

Discussion Points

1. The Governor's budget incorporates an estimated \$5.183 billion over two fiscal years in federal stimulus funding provided by the American Recovery and Reinvestment Act (ARRA) of 2009. According to a table on page 42 of the Governor's abbreviated budget, the State will use \$3.074 billion (\$854 million in FY 2009 and \$2.220 billion in FY 2010) from ARRA for budget relief. In addition to these funds which will offset revenue shortfalls, \$2.109 billion will be used for new or expanded programs or initiatives. The ARRA allocates funds to states both by formula and by competitive awards. Most executive departments anticipate stimulus funding in either FY 2009, FY 2010 or both.

- **Question:** Please itemize the federal stimulus funding, other than portions of the \$3.074 billion allocated for budget relief, included in the Judiciary's budget, by fiscal year and federal program, setting forth program goals and eligible uses together with the amount for state administrative expenses and the amount for allocation to local public and private recipients, respectively. Please identify intended and actual recipients and the process by which the Judiciary determines recipients and funding awards. Are there ARRA funds that flow through the Judiciary for which the State has no discretion? Please also set forth the timetable for obtaining federal approval of funding, obligation and allocation of funding to recipients, and use by recipients. Could any of this funding be used to offset other State appropriations, and if so, what programs and in what amount? What additional positions, if any, have been and will be hired with these funds? If this money is being used for new or expanded activities, will the new or expanded activities be continued in FY 2011? If so, how will they be funded?
- **Question:** In addition to funding incorporated in the FY 2010 budget, what specific competitive grant opportunities has the Judiciary identified that it is eligible to pursue, has applied for, and has been awarded, respectively?

Response

Please itemize the federal stimulus funding, if any, other than portions of the \$3.074 billion allocated for budget relief, included in the department's budget, by fiscal year and federal program, setting forth program goals and eligible uses together with the amount for state administrative expenses and the amount for allocation to local public and private recipients, respectively.

The governor's recommended budget does not provide federal stimulus funding to the Judiciary. The Judiciary has been working with the Attorney General's Office, which is the state administering agency responsible for distributing approximately \$48 million of stimulus money as it relates to criminal justice programs.

The Judiciary submitted numerous proposals totaling \$10,878,729 to the Attorney General's Office for consideration. These proposals are for Judiciary specific projects that will not add administrative expense and will not be allocated to local public or private recipients.

Please identify intended and actual recipients and the process by which the department determines recipients and funding awards?

- If the Judiciary receives funding for the above projects, the Judiciary division that proposed the project will be responsible for administering the project. The Judiciary does not plan to sub-grant any of the award money from the above prioritized projects.

Discussion Points (Cont'd)

Are there ARRA funds that flow through your department for which the State has no discretion?

- We have not been informed that there will be any recovery funds flowing directly to/through the Judiciary.

Please set forth a timetable for obtaining federal approval of funding, obligation and allocation of funding to recipients and use by recipients:

- The Attorney General's Office has advised that some projects funded with federal stimulus dollars will have a start date of July 1, 2009, while others will have a start date of Oct.1, 2009. They did not indicate how the start dates will be determined.

Could any of this funding be used to offset other State appropriations, and if so, what programs and in what amount?

- No. If the Judiciary receives funding for any of the above projects, the funding will be dedicated to that project. None of the above proposed projects have been included within the current Judiciary state allocation.

What additional positions, if any, have been and will be hired with these funds?

- The Judiciary does not anticipate hiring additional staff with the federal stimulus funding.

If this money is being used for new or expanded activities, will the new or expanded activities be continued in FY2011? If so, how will they be funded?

- The proposals presented to the Attorney General's Office were one-time projects that, if funded, will address many of the system interface needs of the Judiciary. Once an interface is properly addressed, there should not be a need to seek additional funding for such projects.
- One project that would need to be continually funded, whether federally or at the state level, would be the Drug Testing Project. In order to better monitor clients, the tools need to be accurate, precise and administered on a timely basis.
- **Question:** In addition to funding incorporated in the FY 2010 budget, what specific competitive grant opportunities has the department identified that it is eligible to pursue, has applied for, and has been awarded, respectively?
 - The Judiciary continues to seek grant opportunities that will provide funds that support justice related projects.
 - In relation to the Recovery Act, we are looking closely at the Edward Byrne Memorial Justice Assistance Grant Program (JAG) competitive opportunity because it seems to represent the most logical choice in providing justice-related funds.