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THE STATE OF NEW HAMPSHIRE
 JUDICIAL COUNCIL
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May 8, 2019

The Honorable Mary Jane Wallner, Chairman
 Fiscal Committee of the General Court
 State House
 Concord, N.H. 03301

His Excellency, Governor Christopher T. Sununu
 And the Honorable Executive Council
 State House
 Concord, N.H. 03301

REQUESTED ACTION

Pursuant to RSA 604-A:1-b, Additional Funding, authorize the Judicial Council to receive an additional appropriation from funds not otherwise appropriated in the amount of \$130,000, upon Fiscal Committee and Governor and Council approval, through June 30, 2019. Source of funds, is 100% General Fund.

Funding is to be budgeted in account 02-07-07-070010-1091, entitled "Assigned Counsel" as follows:

Class-Account	Title	Accounting Unit	Current Budget	Requested Change	Adjusted Budget
108-500751	Assigned Counsel	10910000	\$1,620,001	\$130,000	\$1,750,001

Pursuant to RSA 9:16-a, authorize the Judicial Council to transfer funds from the Abuse and Neglect (Non-CASA) and Assigned Counsel accounting units to the Guardian ad Litem accounting unit as outlined below, in the total amount of \$130,000. Effective upon Fiscal Committee and Governor and Council approval, through June 30, 2019. Source of funds is 100% General Fund.

Class-Account	Title	Accounting Unit	Current Budget	Requested Change	Adjusted Budget
108-500751	Assigned Counsel	10910000	\$1,750,001	(\$130,000)	\$1,620,001
108-500751	Guardian ad Litem	10920000	\$674,050	\$130,000	\$804,050

EXPLANATION

The Guardian ad Litem (10920000) account funds a variety of services, including guardians appointed to incapacitated adults and minors in guardianship court proceedings. It also funds parent attorneys and private guardians ad litem in termination of parental rights cases. The current balance in this line is \$62,817. This in-house bills received just through the end of April total approximately \$54,700, leaving a balance of \$8,117 to pay all May and June invoices. This is insufficient to pay the remainder of the invoices expected to come in before the end of the fiscal year.

The cost for services in the termination cases has increased significantly. As of April 31, 2019, the Council has paid \$375,080 in termination costs alone – an increase of over 50% compared to the same time last year. Based on the monthly average of expenditures since July 1, 2018, the account will require the addition of \$130,000 to meet the anticipated expenditures through June 30, 2019.

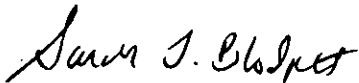
Currently, the Judicial Council does not have authority to request additional funding for this account. A transfer is necessary to obtain adequate funding through the remainder of the fiscal year. However, this will necessitate that an additional appropriation from another budget line be used to fund Guardian ad Litem budget line expenses. It also contributes to a new request for an additional appropriation for the Assigned Counsel (10910000) budget line.¹

Expenditures have significantly exceeded our forecasts in this line. Without additional funding, the Judicial Council will be unable to pay the court-approved invoices for these services. Postponing payment until the new fiscal year would constitute an undue hardship for these providers. The Judicial Council's proposed budget included a footnote authorizing requests for additional funding for this line. This authority was included in the Governor's budget.

This Agency will remain at your service to provide any requested information concerning the critical importance of this additional funding to the orderly administration of justice.

Thank you for your consideration.

Respectfully Submitted,



Sarah T. Blodgett
Executive Director

¹ Please see the Judicial Council's March 21, 2019 request for additional funding for the Assigned Counsel budget line.