



**MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST
BUDGET MODIFICATION**

(revised 03/25/11)

Board Clerk Use Only	
Meeting Date:	3/1/12
Agenda Item #:	R.8
Est. Start Time:	10:55 am
Date Submitted:	2/14/12

BUDGET MODIFICATION:Nond 07

Agenda Title: BUDGET MODIFICATION Nond 07 Passes Through Court Filing Fees to the Multnomah Law Library

Note: For all other submissions (i.e. Notices of Intent, Ordinances, Resolutions, Orders or Proclamations) please use the APR short form.

Requested Meeting Date:	March 8, 2012	Amount of Time Needed:	10 minutes
Department:	Nondepartmental	Division:	N/A
Contact(s):	Julie Neburka		
Phone:	988-3312	Ext.	27351
		I/O Address:	503/4
Presenter Name(s) & Title(s):	Julie Neburka		

General Information

1. What action are you requesting from the Board?

Approve budget modification Nond 07, increasing court filing fee revenue by \$995,000 and passing it through to the Multnomah Law Library, per HB 2710, 2712, and 5056, passed during the 2011 Legislative session.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

Since at least 1927, Multnomah County has contracted with the Multnomah Law Library to operate the current Law Library in the Courthouse. The statutory structure for this arrangement *until October 1, 2011*, was former ORS 9.850 and 21.350. This all changed in October 2011, but ORS 9.820 still provides for the Law Library in Multnomah County; funding of it, and all law libraries statewide, is set now by the Legislative Assembly each biennium.

Until the change in the law, an assessment on the filing fees in civil actions was specified for the

Law Library and the court collected it and passed it on to the Law Library every month. Since October, the State Court Administrator pays to Multnomah County a flat amount of funds each month and that amount covers disbursements by the Legislative Assembly for operation of the Law Library and the Family Court Services program, a part of the Department of Community Justice. Multnomah County receives this money and passes on the Law Library the appropriate amount.

Funding for the Law Library is expected to total \$995,000 in each of two fiscal years, 2012 and 2013. Funding for FY 2013 will be included the FY 2013 budget. This action only affects FY 2012.

3. Explain the fiscal impact (current year and ongoing)

This action adds \$995,000 in court filing fee revenues and \$995,000 in pass-through expenses to the Multnomah Law Library. This is a statutory requirement that does not otherwise affect Multnomah County operations at all.

4. Explain any legal and/or policy issues involved.

This new requirement came about as a result of three pieces of legislation that passed in the 2011 Legislative session. HB 2710 changed the way that court fees are allocated to programs. HB 2720 revised the amounts of fees and fines associated with criminal offenses and court proceedings; and HB 5056 set the biennial appropriation limits for those programs formerly funded by court fees.

There are several additional bills relating to court fines and fees under consideration in the 2012 Legislative session.

5. Explain any citizen and/or other government participation that has or will take place.

N/A

ATTACHMENT A

Budget Modification

If the request is a **Budget Modification**, please answer **all** of the following in detail:

- **What revenue is being changed and why? If the revenue is from a federal source, please list the Catalog of Federal Assistance Number (CFDA).**

Court fee revenue is increased by \$995,000.
- **What budgets are increased/decreased?**

The State-Mandated Expenses program in the Nondepartmental budget is increased by \$995,000, in order to pass court fee revenue through to the Multnomah Law Library, as required by statute.
- **What do the changes accomplish?**

This change increases our appropriation in order to allow the County to pass through required revenues without incurring a budget violation in the current fiscal year.

- **Do any personnel actions result from this budget modification? Explain.**
None.
- **If a grant, is 100% of the central and department indirect recovered? If not, please explain why.**
N/A
- **Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?**
Barring further legislative changes, this arrangement is expected to be ongoing, with different pass-through amounts set by the Oregon Legislature each biennium.
- **If a grant, what period does the grant cover? When the grant expires, what are funding plans? Are there any particular stipulations required by the grant (i.e. cash match, in kind match, reporting requirements etc)?**
N/A

NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

ATTACHMENT B

BUDGET MODIFICATION:Nond 07

Required Signatures

**Elected Official or
Department/
Agency Director:**



Date: 2/14/12

Budget Analyst:



Date: 2/14/12