

# FISCAL OVERVIEW



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## Summary of Judicial Budget Fiscal Years 2023-2025 General Funds

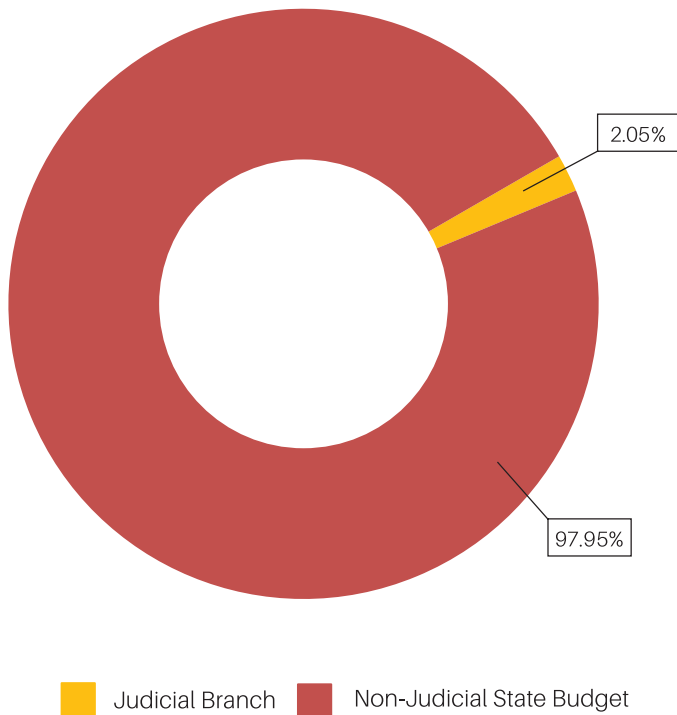
	FY 2023 Enacted Budget	FY 2024 Enacted Budget	FY 2025 Enacted Budget
Supreme Court	\$3,978,200	\$4,253,600	\$4,475,000
Court of Chancery	\$4,597,200	\$4,850,900	\$5,837,500
Superior Court	\$27,873,200	\$30,040,900	\$31,839,000
Family Court	\$22,284,400	\$23,276,600	\$25,268,200
Court of Common Pleas	\$11,389,400	\$12,069,800	\$13,032,300
Justice of the Peace Court	\$20,858,500	\$21,996,000	\$24,367,900
Administrative Office of the Courts (AOC)	\$4,482,400	\$4,777,100	\$5,040,100
AOC Custodial Pass Through Funds*	\$3,035,100	\$3,135,100	\$4,785,100
Office of State Court Collections Enforcement	\$633,800	\$670,300	\$721,100
Information Technology	\$4,059,800	\$4,426,500	\$4,625,400
Law Libraries	\$463,000	\$476,400	\$494,900
Office of the Public Guardian	\$820,900	\$858,000	\$914,000
Office of the Child Advocate	\$3,168,800	\$3,513,300	\$3,768,600
Maternal and Child Death Review Commission**	\$463,700	\$485,700	\$517,500
DE Nursing Home Residents Quality Assurance Commission	\$89,900	\$93,800	\$193,900
<b>Total</b>	<b>\$108,198,300</b>	<b>\$114,924,000</b>	<b>\$125,880,500</b>

\* Pass Through programs are included in AOC funding: the Superior Court Appointed Attorney Program, Court Interpreter Program, Victim Offender Alternative Case Resolution (formerly Victim Offender Mediation Program), Elder Law Program, Law Related Education and other funds. In FY 25 a new pass through called "Right to Representation," was added. Technology Maintenance consists of pass-through funding to other state departments and vendors for equipment and services Branch-wide.

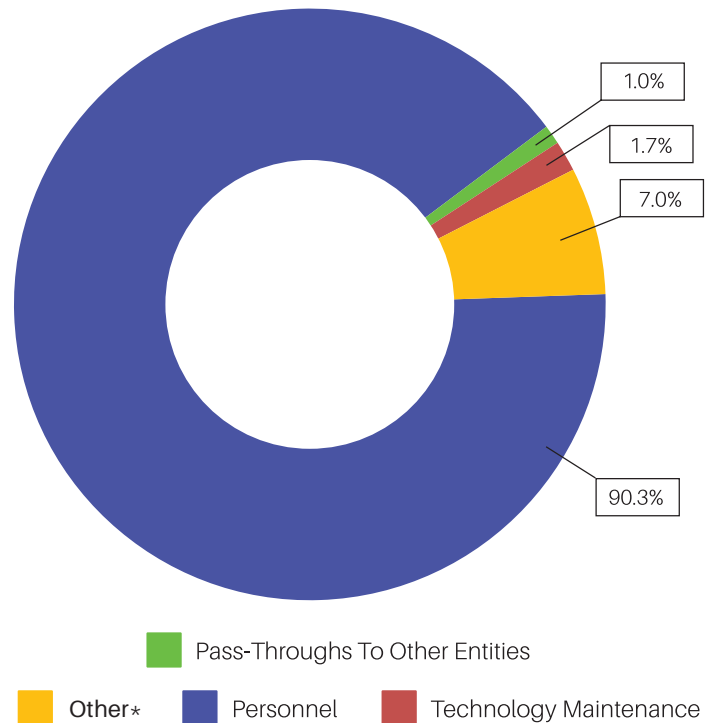
\*\* The Child Death Review Commission was renamed the Maternal and Child Death Review Commission with the passage of HB 340 of the 151<sup>st</sup> General Assembly.

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## The Judiciary's Fiscal Year 2024 Appropriation is 2.05% of the State General Fund Budget



## Fiscal Year 2024 Judicial Budget Breakdown



\* Includes contracted services, supplies and materials, travel and other operational expenses.

## State of Delaware - Fiscal Year 2024

Breakdown of General Fund Appropriations		
Public Education	\$ 1,985,539,400	35.41%
Health and Social Services	\$ 1,496,077,800	26.68%
Correction	\$ 395,640,100	7.06%
Higher Education	\$ 276,531,900	4.93%
Children, Youth and Their Families	\$ 210,445,100	3.75%
Safety and Homeland Security	\$ 180,192,700	3.21%
<b>Judicial Branch</b>	<b>\$114,924,000</b>	<b>2.05%</b>
All Other	\$ 947,365,700	16.90%
<b>Total</b>	<b>\$ 5,606,716,700</b>	<b>100.00%*</b>

\* Percentages may not total 100 due to rounding.

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## Judicial Branch Appropriations - Fiscal Year 2024

General Funds By Court Or Unit		
Supreme Court	\$ 4,253,600	3.70%
Court of Chancery	\$4,850,900	4.22%
Superior Court	\$ 30,040,900	26.14%
Family Court	\$ 23,276,600	20.25%
Court of Common Pleas	\$ 12,069,800	10.50%
Justice of the Peace Court	\$ 21,996,000	19.14%
Administrative Office of the Courts (AOC)	\$ 4,777,100	4.16%
AOC Pass Through Funds*	\$ 3,135,100	2.73%
Office of State Court Collections Enforcement	\$ 670,300	0.58%
Information Technology	\$ 4,426,500	3.85%
Law Libraries	\$ 476,400	0.41%
Other**	\$ 4,950,800	4.31%
<b>Total***</b>	<b>\$ 114,924,000</b>	<b>100.00%</b>

\*AOC Pass Through Funds consist of Appointed Attorneys/Involuntary Commitment, Court Interpreters, Victim Offender Alternative Case Resolution (formerly known as Victim Offender Mediation Program), Elder Law Program, Technology Maintenance, Law Related Education and other funds.

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

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

# FISCAL OVERVIEW

## Court Generated Revenue\* - Fiscal Year 2024 Submitted to the General Fund

	Fees and Costs	Fines	Interest***	Miscellaneous	Total
Supreme Court	\$103,756	—	—	—	\$ 103,756
Court of Chancery	\$1,145,813	—	—	—	\$ 1,145,813
Superior Court	\$2,776,178	\$114,631	\$ 8,146	\$58,109	\$ 2,957,064
Family Court	\$74,874	\$12,994	—	\$8,249	\$ 96,117
Court of Common Pleas	\$1,224,837	\$280,017	—	\$15,900	\$ 1,520,754
Justice of the Peace Court	\$1,750,357	\$1,535,664	—	\$ 30,872	\$ 3,316,893
Office of State Court Collections - DOC fees**	\$ 348,179	—	—	—	\$ 348,179
<b>State Total</b>	<b>\$7,423,994</b>	<b>\$1,943,306</b>	<b>\$8,146</b>	<b>\$ 113,130</b>	<b>\$9,488,576</b>

## Submitted to Counties and Municipalities

Counties and Municipalities	Fees and Costs	Fines	Interest** *	Miscellaneous	Total
Superior Court	\$54,744	\$19,827	—	—	\$ 74,571
Family Court	—	\$1,113	—	—	\$ 1,113
Court of Common Pleas	—	\$157,022	—	—	\$ 157,022
Justice of the Peace Court	—	\$2,038,608	—	—	\$ 2,038,608
<b>Counties and Municipalities Total</b>	<b>\$54,744</b>	<b>\$2,216,570</b>	<b>—</b>	<b>—</b>	<b>\$ 2,271,314</b>
<b>Grand Total</b>	<b>\$7,478,738</b>	<b>\$4,159,876</b>	<b>\$8,146</b>	<b>\$113,130</b>	<b>\$11,759,890</b>

\* Figures represent revenue actually received, not the total amount of fines and costs assessed. Figures include funds authorized in the Budget Act for the Court of Common Pleas and the FY 24 Fee Increase Spending Plan (HB 195, Sections 41 and 48). Court-generated revenue for this table does not include most criminal statutory assessments collected by the Courts on behalf of other agencies or entities, such as the Fund to Combat Violent Crime or the Videophone Fund.

\*\* The Office of State Court Collections (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 151<sup>st</sup> General Assembly and the discharge of outstanding balances was authorized by SB 284 of the 152<sup>nd</sup> General Assembly effective August 2024.

\*\*\* From bail bond deposits.

# FISCAL OVERVIEW

## Statutory Assessments Collected by the Courts

Criminal Only	
Court Security Fee*	\$ 1,179,723
Drug Diversion Fee	\$ 7,431
Drug Ed/Rehab SARTEP* *	\$ 19,532
DELJIS	\$ 117,284
Fund to Combat Violent Crime (State)	\$ 857,059
Fund to Combat Violent Crime (Local)	\$ 855,594
Senior Trust Fund* *	\$ 11,171
Voluntary Ambulance Fund	\$ 1,089,948
Victim Compensation	\$ 1,204,794
Victim Rights Fund	\$ 21,614
Video Phone Fee	\$ 105,945
Transportation Trust Fund	\$ 1,978,305
Civil Red Light	\$ 16,372
Statutory Transfers from Court Fees to DelDOT	
Inspection and Maintenance	\$ 2,430,217
DMVT Fund***	\$ 36,770

\* Revenue from Court Security totals \$1,609,972 when civil collections are included with the criminal collections. Figures are rounded to the nearest dollar.

\*\* SARTEP is the Substance Rehabilitation, Treatment Coordination Prevention and Education Fund. This fee - along with the Senior Trust Fund fee- was eliminated with the passage of SB 282 in the 152<sup>nd</sup> General Assembly.

\*\*\* Title 21, section 2118, motor vehicle insurance requirement.

# FISCAL OVERVIEW

General Funds and Appropriated Special Funds Percent of Budget from Criminal Fees and Fines	
Judicial GF FY 24 Budget	\$ 114,924,000
Judicial ASF FY 24 Budget	\$ 13,684,900
Total GF + ASF FY 24 Budget	\$ 128,608,900
Authority from Criminal Fees and Fines *	\$ 1,242,272
Criminal Fees and Fines as a Percent of the total Judicial Branch Budget	0.97%

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

Appropriated Special Funds (ASF) are derived from fees that are collected and designated for a specific purpose. Most court collections listed in the table on page 13 support programs outside of the Judicial Branch.

There are additional ASF revenues which are indirectly associated with fines and fees, primarily civil. Specifically, there is an ASF line called "Judicial Services" for \$2,050,000 in FY 2024, which was appropriated in connection with a previous increase in fees. Most of those fees were Civil, although there is one fee which can be either Civil or Criminal.

Section 1 and Section 41 of the FY 2024 Budget Act (HB 195 of the 152<sup>nd</sup> General Assembly) appropriated ASF funds to the Court of Chancery and the Court of Common Pleas through the budget process, which is tied to nonspecific fees. The Court of Chancery fines and fees are civil, and the Court of Common Pleas fines and fees may be civil or criminal. These funds are not included in the table above as they are not directly tied to any criminal collections.

# FISCAL OVERVIEW

## Total Criminal Collections by Type and Recipient Fiscal Year 2024

Recipient of Collections	Fines	Fees and Costs	Assessments	Restitution	Total	Total Criminal: Recipient Breakdown
Courts	—	\$ 62,549	\$ 1,179,723	—	\$ 1,242,272	6.99%
State General Fund	\$ 2,324,665	\$ 903,340	—	—	\$ 3,228,005	18.15%
Counties/Municipalities Including Statutory Funds	\$ 2,198,800	\$ 51,066	\$ 1,945,541	—	\$ 4,195,407	23.59%
Statutory Fund	\$ 4,777	\$ 2,423,981	\$ 4,339,508	—	\$ 6,768,266	38.06%
Victims	—	—	—	\$ 2,347,879	\$ 2,347,879	13.20%
<b>Total</b>	<b>\$ 4,528,243</b>	<b>\$ 3,440,937</b>	<b>\$ 7,464,772</b>	<b>\$ 2,347,879</b>	<b>\$ 17,781,831</b>	<b>100.00%</b>

The above represents the criminal court collections from our criminal courts: Superior Court, Family Court, Court of Common Pleas, and the Justice of the Peace Court. 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 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 Public Defender (PD) fees, and drug diversion fees and capias. Certain fees, such as the PD fee, and Voluntary Assessment Center late fees and e-payment fees were eliminated in April 2023 with the implementation of HB 244 with HA 2 of the 151<sup>st</sup> General Assembly.

**Assessments:** Includes Court Security, Senior Trust Fund, Victim Rights, Victim Compensation, Drug Ed/Rehab Substance Abuse (SARTEP), Civil Penalty/Drug Diversion, Transportation Trust Fund Surcharge, Voluntary Ambulance Fund, the DELJIS Fund, the Videophone Fund, and the Fund to Combat Violent Crime. The Senior Trust Fund fee and the SARTEP fee were eliminated with the passage of SB 282 of the 152<sup>nd</sup> General Assembly.

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."



# FISCAL OVERVIEW

## Collections Assistance by the Office of State Court Collections Enforcement on Behalf of Courts and Agencies\*

Superior Court	\$ 1,126,882
Family Court	\$ 175,027
Court of Common Pleas	\$ 142,286
Justice of the Peace Court	\$ 79,101
OSCCE Receivables	\$ 948,279
DOC	\$ 348,179
Court of Chancery	\$ 2,921
Child Support	\$ 101,654
<b>OSCCE Assistance Total</b>	<b>\$ 2,924,329</b>

\* The figures represent all efforts made by the Office of State Court Collections (OSCCE) on behalf of the Delaware Judicial Branch. These figures, in large part, overlap with the amounts collected by the various courts and agencies, and should not be considered additional. Figures are rounded to the nearest dollar.

## Court Generated Revenue - Fiscal Year 2024 Restitution\*

	Assessed	Collected	Disbursed
Superior Court	\$ 5,458,869	\$ 845,154	\$ 974,317
Family Court	\$ 150,922	\$ 72,940	\$ 72,375
Court of Common Pleas	\$ 1,171,211	\$ 464,402	\$ 461,462
Justice of the Peace Court	\$ 14,987	\$ 19,351	\$ 17,598
Office of State Court Collections Enforcement	—	\$ 946,033	\$ 864,039
<b>Restitution Total</b>	<b>\$ 6,795,989</b>	<b>\$ 2,347,880</b>	<b>\$ 2,389,791</b>

\* Figures are rounded to the nearest dollar.