



# FISCAL OVERVIEW

## SUMMARY OF JUDICIAL BUDGETS - FISCAL YEARS 2022-2024

### GENERAL FUNDS

	FY 2022 Enacted Budget	FY 2023 Enacted Budget	FY 2024 Enacted Budget
Supreme Court	\$ 3,543,300	\$ 3,978,200	\$ 4,253,600
Court of Chancery	4,066,800	4,597,200	4,850,900
Superior Court	26,885,500	27,873,200	30,040,900
Family Court	21,621,200	22,284,400	23,276,600
Court of Common Pleas	11,157,800	11,389,400	12,069,800
Justice of the Peace Court	19,997,100	20,858,500	21,996,000
Administrative Office of the Courts (AOC)	4,139,100	4,482,400	4,777,100
AOC Custodial Pass-Through Funds*	3,035,100	3,035,100	3,135,100
Office of State Court Collections Enforcement (OSCCE)	626,200	633,800	670,300
Information Technology	4,031,600	4,059,800	4,426,500
Law Libraries	461,100	463,000	476,400
Office of the Public Guardian	812,200	820,900	858,000
Office of the Child Advocate	2,617,400	3,168,800	3,513,300
Maternal and Child Death Review Commission**	459,300	463,700	485,700
Delaware Nursing Home Residents Quality Assurance Commission	89,000	89,900	93,800
<b>TOTAL</b>	<b>\$ 103,542,700</b>	<b>\$ 108,198,300</b>	<b>\$ 114,924,000</b>

\* These programs are included in AOC funding but are shown separately because they are pass-through funds. They include the Superior Court Appointed Attorney Program, Court Interpreters, Victim Offender Mediation Program, Elder Law Program, Law Related Education and other funds. Technology Maintenance consists of pass-through funding to other state departments and vendors for equipment and services Branch-wide.

\*\* The Child Death Review Commission was renamed the Maternal and Child Death Review Commission with the passage of House Bill 340 of the 151st General Assembly.

Source: Administrative Office of the Courts

# FISCAL OVERVIEW

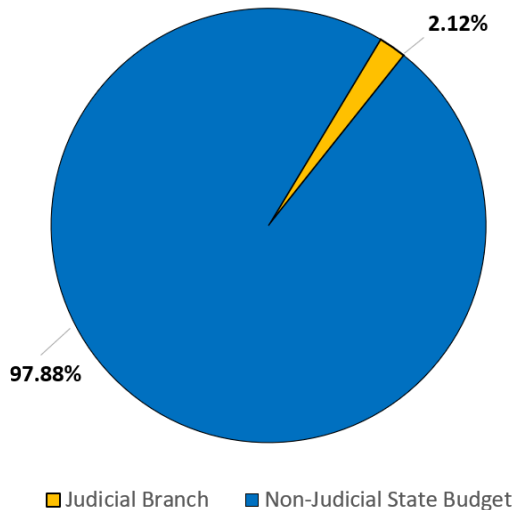
## GENERAL FUND APPROPRIATIONS - FISCAL YEAR 2023

The Judiciary's FY 2023 appropriation is 2.12% of the State's General Fund Budget.

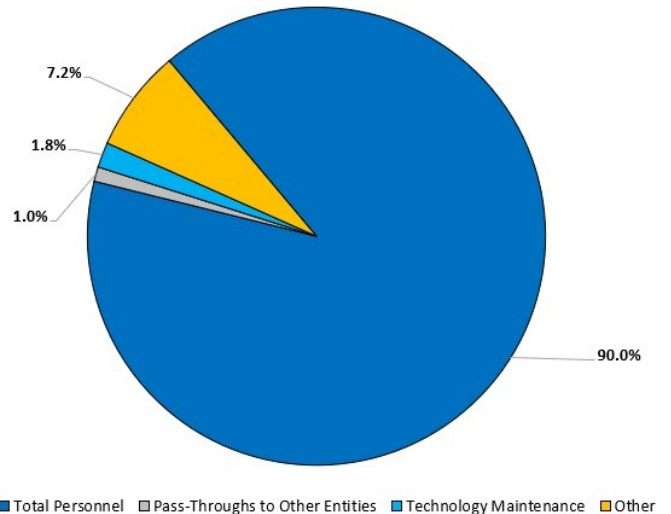
Public Education	\$1,832,407,800	35.93%
Health and Social Services	1,361,270,600	26.69%
Department of Correction	376,141,800	7.38%
Higher Education	266,806,000	5.23%
Children, Youth and Their Families	204,743,000	4.02%
Safety and Homeland Security	164,358,300	3.22%
<b>Judicial Branch</b>	<b>108,198,300</b>	<b>2.12%</b>
All Other	785,786,400	15.41%
<b>TOTAL</b>	<b>\$ 5,099,712,200</b>	<b>100.00%*</b>

\* Percentages may not total 100 due to rounding

The Judiciary's FY 2023 appropriation is 2.12% of the State GF Budget.



The FY 2023 Judicial Branch budget breakdown: 90% Personnel, 1.0% Pass-Throughs to Other Entities, 1.8% Technology Maintenance, and 7.2% Other.



Source: Administrative Office of the Courts

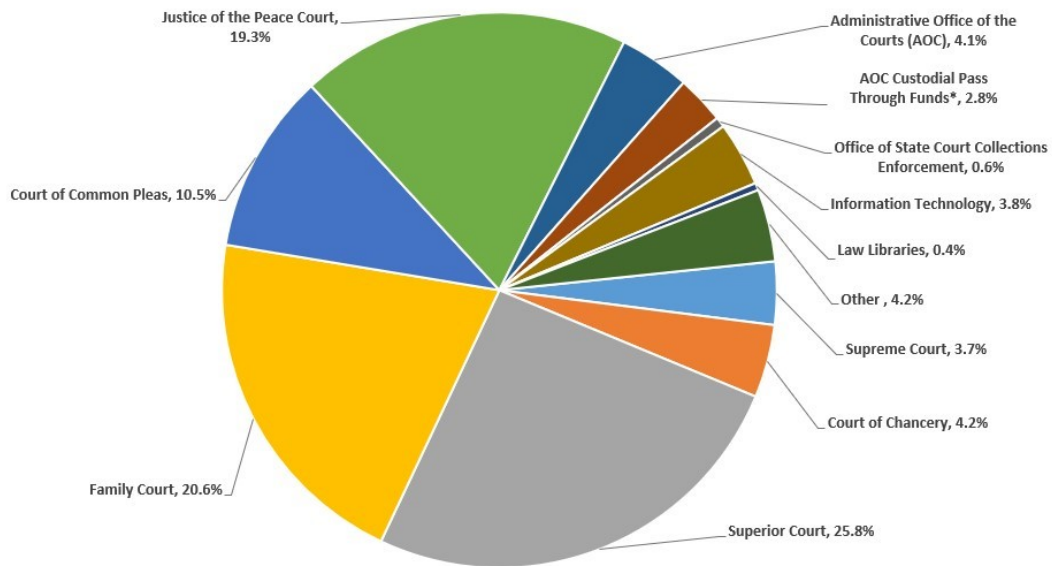
# FISCAL OVERVIEW

## JUDICIAL BRANCH APPROPRIATIONS - FISCAL YEAR 2023

### General Funds by Court or Unit

Supreme Court	\$3,978,200	3.68%
Court of Chancery	4,597,200	4.25%
Superior Court	27,873,200	25.76%
Family Court	22,284,400	20.60%
Court of Common Pleas	11,389,400	10.53%
Justice of the Peace	20,858,500	19.28%
Administrative Office of the Courts (AOC)	4,482,400	4.14%
AOC Pass Through Funds*	3,035,100	2.81%
Office of State Court Collections	633,800	0.59%
Information Technology	4,059,800	3.75%
Law Libraries	463,000	0.43%
Other**	4,543,300	4.20%
<b>TOTAL</b>	<b>\$108,198,300</b>	<b>100%***</b>

### JUDICIAL APPROPRIATIONS - FISCAL YEAR 2023



\* AOC Pass-Through Funds consist of Court Appointed Attorneys/Involuntary Commitment, Court Interpreters, Victim Offender Mediation Program, Elder Law Program, and Technology Maintenance.

\*\* Other: Office of the Public Guardian; Office of the Child Advocate; Child Death Review Commission; and Delaware Nursing Home Residents Quality Assurance Commission.

\*\*\* Percentages may not total 100 due to rounding.

Source: Administrative Office of the Courts

# FISCAL OVERVIEW

## COURT GENERATED REVENUE\* - FISCAL YEAR 2023

### SUBMITTED TO THE STATE GENERAL FUND

	Fees & Costs	Fines	Interest***	Miscellaneous	Total
Supreme Court	\$ 97,922	\$ -	\$ -	\$ -	\$ 97,922
Court of Chancery	1,091,629	-	-	-	1,091,629
Superior Court	2,899,193	113,310	24,539	61,359	3,098,401
Family Court	79,878	10,933	-	9,406	100,217
Court of Common Pleas	1,027,288	248,636	-	13,450	1,289,374
Justice of the Peace Court	1,561,416	1,614,086	-	51,574	3,227,076
OSCCE collecting DOC Fees**	739,586	-	-	-	739,586
<b>State Total</b>	<b>\$ 7,496,912</b>	<b>\$ 1,986,965</b>	<b>\$ 24,539</b>	<b>\$ 135,789</b>	<b>\$ 9,644,205</b>

### SUBMITTED TO COUNTIES AND MUNICIPALITIES

	Fees & Costs	Fines	Interest	Miscellaneous	Total
Superior Court	\$ 63,391	\$ 21,782	-	-	\$ 85,173
Family Court	-	1,061	-	-	1,061
Court of Common Pleas	30	146,135	-	-	146,165
Justice of the Peace Court	-	2,045,959	-	-	2,045,959
Office of State Court Collections Enforcement	-	-	-	-	-
<b>Counties and Municipalities Total</b>	<b>\$ 63,421</b>	<b>\$ 2,214,937</b>	<b>-</b>	<b>-</b>	<b>\$ 2,278,358</b>

**GRAND TOTAL**                      **\$ 7,560,333**      **\$ 4,201,902**      **\$ 24,539**      **\$ 135,789**      **\$ 11,922,563**

\* Figures represent only revenue actually received, not the total amount of fines and costs assessed. Figures include funds generated for the FY 2023 Fee Increase Spending Plan. Court Generated Revenue for this table does not include most criminal Statutory Assessments collected on behalf of other agencies, such as the Fund to Combat Violent Crime or the Videophone Fund.

\*\* Office of State Court Collections Enforcement (OSCCE) collected probationary fees on behalf of the Department of Correction (DOC). The assessment of DOC Supervision Fees was eliminated in April 2023 with the implementation of HB 244 with HA 2 of the 151st General Assembly.

\*\*\* From bail bond deposits.

Source: Administrative Office of the Courts

# FISCAL OVERVIEW

STATUTORY ASSESSMENTS COLLECTED BY THE COURTS FY 2023	
Criminal Only	
Court Security Fee*	\$ 1,227,943
Drug Diversion Fee	8,988
Drug Ed/Rehab SARTEP	19,803
DELJIS	122,319
Fund to Combat Violent Crime (State)	886,047
Fund to Combat Violent Crime (Local)	884,981
Senior Trust Fund	9,523
Voluntary Ambulance Fund	1,175,848
Victim Compensation	1,244,472
Victim Rights Fund	22,346
Video Phone Fund	109,439
Transportation Trust Fund	2,000,988
Civil Red Light Fee	21,248
<b>Statutory transfers from Court Fees to DELDOT:</b>	
Inspection & Maintenance	2,618,566
DMVT	23,982

\*Revenue from Court Security totals \$1,660,251 when civil collections are added to the criminal collections.

Percent of Judicial Branch Budget from Criminal Fees and Fines (Judicial Branch GF and Appropriated Special Funds Combined)	
Judicial GF FY23 Budget	\$108,198,300
Judicial ASF FY23 Budget	\$13,325,900
Total GF + ASF FY 23 Budget	\$121,524,200
Authority from Criminal Fees and Fines **	\$1,449,854
Criminal Fees and Fines as a Percent of the total Judicial Branch Budget	1.19%

\*\* Criminal Only. Includes only those collections which are retained by the Judicial Branch.

What are (ASF) Appropriated Special Funds? ASF Funds are derived from fees that are collected and designated for a specific purpose to support program functions. Most court collections listed in the top table support programs that are outside of the Judicial Branch.

Note: There are additional ASF revenues which are indirectly associated with Fees and Fines, primarily civil. Specifically, there is an ASF line called “Judicial Services” for \$2,050,000 in FY 2023, appropriated in connection with certain fees. Nearly all of those fees were civil, although there is one fee which can be either civil or criminal.

In Section 1 and Section 41 of the FY 2024 Budget Act (HB 195 of the 152<sup>nd</sup> General Assembly), ASF funds are also appropriated to the Court of Chancery and the Court of Common Pleas for their operating budgets from “the fees and fines that it collects”; no specific fees or fines are earmarked. The funds are appropriated through the budget process. The Court of Chancery’s fines and fees are civil; the Court of Common Pleas collects both civil and criminal fines and fees. The Court of Common Pleas ASF appropriation related to this epilogue totals \$259,100 ASF, which is additional to the ASF authority listed in the table above.

Source: Administrative Office of the Courts, report CJJCM49P and the FY 2023 State Budget

# FISCAL OVERVIEW

## Total Criminal Collections by Type and Recipient – FY 2023

Recipient of Collections	Fines	Fees & Costs	Assessments	Restitution	Total Criminal	Recipient Break-down
Courts	\$ —	\$ 221,911	\$ 1,227,943	\$ —	\$ 1,449,854	7.7%
Counties/ Municipalities including Statutory Funds	\$ 2,236,589	\$ 63,946	\$ 2,060,829	\$ —	\$ 4,361,364	23.1%
State Statutory Funds	\$ 4,448	\$ 2,603,239	\$ 4,445,173	\$ —	\$ 7,052,860	37.4%
General Fund/State	\$ 2,383,292	\$ 981,926	\$ —	\$ —	\$ 3,365,218	17.8%
Victims	\$ —	\$ —	\$ —	\$ 2,638,266	\$ 2,638,266	14.0%
<b>Total</b>	<b>\$ 4,624,329</b>	<b>\$ 3,871,022</b>	<b>\$ 7,733,945</b>	<b>\$ 2,638,266</b>	<b>\$ 18,867,562</b>	<b>100.0%</b>

The above represents the criminal court collections from Delaware’s criminal courts: Superior Court, Family Court, Court of Common Pleas, the Justice of the Peace Court, and the Office of State Court Collections. Much of the above is not defined as court revenue, but rather as court collections which is technically revenue for the State or other entities. Definitions below are not intended to be all-inclusive.

**Fines:** Includes state fines, town fines, criminal fines, DUI fines, and Forensic Fines.

**Fees and Costs:** Includes court costs, extradition, kiosks, PD fees, drug diversion fees, and capiases. The PD Fee was eliminated April 2023, the effective date of HB 244 w/ HA 2 of the 151st General Assembly. Some Fees and Costs collections - late fees and e-payment fees for the Voluntary Assessment Center - are no longer assessed with the implementation of HB 244 w/ HA 2.

**Assessments:** Includes Court Security, Senior Trust Fund, Victim Rights, Victim Compensation, Drug Ed/Rehab Substance Abuse (SARTEP), Civil Penalty/Drug Diversion Fees, Transportation Trust Fund Surcharge, Voluntary Ambulance Fund, the DELJIS Fund, the Videophone Fund, and the Fund to Combat Violent Crime.

Revenues for the Volunteer Ambulance Company Fund and the Fund to Combat Violent Crimes (Local) are pass-throughs from State agencies or commissions to municipalities or local entities. They are reported under “Counties/Municipalities including Statutory Funds”.

Source: Administrative Office of the Courts using report CJJCM49P

# FISCAL OVERVIEW

COURT GENERATED REVENUE - FISCAL YEAR 2023			
RESTITUTION - FISCAL YEAR 2023			
	Assessed	Collected	Disbursed
Superior Court	\$4,410,383	\$1,048,289	\$887,350
Family Court	71,448	94,694	92,183
Court of Common Pleas	1,081,568	498,291	464,341
Justice of the Peace Court	7,272	18,791	17,446
Office of State Court Collections Enforcement* (OSCCE)	-	978,200	823,819
<b>RESTITUTION TOTAL</b>	<b>\$ 5,570,671</b>	<b>\$ 2,638,265</b>	<b>\$ 2,285,139</b>
COLLECTIONS ASSISTANCE BY THE OFFICE OF STATE COURT COLLECTIONS ENFORCEMENT ON BEHALF OF COURTS AND AGENCIES**			
			Total
Superior Court			\$ 972,980
Family Court			183,400
Court of Common Pleas			124,987
Justice of the Peace Court			86,695
OSCCE Receivables			970,239
Department of Correction			739,856
Court of Chancery			2,122
Child Support			139,341
<b>OSCCE ASSISTANCE TOTAL</b>			<b>\$ 3,219,620</b>

\* Figures represent efforts made by OSCCE on behalf of the Delaware Judicial Branch.

\*\* These figures, in large part, overlap with amount collected by the various courts and agencies, and should not be considered additional (excluding OSCCE receivables). Performance results have been impacted by the implementation of HB 244. HB 244 eliminated DOC supervision fees and non-restitution Family Court fees for children from being assessed.

Source: Administrative Office of the Courts