

1 (c) "Position ceiling" means the maximum number of
2 permanent positions authorized for a particular program during a
3 specified period or periods, as noted by an asterisk.

4 **PART II. PROGRAM APPROPRIATIONS**

5 SECTION 3. The following sums, or so much thereof as may
6 be sufficient to accomplish the purposes and programs designated
7 herein, are appropriated or authorized from the sources of
8 funding specified to the judiciary for the fiscal biennium
9 beginning July 1, 2007, and ending June 30, 2009. The total
10 expenditures and the number of permanent positions established
11 in each fiscal year of the fiscal biennium shall not exceed the
12 sums and the position ceilings indicated for each year, except
13 as provided in this Act.

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2007-2008	M O F	FISCAL YEAR 2008-2009	M O F
1		The Judicial System					
2	1.	JUD101 - COURTS OF APPEAL					
3				81.00*		81.00*	
4		OPERATING	JUD	6,859,143A		7,030,180A	
5			JUD	243,261W		243,261W	
6							
7	2.	JUD310 - FIRST JUDICIAL CIRCUIT					
8				999.50*		999.50*	
9		OPERATING	JUD	68,224,450A		66,701,266A	
10				34.00*		34.00*	
11			JUD	3,312,439B		3,312,439B	
12							
13	3.	JUD320 - SECOND JUDICIAL CIRCUIT					
14				195.00*		195.00*	
15		OPERATING	JUD	14,220,286A		14,236,547A	
16							
17	4.	JUD330 - THIRD JUDICIAL CIRCUIT					
18				213.00*		213.00*	
19		OPERATING	JUD	17,501,587A		17,446,411A	
20							
21	5.	JUD350 - FIFTH JUDICIAL CIRCUIT					
22				96.00*		96.00*	
23		OPERATING	JUD	6,813,993A		6,834,092A	
24							
25	6.	JUD601 - ADMINISTRATION					
26				216.00*		216.00*	
27		OPERATING	JUD	20,003,850A		21,582,031A	
28				1.00*		1.00*	
29			JUD	5,554,237B		5,554,237B	
30			JUD	100,000W		100,000W	
31		INVESTMENT CAPITAL	JUD	46,020,000C		4,000,000C	

1 **PART III. PROGRAM PROVISIONS**

2 SECTION 4. Provided that whenever the need arises, the
3 chief justice, in administering an equitable and expeditious
4 judicial process, is authorized to transfer sufficient funds and
5 positions between programs for operating purposes; and provided
6 further that no transfer shall be made to implement any
7 collective bargaining contract signed after this legislature
8 adjourns sine die.

9 SECTION 5. Provided that if the chief justice, or any
10 agency, or any government unit, secures federal funds or other
11 property under any act of Congress, or any funds or other
12 property from private organizations or individuals which are to
13 be expended in connection with any program or works authorized
14 by this Act, or otherwise, the chief justice, or the agency with
15 the chief justice's approval, shall have the power to enter into
16 the undertaking with the federal government, private
17 organization, or individual; and provided further that while
18 most federal aid allocations are known and state matching funds
19 are provided in this Act, in instances where programs for which
20 federal-state cost sharing is not yet determined, the
21 availability of federal funds shall be construed as a
22 proportionate reduction of state costs whenever possible.

1 SECTION 6. Provided that of the general fund appropriation
2 for administration (JUD 601), the sum of \$1,235,085 or so much
3 thereof as may be necessary for fiscal year 2007-2008 and the
4 same sum or so much thereof as may be necessary for fiscal year
5 2008-2009 shall be used for grants-in-aid to Hawaii Family Law
6 Clinic to provide temporary restraining orders/protective orders
7 to victims of domestic abuse (\$157,800 in each FY); Catholic
8 Charities of Hawaii for victims of intrafamilial sexual abuse
9 (\$239,000 in each FY); Parents and Children Together for
10 children experiencing domestic violence(\$169,2992 in each FY);
11 Parents and Children Together: Economic Self-Reliance II Project
12 (\$348,993 in each FY) and the Children's Alliance to support
13 sexually abused children (\$320,000 in each FY).

14 SECTION 7. Provided that of the general fund appropriation
15 for administration (JUD 601), the sum of \$100,000 or so much
16 thereof as may be necessary for fiscal year 2007-2008 and the
17 same sum or so much thereof as may be necessary for fiscal year
18 2008-2009 shall be used for purchase of services for indigenous
19 nonviolent peacemaking services for the Family Court of the
20 First Circuit.

21 SECTION 8. Provided that of the general fund appropriation
22 for administration (JUD 601), the sum of \$200,000 or so much

1 thereof as may be necessary for fiscal year 2007-2008 and the
2 same sum or so much thereof as may be necessary for fiscal year
3 2008-2009 shall be used for medically targeted substance abuse
4 testing for the drug court on Oahu and Maui.

5 SECTION 9. Provided that of the general fund appropriation
6 for administration (JUD 601), the sum of \$1,832,496 or so much
7 thereof as may be necessary for fiscal year 2007-2008 and the
8 same sum or so much thereof as may be necessary for fiscal year
9 2008-2009 shall be used for purchase of services: for immigrant
10 legal services (\$422,496 for each FY); for legal assistance,
11 community education and outreach services to families and
12 individuals whose incomes are at or below 250% of the federal
13 poverty level (\$810,000 in each FY); and for pro bono legal
14 services for the indigent, working poor, children, the homeless
15 and elderly who are at or below 187% of the federal poverty
16 guidelines.

17 SECTION 10. Provided that of the general fund appropriation
18 for the administration (JUD 601), the sum of \$280,000 or so much
19 thereof as may be necessary for fiscal year 2007-2008 and the
20 sum of \$135,000 or so much thereof as may be necessary for
21 fiscal year 2008-2009 shall be used to fund the implementation
22 of the electronic leave system; provided further that the funds

1 shall not be expended for any other purpose; and provided
2 further that any unexpended funds shall lapse into the general
3 fund.

4 **PART IV. CAPITAL IMPROVEMENT PROJECTS**

5 SECTION 11. The sum of \$50,020,000 appropriated or
6 authorized in part II of this Act for capital improvement
7 projects shall be expended by the judiciary for the projects
8 listed below; provided that several related or similar projects
9 may be combined into a single project, if a combination is
10 advantageous or convenient for implementation; and provided
11 further that the total cost of the projects thus combined shall
12 not exceed the total of the sums specified for the projects
13 separately. The amount after each cost element and the total
14 funding for each project listed in this Part is in thousands of
15 dollars.

1 THE JUDICIAL SYSTEM
2
3 JUD601 - ADMINISTRATION
4
5 1. KAPOLEI JUDICIARY COMPLEX, OAHU
6
7 PLANS, LAND, DESIGN, CONSTRUCTION,
8 AND EQUIPMENT FOR THE KAPOLEI
9 JUDICIARY COMPLEX, O'AHU.

10	PLANS	225				
11	LAND	25				
12	DESIGN	1,000				
13	CONSTRUCTION	41,700				
14	EQUIPMENT	50				
15	TOTAL FUNDING	JUD 43,000	C		0	C

16
17 2. KONA JUDICIARY COMPLEX, HAWAI'I
18
19 PLANS, LAND, AND DESIGN FOR A NEW
20 JUDICIARY COMPLEX AT KONA,
21 HAWAI'I

22	PLANS				450	
23	LAND				40	
24	DESIGN				10	
25	TOTAL FUNDING	JUD	0	C	500	C

26
27 3. KEAKEALANI BUILDING (KONA) COURT
28 FACILITIES IMPROVEMENTS, HAWAII
29
30 PLANS, DESIGN, CONSTRUCTION, AND
31 EQUIPMENT FOR GENERAL IMPROVEMENTS
32 TO JUDICIARY FACILITIES AT THE
33 KEAKEALANI BUILDING IN KEALAKEKUA,
34 HAWAI'I

35	PLANS	5				
36	DESIGN	10				
37	CONSTRUCTION	1,000				
38	EQUIPMENT	5				
39	TOTAL FUNDING	JUD 1,020	C		0	C

40
41 4. STATUS OFFENDER SHELTER AND JUVENILE
42 SERVICES CENTER, O'AHU
43

1	PLANS, LAND, AND DESIGN FOR THE						
2	DEVELOPMENT OF A NEW STATUS						
3	OFFENDER SHELTER AND JUVENILE						
4	SERVICES CENTER, O'AHU						
5	PLANS					450	
6	LAND					40	
7	DESIGN					10	
8	TOTAL FUNDING	JUD	0	C		500	C
9							
10	5. LUMP SUM CIP - RENOVATIONS, REPAIRS,						
11	AND IMPROVEMENTS TO JUDICIARY FACILITIES,						
12	STATEWIDE						
13							
14	PLANS, DESIGN, CONSTRUCTION, AND						
15	EQUIPMENT FOR RENOVATIONS, REPAIRS,						
16	AND IMPROVEMENTS TO JUDICIARY						
17	FACILITIES.						
18	PLANS		100			250	
19	DESIGN		300			500	
20	CONSTRUCTION		1,000			1,500	
21	EQUIPMENT		100			250	
22	TOTAL FUNDING	JUD	1,500	C		2,500	C
23							
24	6. MASTER PLANNING FOR JUDICIARY						
25	FACILITIES, STATEWIDE						
26							
27	PLANS, LAND, AND DESIGN FOR MASTER						
28	PLANNING FOR CAPITAL IMPROVEMENTS						
29	AND OTHER PHYSICAL FACILITIES-						
30	RELATED PROJECTS FOR THE JUDICIARY,						
31	STATEWIDE						
32							
33	PLANS					450	
34	LAND					40	
35	DESIGN					10	
36	TOTAL FUNDING	JUD	0	C		500	C
37	7. KAPUAIWA BUILDING (OAHU) COURT						
38	FACILITIES IMPROVEMENTS, HAWAII						
39							
40	PLANS, DESIGN, CONSTRUCTION, AND						
41	EQUIPMENT FOR A NEW COURTROOM FOR						
42	THE INTERMEDIATE COURT OF APPEALS						
43	IN HONOLULU, HAWAI'I						

1	PLANS		450	
2	DESIGN		50	
3	TOTAL FUNDING	JUD	500	C
4				

5 PART V. ISSUANCE OF BONDS

6 SECTION 12. General obligation bonds may be issued, as
 7 provided by law, to yield the amount that may be necessary to
 8 finance projects authorized in Part II and listed in Part IV of
 9 this Act; provided that the sum total of the general obligation
 10 bonds so issued shall not exceed \$50,020,000.

11 PART VI. SPECIAL PROVISIONS

12 SECTION 13. Any law or any provision of this Act to the
 13 contrary notwithstanding, the appropriations made for capital
 14 improvement projects authorized in Part II and listed in Part IV
 15 of this Act shall not lapse at the end of the fiscal year for
 16 which the appropriations are made; provided that all
 17 appropriations made for fiscal year 2007-2008 and fiscal year
 18 2008-2009 which are unencumbered as of June 30, 2010, shall
 19 lapse as of that date.

20 SECTION 14. The judiciary is authorized to delegate to
 21 other state or county agencies the planning, acquisition of
 22 land, design, construction, and equipment of any capital
 23 improvement project when it is determined by the judiciary to be
 24 advantageous to do so.

1 SECTION 15. All unrequired balances in the general
2 obligation bond fund, after the objectives of Part II
3 appropriations for capital improvements program purposes listed
4 as projects in part IV have been met, shall be transferred to
5 the judiciary project adjustment fund.

6 SECTION 16. If the amount allocated from the general
7 obligation bond fund for a capital improvement project listed in
8 part IV of this Act is insufficient, the chief justice may make
9 supplemental allotments from the project adjustment fund;
10 provided that supplemental allotments shall not be used to
11 increase the scope of the project.

12 SECTION 17. Where it has been determined that changed
13 conditions, such as reduction in the particular population being
14 served, permit the reduction in the scope of a project listed in
15 Part IV, the chief justice may authorize such reduction of
16 project scope.

17 SECTION 18. The chief justice shall determine when and the
18 manner in which the authorized capital improvement projects
19 shall be initiated. The chief justice shall notify the governor
20 from time to time of the specific amounts required for the
21 projects, and the governor shall provide for those amounts
22 through the issuance of bonds authorized in Part V of this Act.

1 SECTION 19. Any law or any provision to the contrary
2 notwithstanding, the chief justice may supplement funds for any
3 cost element for a capital improvement project authorized under
4 this Act by transferring such sums as may be needed from the
5 funds appropriated for other cost elements of the same project
6 by this Act or by any other prior or future Act that has not
7 lapsed, provided that the total expenditure of funds for all
8 cost elements for the project shall not exceed the total
9 appropriation for that project.

10 PART VII. MISCELLANEOUS PROVISIONS AND EFFECTIVE DATE

11 SECTION 20. If any portion of this Act or its application
12 to any person or circumstances is held to be invalid for any
13 reason, the remainder of the Act and any provision thereof shall
14 not be affected. If any portion of a specific appropriation is
15 held to be invalid for any reason, the remaining portion shall
16 be independent of the invalid portion and shall be expended to
17 fulfill the objective and intent of the appropriation to the
18 extent possible.

19 SECTION 21. If any manifest clerical, typographical, or
20 other mechanical error is found in this Act, the chief justice
21 is authorized to correct the error. All changes made pursuant

1 to this section shall be reported to the legislature at its next
2 session.

3 SECTION 22. This Act shall take effect on July 1, 2007.

Report Title:

Judiciary

Description:

Provides the judiciary budget for the 2007-2009 biennium.
(HB1212 HD2 SD1)