



** Excludes \$1,828,919 in FY26 and \$1,847,621 in FY27 requested appropriation to implement HB 318*

Judicial Branch Efficiency Budget Submission FY26-27

	FY2026 Efficiency Budget	FY2027 Efficiency Budget
Total General Fund 9/16/24 Submission	\$118,186,512	\$120,583,868
HB318/Bail Reform General Funds included in above total	\$1,828,919	\$1,847,621
General Fund Submission excluding Bail Reform GF	\$116,357,593	\$118,736,249
Governor General Fund Target	\$116,357,593	\$116,357,593
HB1 Judicial Branch General Fund Appropriation	\$114,236,512	\$116,633,868
Total GF Reduction from Efficiency Budget Submission	-\$3,950,000*	
Total GF Reduction from FY25 Adjusted Authorized Budget	-\$6,462,278	

*Total HB1 back of the budget reduction for the Judicial Branch over the FY26-27 biennium is \$7,900,000; half of this amount has been allocated to FY26 for purposes of this analysis. The estimated additional cost of implementing HB2 is \$2,600,000

FY26-27 Judicial Branch Efficiency Budget – Funding Sources

	<u>FY2024 Actual</u>	<u>FY2025 Adj Auth</u>	<u>FY2026 Efficiency Budget</u>	<u>FY2027 Efficiency Budget</u>
Total	\$114,068,309	\$130,536,743	\$128,245,974	\$130,572,483
Breakout by Fund Source:				
Federal Funds	\$431,404	\$964,150	\$310,000	\$310,000
Other Funds	\$6,900,104	\$6,603,803	\$7,749,462	\$7,678,615
Highway Funds	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
General Funds	\$104,736,802	\$120,968,790	\$118,186,512	\$120,583,868
Total	\$114,068,309	\$130,536,743	\$128,245,974	\$130,572,483
General Funds as % of Total	91.8%	92.7%	92.2%	92.4%

FY26-27 Judicial Branch Efficiency Budget - Outlays

	<u>FY2024 Actual</u>	<u>FY2025 Adj Auth</u>	<u>FY2026 Efficiency Budget</u>	<u>FY2027 Efficiency Budget</u>
Total	\$114,068,309	\$130,536,743	\$128,245,974	\$130,572,483
Breakout by Expense Type:				
Salaries + Benefits (all funds)	\$83,520,610	\$96,413,339	\$95,430,105	\$97,597,198
DAS-BCF/EAP/PCI Audit (GF)	\$10,589,415	\$11,729,332	\$10,705,216	\$10,725,268
Drug Court (GF)	\$2,904,450	\$4,687,500	\$4,376,316	\$4,376,316
Sheriffs Reimbursements (GF)	\$4,482,296	\$4,258,600	\$4,232,261	\$4,232,261
IT Maint/Support (all funds)	\$3,925,325	\$3,966,827	\$4,159,231	\$4,170,091
Jury Fees (GF)	\$633,951	\$650,000	\$599,500	\$599,500
All Other (all funds)	\$8,012,262	\$8,831,145	\$8,743,345	\$8,871,849
Total	\$114,068,309	\$130,536,743	\$128,245,974	\$130,572,483
Personnel as % of Total	73.2%	73.9%	74.4%	74.7%
Other Fixed Costs as % of Total	19.8%	19.4%	18.8%	18.5%
All Other Costs as % of Total	7.0%	6.8%	6.8%	6.8%

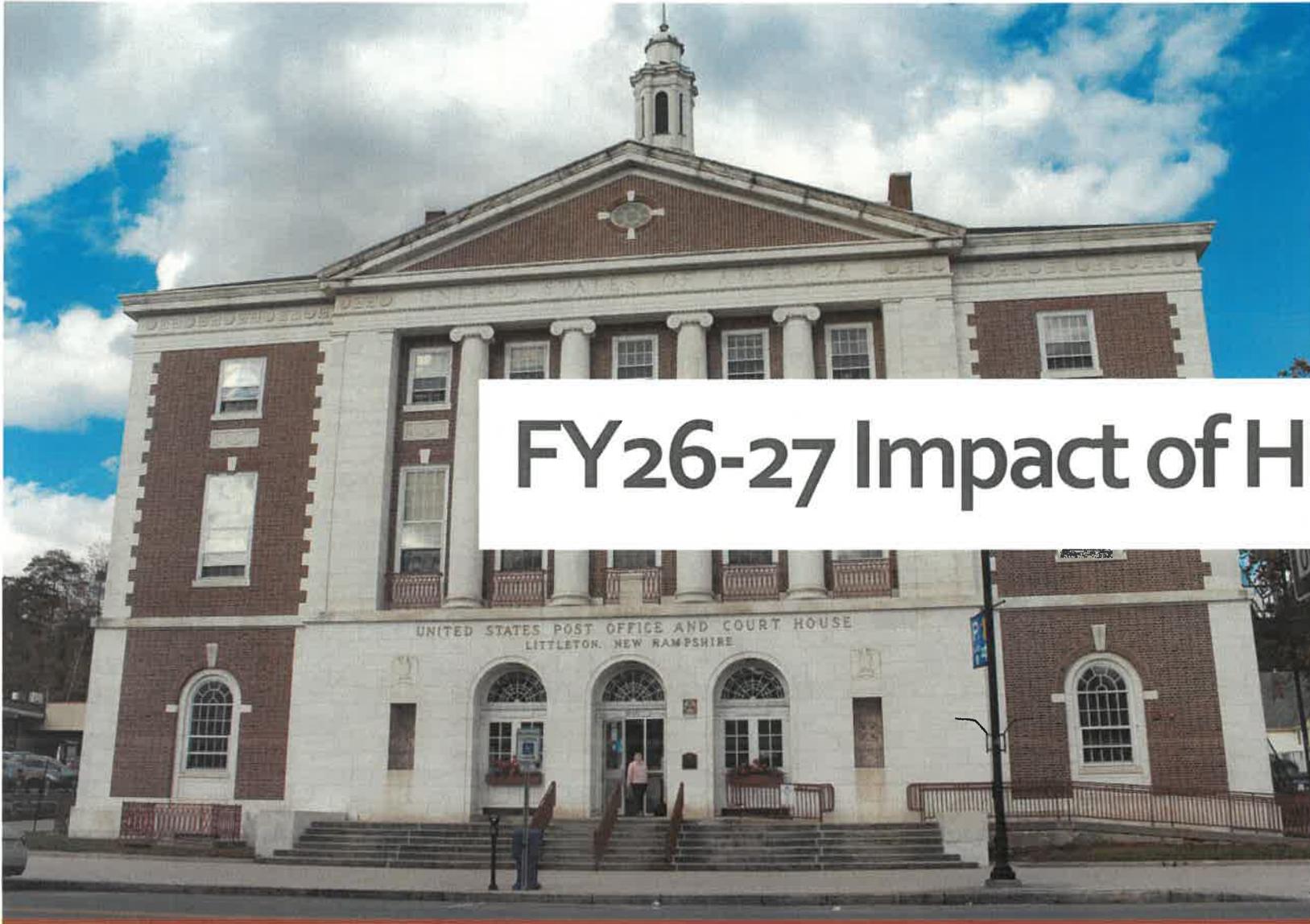
FY26-27 Efficiency Budget Impacts



FY 2026-27 Efficiency Budget – Summary of Operational Impacts

- Reduce appropriations for reimbursement payments to county sheriffs for courthouse security in Superior Court.
- Close Two Circuit Courthouses (Goffstown/Hooksett).
- Eliminate Jury Trials in Superior Court for two months each Fiscal Year (July/December).
- Reduce the number of funded non-judge positions by 31 Full-Time Equivalents.
- Reduce appropriations for per diem courthouse security coverage in the Circuit Courts and for training for court security personnel.
- Defer implementation of the Veterans Treatment Court.
- Reduce appropriations for treatment providers for adult drug court participants and for adult drug court provider training.





FY26-27 Impact of HB1/HB2

FY26-27 Judicial Branch Operational Impacts of HB1/HB2

- -\$7.9 Million Back of the Budget Reduction for FY26-27.
- “Unfunded Mandate” of Superior Court absorbing work of Human Rights Commission and Housing Appeals Board will require elimination of 15 positions to accommodate new judges and staff.
- Additional Court closures, further curtailing of jury trials, reducing court operating hours, and additional staff reductions may be necessary to meet the back of the budget cut.
- Divorce and parenting, small claims, estates and trusts, and virtually all civil cases potentially delayed for years. Small Claims cases could take 1-2 years to be docketed.
- Case types with statutory deadlines (criminal, juvenile, landlord-tenant, guardianship, domestic violence and stalking) will necessarily be prioritized over case types without statutory deadlines.
- Possible requests to extend out statutory deadlines in criminal, landlord-tenant, and guardianship cases.
- Significant delays in Superior Court criminal jury trials may implicate Constitutional rights to a speedy trial, may result in dismissal of many cases.





Judicial Branch Budget Related Initiatives

NH Judicial Branch FY26-27 Fee Adjustments

- NH Judicial Branch will increase entry and filing fees for many case types, resulting in an additional \$1,079,907 annual revenue for the General Fund
- NH Judicial Branch will adjust fees for records research to \$6.50/name, resulting in additional \$1,470,390 annual revenue for the General Fund
- TOTAL new annual General Fund revenue from Judicial Branch fee adjustments: **\$2,550,297**
- TOTAL new General Fund revenue from adjusted Judicial Branch fees for FY26-27 biennium: **\$5,100,594**



Proactive Measures to Improve NH Judicial Branch FY26-27 Fiscal Outlook

- **Efficiency Committee:**

- NH Judicial Branch launched internal Efficiency Committee April 11 to conduct comprehensive review of branch structure and operations, find cost savings and ways to streamline operations
- Committee comprised of Trial Court Judges and administrators is also engaging with experts from National Center for State Courts on a comprehensive study to be completed with findings and recommendations by July 1
- Judicial Branch employees are also being solicited for feedback and efficiency ideas – already receiving thoughtful and substantive responses

- **Hiring Freeze:**

- Effective April 9, NH Judicial Branch has frozen all external hiring, with limited exceptions for positions deemed mission critical





FY26-27 Judicial Branch Budget Request

Judicial Branch Adjusted FY26-27 Budget Request

	FY2026	FY2027
Total General Fund 9/16/24 Efficiency Budget Request	\$118,186,512	\$120,583,868
<u>Additional Prioritized Needs:</u>		
Restore Funding for Sheriffs' Reimbursement	+\$1,125,031	+\$1,125,031
Court Security Per Diem Days	+919,324	+\$919,324
Court Security Officer Training	+\$95,456	+\$95,456
Additional Resources to Manage Impact of Youth Development Center (YDC) Cases	+\$438,946	+\$438,561
<u>Adjusted Judicial Branch GF Appropriation Request:</u>	\$120,765,269	\$123,162,240