

SUPREME COURT OF NEVADA

A. WILLIAM MAUPIN, CHIEF JUSTICE
201 SOUTH CARSON STREET
CARSON CITY, NEVADA 89701-4702



November 7, 2007

The Honorable Jim Gibbons
Office of the Governor
101 North Carson Street
Carson City, Nevada 89701

Dear Governor Gibbons:

Thank you for your letter of October 19, 2007, concerning the hiring freeze recently instituted by the executive branch. We fully appreciate the situation concerning the current economy of the state and would like to take this opportunity to advise you of how the judiciary has assisted, and will continue to assist, the state in addressing the projected revenue shortfall.

First, in response to your request concerning the hiring freeze, we have instituted a procedure for the Executive Committee of the Nevada Supreme Court (Court) to review all vacant positions. The Executive Committee, made up of the Chief Justice and two other justices, will review all requests to recruit for vacant positions and determine if the need is sufficient to fill them.

We are anticipating several critical positions in the Court that will become vacant in the near future. These positions include the Clerk of the Court, Supervisor of Criminal Central Staff, the Death Penalty Supervising Attorney, and the Reporter of Judicial Decisions. It is essential that we fill these positions; however, all other positions will be subject to review.

Second, in September 2007, the Court reverted 29 percent of its fiscal year 2007 general fund appropriation, or \$2,529,914, to the general fund (this percentage exempts the appropriation for the salaries of district judges, which are set by statute). The significance of this reversion given the projected revenue shortfall was not anticipated in the current biennium.

Further, in September 2008, the Court is currently projecting it will revert over 11 percent of its fiscal year 2008 appropriation (less the appropriation for the salaries of district judges), or approximately \$1,000,000, to the general fund. The projected reversion is due in part to the unanticipated receipt of one-time administrative assessment revenue from the Las Vegas Justice

Court in October 2007¹, and due in part to salary savings. We believe this percentage will continually increase as the year progresses, as the procedure we will institute to review vacant positions is carried out, and as savings are realized in other expenditure categories.

Other savings the Court is projecting which will result in further reversions to the general fund are: 1) the elimination of the need for the \$150,423 general fund appropriation the Board of Examiners received to fund the Court's two percent cost of living increase for positions funded in full or in part by the general fund, which will result in a corresponding general fund reversion in that account; and 2) the Court's recent adoption of its compensation schedule for its executive level unclassified positions in a Court Order of September 27, 2007. This compensation schedule subjects unclassified salaries to tier levels established by the Court. Current projections indicate the result of implementing this schedule will decrease the funding levels for its unclassified positions over the biennium to levels which are lower than levels in the unclassified pay bill for positions that are funded in full or in part by the general fund.

We believe our efforts have resulted, and will continue to result, in the reversion of a significant amount of the judiciary's appropriation to the general fund. We are sensitive to the current economic situation and will continue to consider its impact on judicial budgets as we make decisions that are crucial to the functions of the judiciary.

Please contact me at any time should you wish to discuss these matters further.

Sincerely,



A. William Maupin, Chief Justice

P.S.: We want to thank your General Counsel for his kind invitation to attend the upcoming budget seminar. We are very grateful for the invitation; however, the Court is in session and trust that this letter will satisfy any input from the judiciary.

AWM:DB:db

c: Senator William J. Raggio, Senate Majority Leader
Assemblywoman Barbara Buckley, Speaker of the Assembly
Assemblyman Morse Arberry, Jr., Chair, Interim Finance Committee
Ron Titus, Director, Administrative Office of the Courts
Karen Baggett, Director of Administration
Deanna Bjork, Manager of Budgets
Lorne Malkiewich, Director, Legislative Counsel Bureau
Andrew Clinger, Director, Department of Administration

¹ Forty-nine percent, or \$754,752, of the one-time administrative assessment revenue received from the Las Vegas Justice Court by executive branch programs will result in corresponding increases to the general fund pursuant to subsection 8 (b) of NRS 176.059.