



THE SUPREME COURT OF MINNESOTA
MINNESOTA JUDICIAL CENTER
25 REV. DR. MARTIN LUTHER KING JR. BLVD.
SAINT PAUL, MINNESOTA 55155

CHAMBERS OF
LORIE S. GILDEA
CHIEF JUSTICE

(651) 296-3380

May 1, 2023

Members of the Conference Committee on S.F. 2909:

On behalf of the judges and staff of the Minnesota Judicial Branch, thank you for the opportunity to provide written testimony on S.F. 2909, the Omnibus Judiciary and Public Safety Appropriations Bill. We appreciate the commitment made by the House, the Senate, and the Governor to make sure that justice is accessible to all. This bill contains important new investments in our state's justice system, and a high-functioning and accessible court system is vital to ensuring that the benefits of those investments are fully realized by the people of Minnesota. We ask for your support in providing full funding for the state's judiciary and addressing the workforce crisis facing our state's courts.

Addressing the Judicial Branch workforce crisis

The Judicial Branch is grateful to Governor Walz and the Senate for including full funding of our compensation request in their budget proposals. **We urge this conference committee to adopt the Senate position and fully fund the highest priority in our state's judiciary.** The smaller funding level in the House bill will only add to our looming workforce crisis, and further erode the ability of our courts to deliver timely access to justice. While the Judicial Branch acknowledges the House bill's efforts to improve law clerk pay, the serious workforce challenges in our courts extend to all levels of our organization and need to be addressed in a holistic and comprehensive manner. The Branch's budget request is designed with that goal in mind.

The single greatest challenge facing Minnesota's court system is our ability to attract and retain qualified judges and staff. As we have detailed throughout the legislative session, our compensation structure in the Judicial Branch has fallen significantly behind our public sector peers—a problem made worse by the fact that the Judicial Branch did not receive funding to provide compensation increases in FY23, during a time of record inflation and high wage growth.

As a result of our uncompetitive compensation structure, staff departure rates have nearly doubled over the past four years, and the number of applicants we receive for each open position has plummeted by more than 70 percent. In exit surveys with departing employees, the number one reason employees give for leaving the Judicial Branch is salary. Courts frequently see staff resign to take higher-paying positions with county offices in the same courthouse.

We also see fewer attorneys pursuing judgeships, as judges are often paid significantly less than the county prosecutors who appear before them. In 2003, an open judgeship in a metro area judicial district received 33 applicants. When that same judgeship opened earlier this year, only five attorneys applied.

This workforce crisis is a serious threat to the Judicial Branch's ability to deliver timely access to justice and fulfill our Constitutional responsibilities. A lack of available staff has forced courts to delay and postpone hearings. Some courts are considering closing courthouse service windows because there simply are not enough clerks to keep them open.

Minnesotans depend on a fully functioning judiciary to protect their rights, peacefully resolve their disputes, and ensure public safety. Our courts are also essential to a well-functioning democracy. The Legislature and Governor work together to enact laws that benefit and protect individual Minnesotans and businesses. But without courts that are high functioning and accessible, the aims and promises codified in those statutes are much less meaningful. In other words, the people of Minnesota need all three branches of their government.

Other Judicial Branch funding priorities

The Judicial Branch also appreciates the Legislature's support for our other budget priorities and urges the Conference Committee to support full funding of the Judicial Branch's request related to:

- Eliminating the remainder of the pandemic case backlog in the district courts;
- Modernizing courtroom technology;
- Addressing the rising cost of providing mandated psychological services;
- Sustaining four recently established treatment courts; and
- Making permanent recent increases to the payment rate for contract court interpreters.

Members of the Conference Committee

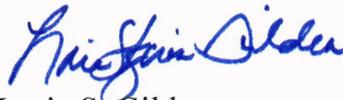
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The Minnesota Judicial Branch has always been a responsible steward of the public's investment and has respected the Legislature's difficult budget-setting responsibility by asking only for what we need to fulfill our Constitutional responsibilities. The Minnesota Judicial Branch represents just 1.5 percent of the state's General Fund budget, and given the state's historic budget surplus, we ask the Legislature to fully fund our budget request to ensure that our courts can continue to maintain the justice system the people of Minnesota expect and deserve.

Thank you for your work on behalf of the people of Minnesota. Please contact me if I can provide any additional information. We look forward to working with you during the remainder of this critical budget-setting process.

Sincerely,



Lorie S. Gildea
Chief Justice

cc: Governor Tim Walz
Senate Majority Leader Kari Dziedzic
Senate Minority Leader Mark Johnson
Speaker Melissa Hortman
House Minority Leader Lisa Demuth